



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE:

October 8, 2024

REVISED

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**TRANSPORTATION CORE SERVICE AREA
RESOLUTION OF INTENTION AND INTRODUCTION OF AN ORDINANCE
TO GRANT A PROPRIETARY ELECTRICAL TRANSMISSION FRANCHISE
TO HECATE GRID HUMIDOR STORAGE 1 LLC
WITHIN THE ANGELES FOREST HIGHWAY AND VINCENT VIEW ROAD
IN THE UNINCORPORATED ACTON AREA
OF THE COUNTY OF LOS ANGELES
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to grant a proprietary electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC within the Angeles Forest Highway and Vincent View Road in the unincorporated Acton area of the County of Los Angeles.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the granting of the proposed proprietary electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC is exempt from the California Environmental Quality Act as both a standalone activity and when considered along with the planned Battery Energy Storage System to which connection to the electrical grid would be made possible by the franchise for the reasons stated in this Board letter and in the record of the project.
2. Approve the Resolution of Intention to grant a 35-year proprietary electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC within the Angeles Forest Highway and Vincent View Road in the unincorporated Acton area of the County of Los Angeles.

3. Introduce, waive reading, and place on the Board of Supervisors agenda for adoption an ordinance to grant a 35-year proprietary electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC; set the matter for a public hearing on October 29, 2024, or on the next available hearing date within 60 days from the date of adoption of the Resolution of Intention; and instruct the Executive Officer of the Board of Supervisors to publish a Notice of Public Hearing pursuant to Section 6232 of the California Public Utilities Code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT THE BOARD:

Adopt the ordinance to grant a 35-year proprietary electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the granting of the proposed proprietary electrical transmission franchise is exempt from the California Environmental Quality Act (CEQA) as both a standalone activity and when considered along with the planned Battery Energy Storage System (BESS) to which connection to the electrical grid would be made possible by the franchise for the reasons stated in this Board letter and in the record of the project and would allow the Board of Supervisors to approve the enclosed Resolution of Intention (Enclosure A), schedule a public hearing, and publish a Notice of Public Hearing, as needed, to adopt the enclosed ordinance (Enclosure B) to grant a 35-year proprietary electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC within the Angeles Forest Highway and Vincent View Road in the unincorporated Acton area of the County of Los Angeles.

Hecate requested a 35-year proprietary electrical transmission franchise for the purpose of installing electrical transmission lines to conduct and transmit electricity from the planned BESS facility known as Hecate Grid Humidor Storage 1 LLC project. On August 1, 2023, the Department of Regional Planning determined that the BESS conformed to all applicable development standards of the Zoning Code and approved a Site Plan Review for the BESS. The granting of this franchise to place infrastructure in the public right of way does not reopen the Site Plan Review for the BESS facility nor does it impose conditions of approval on the construction or operation of the BESS facility.

If approved and if Hecate is able to obtain all necessary permits and approvals, including from the Fire Department, County residents would benefit from the grant of this franchise as it would increase reliability of the electrical grid and provide sustainable/green power

to County residents. The BESS and electrical transmission lines will not be constructed until the necessary permits are obtained.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: North Star 3, Realize Tomorrow's Government Today, Focus Area Goal G, Internal Controls and Processes, Strategy ii, Manage and Maximize County Assets, by providing accessible funds for County programs, which will help promote fiscal responsibility and sustainability for the operation and maintenance of County highways. The recommended actions will also allow for the continuation of utility services through renewable energy sources.

Additionally, the recommended actions are consistent with the County Strategic Plan Goal 1, Make Investments That Transform Lives, and Goal 2, Foster Vibrant and Resilient Communities, because they support investment in infrastructure projects that can enhance resiliency of communities in the County. The franchise would contribute to electricity grid improvements that can provide additional system capacity and reliability for the County communities and would also contribute toward the County's efforts and policies to address climate change by supporting efforts in decarbonizing the energy supply and reducing reliance on fossil-based energy source for County residents.

FISCAL IMPACT/FINANCING

There would be no impact to the County General Fund.

If approved, Hecate would pay the County a granting fee of \$10,000 within 30 days of the adoption of the ordinance and an annual franchise fee based on \$4.03 per linear foot of highway space occupied, which will be adjusted annually using the Consumer Price Index for All Urban Consumers.

The first year's franchise fee estimate would be \$22,205, which will be deposited in Fiscal Year 2024-25 into the Road Fund (B03-Revenue Source 8355: Franchises).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The proposed improvements would be placed in the County right of way, which includes an approximately 1-mile long interconnective line to connect the BESS to Southern California Edison's existing Vincent Substation. This interconnection, which is primarily a buried electrical line and several poles to conduct and transmit electricity, would be installed by trenching in an existing roadway and would be located adjacent to other utility

uses, such as water, sewer, and communication lines. A more fully described project description can be found in the enclosed Statement of Reasons for CEQA Exemption, which was completed by Stantec Consulting Services, Inc., and their enclosed memo (Enclosure C). The franchise would be in effect for 35 years, commencing on ~~November 28, 2024~~ December 26, 2024, and expiring on ~~November 27, 2059~~ December 25, 2059.

Division 3, Title 16, of the Los Angeles County Code authorizes the Board to grant a franchise associated with electrical transmission lines. County Counsel prepared and approved the accompanying Resolution of Intention and the ordinance.

Pursuant to Section 6232 of the California Public Utilities Code, the Executive Officer of the Board shall arrange for the publishing of the Notice of Public Hearing in a newspaper of general circulation in the County at least once within 15 days after the Board's adoption of the Resolution of Intention.

ENVIRONMENTAL DOCUMENTATION

The proposed granting of the franchise ordinance as described herein is exempt from CEQA. The adoption of the ordinance is categorically exempt because it is within certain classes of projects that have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Sections 15301, 15303, 15304, 15305, and 15311 of the CEQA Guidelines and Classes 1, 3, 4, 5, and 11 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G, which apply to minor alteration of existing facilities, new construction, minor alterations to land and to land-use limitations, and accessory structures. The franchise would result in negligible expansion of use of the right of way and would not include removal of any trees. In addition, based on the record of the proposed franchise, it would comply with all applicable regulations; it would not impact any designated environmental resource of hazardous or critical concern; there are no cumulative impacts, unusual circumstances, damage to scenic highways, or listing on hazardous waste site lists compiled pursuant to Government Code, Section 65962.5; or indications that it may cause a substantial adverse effect on the significance of a historical resource that would make any of the categorical exemptions inapplicable.

Additionally, the proposed grant of the franchise, considered together with the previously approved site plan for the BESS, is, as a whole, categorically exempt under the State CEQA Guidelines, Sections 15303, 15304, and 15305, and Classes 3, 4, and 5 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. These exemptions apply to new construction and minor alterations to land

and to land use limitations. The franchise and the BESS, as a whole, would not include removal of any trees. In addition, construction and operation of the proposed franchise and the BESS would comply with all applicable regulations; would not impact any designated environmental resource of hazardous or critical concern; there are no cumulative impacts, unusual circumstances, damage to scenic highways, or listing on hazardous waste site lists compiled pursuant to Government Code, Section 65962.5; or indications that it may cause a substantial adverse effect on the significance of a historical resource that would make any of the categorical exemptions inapplicable.

The granting of the franchise both by itself and when considered with the BESS also qualifies for a statutory exemption from CEQA under California Public Resources Code, Section 21083.3, and CEQA Guidelines, Section 15183, which provides an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report was certified, except as might be necessary to examine whether there are project-specific significant effects, which are peculiar to the project or its site. The record of the proposed franchise and the BESS demonstrate that their construction, operation, and maintenance are consistent with the development density and use characteristics established by the existing zoning, the County General Plan, and the Antelope Valley Area Plan and consistent with the analysis performed in the County General Plan and the Antelope Valley Area Plan Environmental Impact Reports.

Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the Registrar-Recorder/County Clerk and with the State Clearinghouse in the Governor's Office of Planning and Research in accordance with Section 21152 of the California Public Resources Code and will post the notice on the County's website in accordance with Section 21092.2 of the California Public Resources Code.

Documentation in support of these exemptions can be found in Enclosure C.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no adverse impact or effect on any current services or future County projects.

The Honorable Board of Supervisors
October 8, 2024
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CONCLUSION

Please return adopted copies of this letter, ordinance, and the Resolution of Intention to the attention of Mr. Robert Howard, Senior Manager, Hecate Grid Humidor Storage 1 LLC, 600 West Fulton Street, Suite 510, Chicago, IL 60661; the Office of County Counsel; and Public Works, Survey/Mapping & Property Management Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Pestrella". The signature is fluid and cursive, written over a white background.

MARK PESTRELLA, PE
Director of Public Works

MP:GE:lm

Enclosures

c: Auditor-Controller (Accounting Division–Asset Management)
Chief Executive Office (Chia-Ann Yen, Joyce Chang)
County Counsel
Executive Office

Enclosure A

REVISED

**RESOLUTION OF INTENTION
TO GRANT A PROPRIETARY ELECTRICAL TRANSMISSION FRANCHISE
TO HECATE GRID HUMIDOR STORAGE 1 LLC**

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California.

- A. Hecate Grid Humidor Storage 1 LLC, hereinafter referred to as Franchisee, has applied to the Board of Supervisors of the County of Los Angeles, State of California, for a franchise for a period of thirty-five (35) years beginning on ~~November 28, 2024~~ December 26, 2024, the operative date of the franchise, and terminating on ~~November 27, 2059~~ December 25, 2059, to construct, operate, maintain, renew, repair, change the size of, remove or abandon in place, and use an electrical transmission system consisting of conduits, manholes, vaults, cables, wires, poles, switches, communications circuits, other equipment, appliances, and appurtenances necessary and appropriate for cable circuits and communication line crossing, and for the purpose of conducting and transmitting electricity and electrical energy for light, heat, and power purposes, and for any and all other purposes for which electricity can be used for Franchisee's operations in connection with its Battery Energy Storage System facility generally located within the Angeles Forest Highway and Vincent View Road, in the unincorporated Acton area of the County of Los Angeles, State of California, in, on, along, upon, under, or across highways, as defined in Section 16.36.080 of the Los Angeles County Code now or hereafter dedicated to public use in the unincorporated Acton area of the County of Los Angeles, State of California, as more particularly shown on Exhibit A, attached hereto and made a part hereof.
- B. It is the intention of the Board of Supervisors to grant the franchise applied for upon the terms and conditions here mentioned. The Franchisee and its successors and assigns will, during the life of its franchise, pay annually to the County of Los Angeles, the amount specified in the proposed ordinance from the operative date of the franchise and in the event such payment is not made, the franchise will be forfeited.
- C. The franchise described in the ordinance attached hereto as Exhibit B is a franchise for electric transmission purposes.
- D. That on October 29, 2024, or at the next available hearing date, on a day not less than twenty (20) days or more than sixty (60) days after the date of the passage of this Resolution of Intention, in the hearing room of the Board of Supervisors, Board Hearing Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple

The foregoing resolution was adopted on the ____ day of _____, 2024, by the Board of Supervisors of the County of Los Angeles, State of California, and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

EDWARD YEN
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON
County Counsel



By _____
Deputy

EXHIBIT A

ACROSS THE ANGELES FOREST HIGHWAY

FOR AN

UNDERGROUND ELECTRIC TRANSMISSION LINE

IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING LOCATED IN THE

EAST 1/2 OF SEC 27 AND THE S 1/4 OF SEC 22

TOWNSHIP 5 NORTH, RANGE 12 WEST, SAN BERNARDINO MERIDIAN

PERMIT DESCRIPTION:

That portion of the Angeles Forest Highway located in the Southeast Quarter of Section 22 and the East Half of Section 27 all of Township 5 North, Range 12 West, San Bernardino Meridian, located in Los Angeles County, State of California described as follows:

COMMENCING at the North Quarter Corner of said Section 27; thence South 89°56'43" East 2139.68 feet along the north line of said Section 27; thence North 1°00'23" West 500.00 feet; thence North 50°58'55" East 24.78 feet to a point on the northwesterly ROW of said Angeles Forest Highway as shown hereon and the **POINT OF BEGINNING**; thence South 20°35'23" East 470.64 feet to the beginning of a curve concave northeasterly having a radius of 105.50 feet; thence southeasterly 72.12 feet along said curve through a central angle of 39°10'06"; thence South 59°45'29" East 32.08 feet to the beginning of a curve concave southwesterly having a radius of 105.50 feet; thence southeasterly 97.23 feet along said curve through a central angle of 52°48'16" to the centerline of said Angeles Forest Highway; thence continuing along said centerline South 06°57'13" East 384.63 feet to the beginning of a curve concave westerly having a radius of 1,000.00 feet; thence continuing along said centerline southerly 307.46 feet along said curve through a central angle of 17°36'58"; thence continuing along said centerline South 10°39'45" West 3,517.53 feet; thence departing said centerline North 79°20'15" West 40.00 feet; thence South 10°39'45" West 160.00 feet; thence South 79°20'15" East 40.00 feet to said centerline; thence along said centerline South 10°39'45" West 409.05 feet to the beginning of a curve concave northeasterly having a radius of 44.50 feet; thence departing said centerline southeasterly 65.39 feet along said curve through a central angle of 84°11'46"; thence North 10°39'45" East 11.08 feet to the beginning of a non-tangent curve concave northeasterly having a radius of 33.50 feet (a radial bearing to said point bears lies South 18°22'56" West); thence northwesterly 48.11 feet along said non-tangent curve through a central angle of 82°16'49" to a line parallel with and 11.00 feet easterly of said centerline; thence along said parallel line North 10°39'45" East 2,74.58 feet; thence South 79°20'15" East 29.00 feet; thence North 10°39'45" East 400.00 feet; thence North 79°20'15" West 29.00 feet to said parallel line; thence along said parallel line North 10°39'45" East 1,312.00 feet to the beginning of a curve concentric with said centerline and concave westerly having a radius of 1,011.00 feet; thence northerly 310.84 feet along said concentric curve through a central angle of 17°36'58"; thence along said parallel line North 06°57'13" West 390.10 feet to the beginning of a curve concave southwesterly having a radius of 105.50 feet; thence northwesterly 97.23 feet along said curve through a central angle of 52°48'16"; thence North 59°45'29" West 37.54 feet to the beginning of a curve concave northeasterly having a radius of 94.50 feet; thence northwesterly 64.60 feet along said curve through a central angle of 39°10'06"; North 20°35'23" West 474.30 feet; thence South 50°58'55" West 11.59 feet to the **POINT OF BEGINNING**.

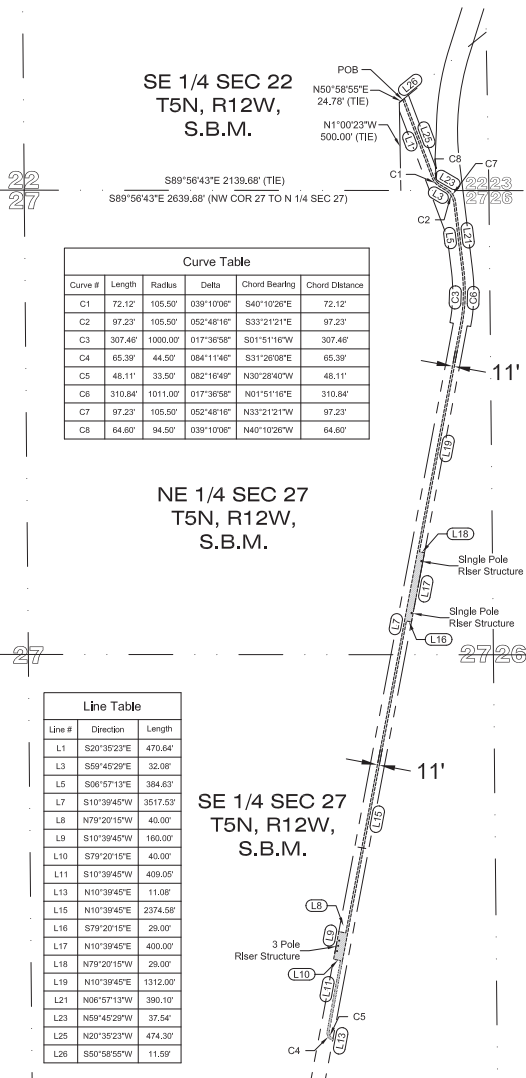
CONTAINING: 1.81 acres, more or less.

SURVEYOR'S STATEMENT:

This map correctly represents a survey made by me or under my direct supervision in conformance with the requirements of the Professional Land Surveyor's Act, at the request of Hecate Grid for the purpose of obtaining a permit over a portion of the Angeles Forest Highway in May of 2022.

James J. Coutts, PLS 8360

10/5/22
Date



SE 1/4 SEC 22
T5N, R12W,
S.B.M.

S89°56'43"E 2139.68' (TIE)
S89°56'43"E 2639.68' (NW COR 27 TO N 1/4 SEC 27)

Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	72.12	105.50	039°10'06"	S40°10'26"E	72.12'
C2	97.23	105.50	052°48'16"	S33°21'21"E	97.23'
C3	307.46	1000.00	017°36'58"	S01°51'16"W	307.46'
C4	65.39	44.50	084°11'46"	S31°28'08"E	65.39'
C5	48.11	33.50	082°16'49"	N30°28'40"W	48.11'
C6	310.84	1011.00	017°36'58"	N01°51'16"E	310.84'
C7	97.23	105.50	052°48'16"	N33°21'21"W	97.23'
C8	64.60	94.50	039°10'06"	N40°10'26"W	64.60'

NE 1/4 SEC 27
T5N, R12W,
S.B.M.

Line #	Direction	Length
L1	S20°35'23"E	470.64'
L3	S59°45'29"E	32.08'
L5	S06°57'13"E	384.63'
L7	S10°39'45"W	3517.53'
L8	N79°20'15"W	40.00'
L9	S10°39'45"W	160.00'
L10	S79°20'15"E	40.00'
L11	S10°39'45"W	409.05'
L13	N10°39'45"E	11.08'
L15	N10°39'45"E	2374.58'
L16	S79°20'15"E	29.00'
L17	N10°39'45"E	400.00'
L18	N79°20'15"W	29.00'
L19	N10°39'45"E	1312.00'
L21	N06°57'13"W	380.10'
L23	N59°45'29"W	37.54'
L25	N20°35'23"W	474.30'
L26	S50°58'55"W	11.59'

SE 1/4 SEC 27
T5N, R12W,
S.B.M.

SURVEYOR'S NOTE:

This description was prepared from record information only for the purpose of creating a preliminary permit area description. No field surveying has been yet completed. A final survey of the Angeles Forest Highway Right-of-Way and the permitted area will be completed in the field once the final permit location has been determined. Records used to establish the right-of-way shown hereon include: ROS 72/30; ROS 79/80; & ROS 98/30.

Bearings are CA State Plane Zone V, NAD 83, USSF. Distances are gts.

REV: 3	DATE: 10/5/2022	DESC: HEC-001 Humboldt Permit	BY AGD	CHK GHF	APP JJC
ANGELES FOREST HIGHWAY PROPOSED UNDERGROUND ELECTRIC ROUTE LOCATED IN THE EAST 1/2 OF SEC 27 AND THE SE 1/4 OF SEC 22 TOWNSHIP 5 NORTH, RANGE 12 WEST, SAN BERNARDINO MERIDIAN LOS ANGELES COUNTY, CALIFORNIA					
ELECTRICAL CONSULTANTS, INC. SALT LAKE CITY, UTAH			Hecate Grid		
PAGE 1 OF 1			SCALE: 1" = 500'		

REVISED**ANALYSIS**

This ordinance grants an electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC, a Delaware limited liability company ("Franchisee"), to conduct and transmit electricity for a period of thirty-five years, beginning on December 26, 2024, and expiring on December 25, 2059. The base annual fee payable to the County of Los Angeles by Franchisee will be determined according to a formula contained in Section 2 of this ordinance. Franchisee will also pay a granting fee of ten thousand dollars.

DAWYN R. HARRISON
County Counsel



By

GRACE V. CHANG
Principal Deputy County Counsel
Public Works Division

GVC:lm

Requested: 08/01/24
Revised: 11/19/24

REVISED

ORDINANCE NO. _____

An ordinance granting an electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC, a Delaware limited liability company, for a period of thirty-five years, beginning on December 26, 2024, and expiring on December 25, 2059.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Franchise Term; Grant.

The right, privilege, and franchise is granted to Hecate Grid Humidor Storage 1 LLC, a Delaware limited liability company ("Franchisee"), and its successors and assigns, for a period of thirty-five (35) years, beginning on December 26, 2024, and expiring on December 25, 2059, to construct, operate, maintain, renew, repair, change the size of, remove or abandon in place, and use an electrical transmission system consisting of conduits, manholes, vaults, cables, wires, switches, communications circuits, poles, other equipment, appliances, and appurtenances necessary and appropriate for underground electrical transmission lines and interconnections for the purpose of conducting and transmitting electricity and electrical energy for light, heat, and power purposes, and for any and all other purposes for which electricity can be used for Franchisee's operations in connection with its battery energy storage facility, in, on, along, upon, under, or across highways, as defined in Section 16.36.080 of the Los Angeles County Code ("County Code"), now or hereafter dedicated to public use within the unincorporated territory of the County of Los Angeles, State of California ("County Highway"), specifically, Vincent View Road between West Carson Mesa Road and Angeles Forest Highway, and Angeles Forest Highway between Vincent View Road

REVISED

and Hillside Drive, as more particularly shown on Exhibit A, attached hereto and made a part hereof ("Franchise Area"). The Franchise Area is generally bounded by West Carson Mesa Road, Vincent View Road, and Angeles Forest Highway.

SECTION 2. Consideration; Payments of Fees.

A. All fees set forth in this ordinance shall be made payable to the County of Los Angeles ("County"), c/o Department of Public Works, P.O. Box 1460, Alhambra, California 91802-1460.

B. Granting Fee. As consideration for the franchise granted, transferred, extended, or otherwise amended, Franchisee shall pay the County a granting fee of ten thousand dollars (\$10,000) within thirty (30) days after the adoption of this ordinance.

C. Annual Franchise Fee. As additional consideration for the franchise granted or extended, Franchisee shall pay within thirty (30) days prior to commencement of construction of Franchisee's facilities within the Franchise Area, and thereafter shall pay annually, a franchise fee computed annually ("Annual Franchise Fee"), which shall be paid on or before December 26 ("Anniversary Date") of each calendar year during the term of the franchise, to the County in lawful money of the United States. The Annual Franchise Fee shall be calculated based on the County Highway space occupied by Franchisee's facilities at the rate of four dollars and three cents (\$4.03) per linear foot, or five thousand dollars (\$5,000), whichever is greater. For purposes of calculating the Annual Franchise Fee, it is agreed that Franchisee's facilities initially occupy a total of five thousand five hundred ten (5,510) linear feet of

County Highway. The Annual Franchise Fee for the first year shall be twenty-two thousand two hundred five dollars (\$22,205).

1. Annual Adjustments Based on Consumer Price Index. For every year that the franchise is in full force and effect, the Annual Franchise Fee for the then-current twelve (12) month period shall be increased based on changes in the Consumer Price Index for All Urban Consumers for the Los Angeles-Long Beach-Anaheim California region (1982-84=100), All Items, as published by the United States Department of Labor, Bureau of Labor Statistics ("Index"), to determine the Annual Franchise Fee for the next twelve (12) months.

2. The Annual Franchise Fee for each subsequent year ("New Annual Franchise Fee") shall be calculated by multiplying the then-current Annual Franchise Fee by a fraction, the numerator of which shall be the Index for the month ending ninety (90) days prior to the upcoming Anniversary Date ("Current Index"), and the denominator of which shall be the Index for the month ending ninety (90) days prior to the previous Anniversary Date ("Previous Index"). The formula for calculation is shown below:

Current Annual Franchise Fee x [Current Index/Previous Index] = New Annual Franchise Fee.

3. If the described Index is no longer published and a substitute index is adopted by the Bureau of Labor Statistics, then Franchisee and the County shall accept such substituted index for future Annual Franchise Fee calculations. If no such government index is offered as a replacement, the County shall, at its sole discretion,

determine the index to be used. In all events, a New Annual Franchise Fee shall not be less than the previous year's Annual Franchise Fee.

D. Additional Fees and Assessments. In addition to the Annual Franchise Fee, Franchisee shall also pay all applicable County fees and assessments related to construction and operation in the Franchise Area. Franchisee shall also pay any applicable fees provided in the County Code, including, but not limited to, administrative fees, processing fees, permit fees, late charges, accrued interest, and penalties required in connection with the franchise. These fees shall be charged at the then-current applicable rates.

E. The County reserves the right to change its method of calculating fees and the amount thereof, not more frequently than once every five (5) years, if the Board of Supervisors ("Board") determines after a public hearing that good cause exists for such change, and such change is not in conflict with the laws of the State of California.

F. Late Payments. In the event Franchisee fails to make full payment of any of the payments provided for herein on or before the dates they are due, Franchisee shall pay a late charge of ten percent (10%) of the amount due, said ten percent (10%) being due thirty (30) days after the date the payment is originally due. The late charge in the amount of ten percent (10%) has been set by both parties hereto as liquidated damages in recognition of the difficulty in affixing actual damages from a breach of said time of performance requirement.

In the event full payment of any rate, payment, or fee, including the ten percent (10%) late charge, is not received within sixty (60) days after the due date, an assessment of interest shall accrue on the unpaid balance at one percent (1%) per month, beginning on the sixty-first (61st) day after the due date.

SECTION 3. Indemnification and Insurance.

Franchisee shall meet the following indemnification and insurance requirements:

A. Indemnification. Franchisee shall indemnify, defend, and hold harmless, the County and County's special districts, elected and appointed officers, employees, and agents (collectively "County's Agents") from and against any and all expenses, costs, fees, damages, claims, liabilities, and lawsuits of any nature, including, without limitation, those involving, relating to, or asserting, bodily injury, personal injury, death, property damage, encroachment, encumbrance, or infringement upon property rights or interests and any loss of property value related thereto or arising therefrom, defense costs, attorneys' fees, and workers' compensation benefits, expenses, and damages of any other type (collectively "Claims") that relate to or arise from: (1) County's grant and/or extension of the franchise; and/or (2) Franchisee's use or exercise of the franchise and/or the operations or the services provided by Franchisee, its employees, agents, servants, receivers, contractors, subcontractors, successors, or assignees (collectively "Franchisee's Agents") in connection with the franchise; and/or (3) any acts or omissions of Franchisee, Franchisee's Agents, or any person in connection with activities or work conducted or performed pursuant to the franchise and/or arising out of such activities or work. In furtherance of, and in no way limiting, the foregoing,

Franchisee shall indemnify, defend, and hold harmless, the County and the County's Agents from and against any and all Claims that relate to, arise from, or involve pollution, contamination, degradation, and/or environmental compliance, relating to, arising from, or involving the franchise, or Franchisee's use or exercise thereof, including, but not limited to, Claims arising from or relating to any threatened, actual, or alleged discharge, dispersal, release, or escape of any substance, including, but not limited to, any pollutant or contaminant of any kind, into or upon any person, thing, or place, including the land, soil, atmosphere, man-made structure, and/or any above or below ground watercourse or body of water. Notwithstanding anything to the contrary herein, Franchisee shall not be obligated to indemnify the County and the County's Agents for liability and expense arising from or relating to the active negligence or willful misconduct of the County or the County's Agents.

B. Insurance. Without limiting Franchisee's indemnification of the County or County's Agents, or provision of bonding or additional security required under the franchise, Franchisee shall provide and maintain at its own expense, during the term of the franchise, the following programs of insurance. Such programs and evidence of insurance shall be satisfactory to the County and shall be primary to, and not contributing with, any other insurance or self-insurance programs maintained by the County.

1. Certificate(s), Declaration page(s), specified Endorsement(s) and/or other evidence of coverage satisfactory to the County shall be delivered to the County

on or before the effective date of the franchise, and on or before the expiration date of each term of insurance. Such certificates or other evidence shall:

- a. Specifically identify the franchise by ordinance number.
- b. Clearly evidence all insurance required in the franchise.
- c. Include a copy of the additional insured endorsement to the

liability policies, adding the County and County's Agents as additional insureds for damages caused, in whole or in part, by Franchisee's acts or omissions in the performance of Franchisee's ongoing operations; and contain the express condition that the County is to be given written notice by mail at least ten (10) days in advance of any modification, non-renewal, cancellation, expiration, or termination of any program of liability insurance, including, but not limited to, workers' compensation insurance. However, in the event insurers are not willing or able to provide such notice, this responsibility shall be borne by Franchisee.

- d. Show Franchisee's insurance as primary to the County's insurance and self-insurance programs. This may be evidenced by adding a statement to the additional insured endorsement required in subsection 3.B.1.c., above, stating (or using equivalent wording), "It is further agreed that the insurance afforded by this policy is primary to any insurance or self-insurance programs maintained by the additional insureds, and the additional insureds' insurance and self-insurance programs are excess and non-contributing to Named Insured's insurance." Include a copy of the additional insured endorsement to the liability policies, adding the County and the County's Agents as additional insureds for all activities arising from the franchise.

2. Upon request by the County, Franchisee shall provide the County with a copy of its effective policy of insurance providing coverage pursuant to the terms of the franchise.

3. Insurance is to be provided by an insurance company with an A.M. Best rating of not less than A: VII, unless otherwise approved by the County.

4. Franchisee agrees to release the County and the County's Agents and waive Franchisee's insurers' rights of recovery against them under the insurance policies specified in the franchise.

5. Liability: Such insurance shall be endorsed naming the County and the County's Agents as additional insureds with respect to Franchisee's obligations under the franchise, and shall include, but not be limited to:

a. Commercial General Liability insurance written on a commercial general liability form (ISO policy form CG00 01, or its equivalent, [including any umbrella/excess liability policy] unless otherwise approved in writing by the County), with limits of not less than five million dollars (\$5,000,000) per occurrence, fifteen million dollars (\$15,000,000) policy aggregate, and fifteen million dollars (\$15,000,000) products/completed operations aggregate. Limits may be provided by a combination of primary and excess/umbrella liability policies.

b. If written on a claims-made form, such insurance shall be endorsed to provide an extended reporting period of not less than two (2) years following expiration, termination, or cancellation of this franchise.

c. Comprehensive Auto Liability insurance (written on ISO policy form CA 00 01, or its equivalent, unless otherwise approved by the County), endorsed for all owned (if any), non-owned, and hired vehicles with a limit of not less than one million dollars (\$1,000,000) per occurrence.

d. Pollution Liability insurance, which insures liability for bodily injury or property damage, including cleanup cost for Sudden and Accidental contamination or pollution. Such coverage may be provided within the General Liability and Umbrella policies and have limits of five million dollars (\$5,000,000) per occurrence. Such coverage shall also be in an amount and form to meet all applicable State and federal requirements, but, in all events, such coverage shall not be less than five million dollars (\$5,000,000) per occurrence.

i. If written with an annual aggregate limit, the policy limit shall be three (3) times the above-required occurrence limit.

ii. If written on a claims-made form, such insurance shall be endorsed to provide an extended reporting period of not less than two (2) years following termination or cancellation of this franchise.

6. Workers' Compensation: A program of workers' compensation insurance in an amount and form to meet all applicable requirements of the Labor Code of the State of California. Such policy shall be endorsed to waive subrogation against the County for injury to Franchisee's employees. In all cases, the above insurance shall include Employers' Liability insurance with coverage of not less than:

- a. Each accident: one million dollars (\$1,000,000).
- b. Disease-policy limit: one million dollars (\$1,000,000).
- c. Disease-each employee: one million dollars (\$1,000,000).

C. Franchisee shall furnish the County within thirty (30) days of the adoption of this ordinance, and no less than thirty (30) days before the expiration date of each term of insurance, with evidence of insurance coverage or renewal (as applicable), as required by subsection 3.B., to the satisfaction of the County for each of said policies certified by Franchisee's insurance agent, or by the company issuing the policy.

D. The types and amounts of said insurance coverage shall be subject to review and adjustment by the County, subject to limits in the insurance market, at County's sole discretion, at any time during the term of the franchise. In the event of such adjustment, Franchisee agrees to obtain said adjusted insurance coverage, in the type(s) and amount(s) as determined by the County, within thirty (30) days' after written notice from the County.

E. Failure on the part of Franchisee to procure or maintain the required insurance, or to provide evidence of current insurance, shall constitute a material breach of the terms of the franchise upon which the County may immediately terminate or suspend the franchise, provided that Franchisee will have thirty (30) days written notice to comply with adjustments to insurance limits described in subsection 3.D., above.

F. It is the obligation of Franchisee to provide evidence of current insurance policies. No franchise operations shall commence until Franchisee has complied with

the provisions of subsection 3.B., and any operations under the franchise shall be suspended during any period that Franchisee fails to obtain or maintain the insurance required hereunder.

SECTION 4. Security/Bond.

A. Security Requirements/Faithful Performance Bond.

1. Within sixty (60) days following the adoption of this ordinance, Franchisee shall provide to the County a faithful performance bond in the sum of not less than two hundred fifty-two thousand five hundred dollars (\$252,500) payable to "County of Los Angeles," executed by a corporate surety licensed to transact business as a surety in the State of California, and acceptable to the County. Such bond shall be conditioned upon the faithful performance by Franchisee of the terms and conditions of the franchise and shall provide that, in case of a breach of any condition of the franchise, the whole amount of the penal sum, or any portion thereof, shall be deemed by the County to be liquidated damages, and such amount shall be payable to the County by the principal and surety(ies) of the bond.

2. For every year that the franchise is in full force and effect, the amount of the faithful performance bond for the then-current twelve (12) month period shall be increased by one and one-half percent (1.5%) on or before the Anniversary Date in advance of the next franchise year.

3. Throughout the term of the franchise, Franchisee shall maintain the faithful performance bond in the amount required herein. Within ten (10) business days after receipt of notice from the County that any amount has been withdrawn from the

bond as provided in this Section, Franchisee shall restore the bond to the full amount required herein.

4. The faithful performance bond shall be maintained in full effect for one year following the date of the County's approval pursuant to the franchise of any sale, transfer, assignment, or other change of ownership of the franchise or Franchisee or following the expiration or termination of the franchise. The County may, in its sole discretion, release said bond prior to the end of the one-year period upon satisfaction by Franchisee of all the obligations under the franchise.

B. Alternative and/or Additional Security.

1. The County, in its sole discretion, may require and accept alternative and/or additional security to meet and/or supplement the above bonding requirements, including, but not limited to, an irrevocable letter of credit, certificate of deposit, or a cash deposit in the form of a Passbook Savings Account acceptable to the County, as alternative and/or additional security to a faithful performance bond to guarantee the performance of Franchisee's obligations under the franchise. Such alternative and/or additional security shall be made payable to the County and shall be deposited to the satisfaction of the County.

2. The types and amounts of the performance bond and alternative and/or additional security shall be subject to review and adjustment by the County, at the County's sole discretion, at any time during the term of the franchise. In the event of such adjustment, Franchisee agrees to obtain said adjusted coverage and bonding, in

type(s) and amount(s) as determined by the County, within thirty (30) days after written notice from the County.

C. No franchise operations shall commence until Franchisee has complied with the requirements of this Section.

SECTION 5. Transfers and Assignments.

A. Franchisee shall not sell, transfer (including stock transfer), exchange, assign, lease, or divest itself of the franchise or any part thereof (each of which is hereinafter referred to as an "Assignment") to any other person or entity ("Transferee"), except with the written consent of the Director of Public Works ("Director") or their designee and after payment of a transfer fee as detailed in subsection 5.G.

No such consent shall be required for any Assignment of the franchise in trust or by way of mortgage, deed of trust, pledge, or hypothecation with all or part of Franchisee's other property for the purpose of securing any indebtedness of Franchisee, provided that Franchisee shall provide the County at least ten (10) days' prior written notice of such Assignment in trust, mortgage, deed of trust, pledge or other hypothecation, including the name and address of the assignee, pledgee, mortgagee, or otherwise benefitted party. Except as provided in subsection 5.E., a merger will not be deemed a sale, transfer, Assignment, or lease of the franchise.

B. Franchisee shall give notice to the County of any pending Assignment, except as excluded in subsection 5.E., and shall provide all documents required by the County as set forth in subsection 5.F. Consent to any such Assignment shall only be refused if the County finds that Franchisee is in noncompliance with the terms and

conditions of the franchise and/or that the proposed Transferee, as applicable, is lacking in sufficient experience and/or financial ability to meet the franchise obligations.

Consent shall be conditioned upon the terms and conditions set forth in the Assignment documents delivered to the County, the assumption by the Transferee, as applicable, of all Franchisee's covenants and obligations under the franchise, and all information provided to the County under subsection 5.F., below, being true and correct as of completion of the Assignment. Upon receipt of such consent from the County, Franchisee may proceed to consummate the Assignment.

C. Franchisee shall file with the County within thirty (30) days after the effective date of any Assignment, a certified copy of the duly executed instrument(s) that officially evidence(s) such Assignment. If such duly executed instrument(s) is (are) not filed with the County within thirty (30) days after the effective date of such proposed Assignment, or if the conditions to consent by the County have not been met, then the County may notify Franchisee and the proposed Transferee that the Assignment is not deemed approved by the County. The County may then determine that the Assignment has no force or effect or that the franchise is forfeited.

D. As a condition to granting consent to such Assignment, the County may impose, by ordinance, such additional terms and conditions upon the proposed Transferee as the Board deems to be in the public interest. Nothing contained herein shall be construed to grant Franchisee the right to complete an Assignment except in the manner aforesaid. This Section applies to any Assignment, whether by operation of law, by voluntary act of Franchisee, or otherwise.

E. Notwithstanding the foregoing, shareholders, partners, and/or any other persons or entity owning an interest in Franchisee may transfer, sell, exchange, assign, or divest themselves of any interest they may have therein. However, in the event any such sale, transfer, exchange, Assignment, divestment, or other change, including a merger, is effected in such a way as to give majority control of Franchisee to any person or persons, corporation, partnership, or legal entity other than the person or entity with the controlling interest in Franchisee on the effective date of the franchise or the effective date of the last approved Assignment, consent thereof shall be required as otherwise provided in this Section.

F. Except for any Assignments made pursuant to subsection 5.E., upon notice by Franchisee of any proposed Assignment, the proposed Transferee shall submit an Assignment application to the County, which shall contain at a minimum:

1. Identification of the proposed Transferee, which indicates the corporate or business entity organization, including the submission of copies of the corporate or business formation papers (e.g., articles of incorporation and by-laws, limited partnership agreements, and operating agreements), and the names and addresses of any parent or subsidiary of the proposed Transferee(s), or any other business entity owning or controlling the proposed Transferee in part or in whole.

2. A current financial statement, which has been audited by a certified public accountant, demonstrating conclusively to the satisfaction of the County that the proposed Transferee has all the financial resources necessary to carry out all the terms and conditions of the franchise. The financial statement shall include a balance sheet,

profit and loss statement for at least the three (3) most recent years, and a statement of changes in financial position; however, if the proposed Transferee has been in existence for less than three (3) years, then for such period of existence.

3. A copy of the proposed agreement of sale, letter of understanding, or other documentation that details the proposed Assignment.

4. Other information that may be required by the County to assess the capability of the proposed Transferee to operate and maintain the franchise.

G. The transfer fee shall be submitted with Franchisee's request for the County's consent to any Assignment described in subsection 5.A., and the amount of the transfer fee shall be determined as follows:

1. Consent to Assignment or any other action in which the County does not elect to modify the franchise by adoption of an amending ordinance: five thousand dollars (\$5,000).

2. Consent to Assignment or any other action in which the County elects to modify the franchise by adoption of an amending ordinance: seven thousand five hundred dollars (\$7,500).

SECTION 6. Relocation of Facilities.

A. If any of the facilities constructed, installed, or maintained by Franchisee pursuant to the franchise on, along, upon, in, under, or across the County Highway are located in a manner that prevents or interferes with the change of grade, traffic needs, operation, maintenance, improvement, repair, construction, reconstruction, widening, alteration, or relocation of the County Highway, Franchisee shall remove and relocate

any such facility at no expense to the County, or any applicable cities or other public entities, within the time required by the County, upon receipt of a written request from the County to do so.

B. If Franchisee neglects or fails to remove and relocate its facilities within the time required by the County after receipt of any such notice, Franchisee shall be solely responsible for, and shall reimburse the County, city, and other applicable public entities, any and all additional costs or expenses incurred by the County, city, and other applicable public entities, due to, or resulting from, such delay and/or failure to remove and relocate Franchisee's facilities. Failure to remove such facilities within the time required by the County may constitute a breach of the franchise in the sole discretion of the County.

C. The County reserves the right for itself, and for all cities and public entities that are now or may later be established, to lay, construct, repair, alter, relocate, and maintain subsurface or other facilities or improvements of any type or description within the highways over which the franchise is granted, subject to the relocation provisions of subsection 6.A., above. Failure of Franchisee to relocate its facilities as required by the County may constitute a breach of the franchise, at the sole discretion of the County.

SECTION 7. Removing or Abandoning Facilities.

A. Removal. Franchisee must remove all of Franchisee's facilities located within the Franchise Area within one hundred eighty (180) days of the expiration or termination of the franchise and shall, at the time such facilities are removed, restore the Franchise Area to its former state as near as is practicable, so as not to impair its

usefulness, unless the County agrees that the facilities can be abandoned in place as set forth in subsection 7.B., below.

B. Abandonment. Upon application from Franchisee given at any time during the term of the franchise, the County may, in its sole discretion, give Franchisee permission to abandon, without removing, any facility laid, constructed, operated, or maintained under the franchise. The Director shall determine whether abandonment may be effected without detriment to the public interest and under what conditions such proposed abandonment may be effected. Within thirty (30) days of the Director's determination granting the request to abandon its facilities, Franchisee shall apply for a permit in compliance with the requirements of the applicable provisions of the County Highway Ordinance, in Division 1 of Title 16 of the County Code, or any successor or amended provisions ("County Highway Ordinance") and shall commence work authorized by the permit within sixty (60) days of permit issuance.

SECTION 8. Conditions of Franchise Grant; Suspension, Forfeiture, Termination; Grounds and Procedure.

A. The franchise is granted upon each and every condition contained in this ordinance, including conditions as are incorporated herein by reference.

B. Any neglect, failure, or refusal to comply with any of the conditions of the franchise shall constitute grounds for suspension, forfeiture, termination, or any combination thereof. The County, prior to any suspension or termination of the franchise, shall give to Franchisee not less than thirty (30) days' written notice of any default. If Franchisee does not, within the noticed period, commence to cure the

default, or if after such commencement, Franchisee fails to diligently prosecute said cure, the County may hold a hearing at which Franchisee shall have the right to appear and be heard and, thereupon, the County may determine whether such conditions are material and essential to the franchise and whether Franchisee is in default with respect thereto, and the County may declare the franchise suspended or terminated. Notice of the hearing shall be given to Franchisee by certified mail not less than thirty (30) days before said hearing. The franchise may only be suspended or terminated by the County after a hearing.

SECTION 9. Construction, Operation, and Maintenance.

A. All facilities, constructed, laid, operated, or maintained under the provisions of the franchise shall be constructed, laid, operated, or maintained in accordance with, and conforming to, all the ordinances, codes, rules, and regulations now or hereafter adopted or prescribed by the County and all applicable local, State, and federal laws and regulations.

B. Franchisee shall not commence any construction, excavation, or encroachment work under the franchise until it has obtained any permit or authorization required by the County Code, including, but not limited to, the County Highway Ordinance, except in cases of emergency affecting public health, safety, or welfare, or the preservation of life or property, in which case Franchisee shall apply for such permit not later than the next business day.

C. The work of constructing, laying, replacing, repairing, or removing facilities authorized under the provisions of the franchise on, along, upon, in, under, or across

the County Highways, in the Franchise Area, shall be conducted with as little hindrance as practicable to the use of the County Highway for purpose of travel; and, as soon as the constructing, laying, replacing, repairing, or removing of any of said facilities is completed, all portions of the County Highway that have been excavated or otherwise injured thereby shall be placed in as good condition as the same was in before the constructing, laying, replacing, repairing, or removing of the facilities, to the satisfaction of the County.

D. The County reserves the right for itself, and for all cities and public entities that are now or may be later established, to improve the surface of any highway over which the franchise is granted.

E. If the County constructs or maintains any storm drain, sewer structure, or other facility or improvement, under or across any facility of Franchisee maintained pursuant to the franchise, Franchisee shall provide, at no expense to the County, such support as shall be reasonably required to support, maintain, and protect Franchisee's facility.

F. Within twenty-one (21) days of a request by the County, Franchisee shall provide information, at no cost to the County, cities, or other applicable public entities, identifying the location of the facilities laid or constructed under the franchise by potholing or other method approved by the County. Franchisee shall maintain a membership and participate in Underground Service Alert – Southern California, in compliance with Government Code section 4216 et seq.

G. If any portion of any highway is damaged by reason of defective facilities laid or constructed by Franchisee under the franchise, Franchisee shall, at its own expense, repair any such defect and put such highway in as good condition as it was in before such damage was incurred, to the satisfaction of the County. If Franchisee neglects or fails to repair such damage after receipt of any such notice, or if such damage constitutes an immediate danger to public health and safety requiring the immediate repair thereof, Franchisee shall be solely responsible for, and shall reimburse the County, city, and other applicable public entities, any and all additional costs or expenses incurred by the County, city, and other applicable public entities, due to, or resulting from, the repair of such damage.

SECTION 10. Notices.

Unless stated otherwise herein, any notices to be given or other documents to be delivered by either party may be delivered in person, by private courier, or deposited in the United States registered or certified mail to the party for whom it was intended as follows:

To County: Attention: Survey/Mapping & Property Management Division
County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, California 91802-1460
Mailing Address:
P.O. Box 1460
Alhambra, California 91802-1460

AND

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Attention: Executive Office of the Board of Supervisors
County of Los Angeles Board of Supervisors
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

To Franchisee: Hecate Grid Humidor Storage 1 LLC
Attention: Asset Manager
621 W Randolph Street
Chicago, Illinois 60661

Notices given by mail in accordance with this provision shall be deemed to have been given at the time and on the date actually received, or if delivery is refused, on the date of such refusal. Any party may change its address for purposes of the receipt of notices and demands by giving notice of such change in the manner provided in this provision.

SECTION 11. County Franchises.

In addition to the terms and conditions stated herein, the franchise is granted pursuant to the terms and conditions contained in Division 3, Franchises, of Title 16, Highways, of the County Code, which are incorporated herein by reference, and as may be amended hereafter and/or in any successor provisions. In the event the terms and conditions of the franchise conflict with the terms and conditions of Division 3 of Title 16, the terms and conditions herein shall control. Without limiting the generality of the foregoing, for purposes of this franchise, Section 16.44.050 of the County Code is superseded by this ordinance.

SECTION 12. Franchise Operative Date.

The operative date of the franchise shall be December 26, 2024.

SECTION 13. Termination.

If Franchisee fails to comply with any of the requirements of the franchise, the County may, in its sole discretion, terminate the franchise and/or seek any and all available remedies at law or in equity.

[HECATEHUMIDORFRANGCCC]

Enclosure B

REVISED

ANALYSIS

This ordinance grants an electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC, a Delaware limited liability company ("Franchisee"), to conduct and transmit electricity for a period of thirty-five years, beginning on December 26, 2024, and expiring on December 25, 2059. The base annual fee payable to the County of Los Angeles by Franchisee will be determined according to a formula contained in Section 2 of this ordinance. Franchisee will also pay a granting fee of ten thousand dollars.

DAWYN R. HARRISON
County Counsel



By

GRACE V. CHANG
Principal Deputy County Counsel
Public Works Division

GVC:lm

Requested: 08/01/24
Revised: 11/19/24

REVISED

ORDINANCE NO. _____

An ordinance granting an electrical transmission franchise to Hecate Grid Humidor Storage 1 LLC, a Delaware limited liability company, for a period of thirty-five years, beginning on December 26, 2024, and expiring on December 25, 2059.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Franchise Term; Grant.

The right, privilege, and franchise is granted to Hecate Grid Humidor Storage 1 LLC, a Delaware limited liability company ("Franchisee"), and its successors and assigns, for a period of thirty-five (35) years, beginning on December 26, 2024, and expiring on December 25, 2059, to construct, operate, maintain, renew, repair, change the size of, remove or abandon in place, and use an electrical transmission system consisting of conduits, manholes, vaults, cables, wires, switches, communications circuits, poles, other equipment, appliances, and appurtenances necessary and appropriate for underground electrical transmission lines and interconnections for the purpose of conducting and transmitting electricity and electrical energy for light, heat, and power purposes, and for any and all other purposes for which electricity can be used for Franchisee's operations in connection with its battery energy storage facility, in, on, along, upon, under, or across highways, as defined in Section 16.36.080 of the Los Angeles County Code ("County Code"), now or hereafter dedicated to public use within the unincorporated territory of the County of Los Angeles, State of California ("County Highway"), specifically, Vincent View Road between West Carson Mesa Road and Angeles Forest Highway, and Angeles Forest Highway between Vincent View Road

REVISED

and Hillside Drive, as more particularly shown on Exhibit A, attached hereto and made a part hereof ("Franchise Area"). The Franchise Area is generally bounded by West Carson Mesa Road, Vincent View Road, and Angeles Forest Highway.

SECTION 2. Consideration; Payments of Fees.

A. All fees set forth in this ordinance shall be made payable to the County of Los Angeles ("County"), c/o Department of Public Works, P.O. Box 1460, Alhambra, California 91802-1460.

B. Granting Fee. As consideration for the franchise granted, transferred, extended, or otherwise amended, Franchisee shall pay the County a granting fee of ten thousand dollars (\$10,000) within thirty (30) days after the adoption of this ordinance.

C. Annual Franchise Fee. As additional consideration for the franchise granted or extended, Franchisee shall pay within thirty (30) days prior to commencement of construction of Franchisee's facilities within the Franchise Area, and thereafter shall pay annually, a franchise fee computed annually ("Annual Franchise Fee"), which shall be paid on or before December 26 ("Anniversary Date") of each calendar year during the term of the franchise, to the County in lawful money of the United States. The Annual Franchise Fee shall be calculated based on the County Highway space occupied by Franchisee's facilities at the rate of four dollars and three cents (\$4.03) per linear foot, or five thousand dollars (\$5,000), whichever is greater. For purposes of calculating the Annual Franchise Fee, it is agreed that Franchisee's facilities initially occupy a total of five thousand five hundred ten (5,510) linear feet of

County Highway. The Annual Franchise Fee for the first year shall be twenty-two thousand two hundred five dollars (\$22,205).

1. Annual Adjustments Based on Consumer Price Index. For every year that the franchise is in full force and effect, the Annual Franchise Fee for the then-current twelve (12) month period shall be increased based on changes in the Consumer Price Index for All Urban Consumers for the Los Angeles-Long Beach-Anaheim California region (1982-84=100), All Items, as published by the United States Department of Labor, Bureau of Labor Statistics ("Index"), to determine the Annual Franchise Fee for the next twelve (12) months.

2. The Annual Franchise Fee for each subsequent year ("New Annual Franchise Fee") shall be calculated by multiplying the then-current Annual Franchise Fee by a fraction, the numerator of which shall be the Index for the month ending ninety (90) days prior to the upcoming Anniversary Date ("Current Index"), and the denominator of which shall be the Index for the month ending ninety (90) days prior to the previous Anniversary Date ("Previous Index"). The formula for calculation is shown below:

Current Annual Franchise Fee x [Current Index/Previous Index] = New Annual Franchise Fee.

3. If the described Index is no longer published and a substitute index is adopted by the Bureau of Labor Statistics, then Franchisee and the County shall accept such substituted index for future Annual Franchise Fee calculations. If no such government index is offered as a replacement, the County shall, at its sole discretion,

determine the index to be used. In all events, a New Annual Franchise Fee shall not be less than the previous year's Annual Franchise Fee.

D. Additional Fees and Assessments. In addition to the Annual Franchise Fee, Franchisee shall also pay all applicable County fees and assessments related to construction and operation in the Franchise Area. Franchisee shall also pay any applicable fees provided in the County Code, including, but not limited to, administrative fees, processing fees, permit fees, late charges, accrued interest, and penalties required in connection with the franchise. These fees shall be charged at the then-current applicable rates.

E. The County reserves the right to change its method of calculating fees and the amount thereof, not more frequently than once every five (5) years, if the Board of Supervisors ("Board") determines after a public hearing that good cause exists for such change, and such change is not in conflict with the laws of the State of California.

F. Late Payments. In the event Franchisee fails to make full payment of any of the payments provided for herein on or before the dates they are due, Franchisee shall pay a late charge of ten percent (10%) of the amount due, said ten percent (10%) being due thirty (30) days after the date the payment is originally due. The late charge in the amount of ten percent (10%) has been set by both parties hereto as liquidated damages in recognition of the difficulty in affixing actual damages from a breach of said time of performance requirement.

In the event full payment of any rate, payment, or fee, including the ten percent (10%) late charge, is not received within sixty (60) days after the due date, an assessment of interest shall accrue on the unpaid balance at one percent (1%) per month, beginning on the sixty-first (61st) day after the due date.

SECTION 3. Indemnification and Insurance.

Franchisee shall meet the following indemnification and insurance requirements:

A. Indemnification. Franchisee shall indemnify, defend, and hold harmless, the County and County's special districts, elected and appointed officers, employees, and agents (collectively "County's Agents") from and against any and all expenses, costs, fees, damages, claims, liabilities, and lawsuits of any nature, including, without limitation, those involving, relating to, or asserting, bodily injury, personal injury, death, property damage, encroachment, encumbrance, or infringement upon property rights or interests and any loss of property value related thereto or arising therefrom, defense costs, attorneys' fees, and workers' compensation benefits, expenses, and damages of any other type (collectively "Claims") that relate to or arise from: (1) County's grant and/or extension of the franchise; and/or (2) Franchisee's use or exercise of the franchise and/or the operations or the services provided by Franchisee, its employees, agents, servants, receivers, contractors, subcontractors, successors, or assignees (collectively "Franchisee's Agents") in connection with the franchise; and/or (3) any acts or omissions of Franchisee, Franchisee's Agents, or any person in connection with activities or work conducted or performed pursuant to the franchise and/or arising out of such activities or work. In furtherance of, and in no way limiting, the foregoing,

Franchisee shall indemnify, defend, and hold harmless, the County and the County's Agents from and against any and all Claims that relate to, arise from, or involve pollution, contamination, degradation, and/or environmental compliance, relating to, arising from, or involving the franchise, or Franchisee's use or exercise thereof, including, but not limited to, Claims arising from or relating to any threatened, actual, or alleged discharge, dispersal, release, or escape of any substance, including, but not limited to, any pollutant or contaminant of any kind, into or upon any person, thing, or place, including the land, soil, atmosphere, man-made structure, and/or any above or below ground watercourse or body of water. Notwithstanding anything to the contrary herein, Franchisee shall not be obligated to indemnify the County and the County's Agents for liability and expense arising from or relating to the active negligence or willful misconduct of the County or the County's Agents.

B. Insurance. Without limiting Franchisee's indemnification of the County or County's Agents, or provision of bonding or additional security required under the franchise, Franchisee shall provide and maintain at its own expense, during the term of the franchise, the following programs of insurance. Such programs and evidence of insurance shall be satisfactory to the County and shall be primary to, and not contributing with, any other insurance or self-insurance programs maintained by the County.

1. Certificate(s), Declaration page(s), specified Endorsement(s) and/or other evidence of coverage satisfactory to the County shall be delivered to the County

on or before the effective date of the franchise, and on or before the expiration date of each term of insurance. Such certificates or other evidence shall:

- a. Specifically identify the franchise by ordinance number.
- b. Clearly evidence all insurance required in the franchise.
- c. Include a copy of the additional insured endorsement to the

liability policies, adding the County and County's Agents as additional insureds for damages caused, in whole or in part, by Franchisee's acts or omissions in the performance of Franchisee's ongoing operations; and contain the express condition that the County is to be given written notice by mail at least ten (10) days in advance of any modification, non-renewal, cancellation, expiration, or termination of any program of liability insurance, including, but not limited to, workers' compensation insurance. However, in the event insurers are not willing or able to provide such notice, this responsibility shall be borne by Franchisee.

- d. Show Franchisee's insurance as primary to the County's insurance and self-insurance programs. This may be evidenced by adding a statement to the additional insured endorsement required in subsection 3.B.1.c., above, stating (or using equivalent wording), "It is further agreed that the insurance afforded by this policy is primary to any insurance or self-insurance programs maintained by the additional insureds, and the additional insureds' insurance and self-insurance programs are excess and non-contributing to Named Insured's insurance." Include a copy of the additional insured endorsement to the liability policies, adding the County and the County's Agents as additional insureds for all activities arising from the franchise.

2. Upon request by the County, Franchisee shall provide the County with a copy of its effective policy of insurance providing coverage pursuant to the terms of the franchise.

3. Insurance is to be provided by an insurance company with an A.M. Best rating of not less than A: VII, unless otherwise approved by the County.

4. Franchisee agrees to release the County and the County's Agents and waive Franchisee's insurers' rights of recovery against them under the insurance policies specified in the franchise.

5. Liability: Such insurance shall be endorsed naming the County and the County's Agents as additional insureds with respect to Franchisee's obligations under the franchise, and shall include, but not be limited to:

a. Commercial General Liability insurance written on a commercial general liability form (ISO policy form CG00 01, or its equivalent, [including any umbrella/excess liability policy] unless otherwise approved in writing by the County), with limits of not less than five million dollars (\$5,000,000) per occurrence, fifteen million dollars (\$15,000,000) policy aggregate, and fifteen million dollars (\$15,000,000) products/completed operations aggregate. Limits may be provided by a combination of primary and excess/umbrella liability policies.

b. If written on a claims-made form, such insurance shall be endorsed to provide an extended reporting period of not less than two (2) years following expiration, termination, or cancellation of this franchise.

c. Comprehensive Auto Liability insurance (written on ISO policy form CA 00 01, or its equivalent, unless otherwise approved by the County), endorsed for all owned (if any), non-owned, and hired vehicles with a limit of not less than one million dollars (\$1,000,000) per occurrence.

d. Pollution Liability insurance, which insures liability for bodily injury or property damage, including cleanup cost for Sudden and Accidental contamination or pollution. Such coverage may be provided within the General Liability and Umbrella policies and have limits of five million dollars (\$5,000,000) per occurrence. Such coverage shall also be in an amount and form to meet all applicable State and federal requirements, but, in all events, such coverage shall not be less than five million dollars (\$5,000,000) per occurrence.

i. If written with an annual aggregate limit, the policy limit shall be three (3) times the above-required occurrence limit.

ii. If written on a claims-made form, such insurance shall be endorsed to provide an extended reporting period of not less than two (2) years following termination or cancellation of this franchise.

6. Workers' Compensation: A program of workers' compensation insurance in an amount and form to meet all applicable requirements of the Labor Code of the State of California. Such policy shall be endorsed to waive subrogation against the County for injury to Franchisee's employees. In all cases, the above insurance shall include Employers' Liability insurance with coverage of not less than:

- a. Each accident: one million dollars (\$1,000,000).
- b. Disease-policy limit: one million dollars (\$1,000,000).
- c. Disease-each employee: one million dollars (\$1,000,000).

C. Franchisee shall furnish the County within thirty (30) days of the adoption of this ordinance, and no less than thirty (30) days before the expiration date of each term of insurance, with evidence of insurance coverage or renewal (as applicable), as required by subsection 3.B., to the satisfaction of the County for each of said policies certified by Franchisee's insurance agent, or by the company issuing the policy.

D. The types and amounts of said insurance coverage shall be subject to review and adjustment by the County, subject to limits in the insurance market, at County's sole discretion, at any time during the term of the franchise. In the event of such adjustment, Franchisee agrees to obtain said adjusted insurance coverage, in the type(s) and amount(s) as determined by the County, within thirty (30) days' after written notice from the County.

E. Failure on the part of Franchisee to procure or maintain the required insurance, or to provide evidence of current insurance, shall constitute a material breach of the terms of the franchise upon which the County may immediately terminate or suspend the franchise, provided that Franchisee will have thirty (30) days written notice to comply with adjustments to insurance limits described in subsection 3.D., above.

F. It is the obligation of Franchisee to provide evidence of current insurance policies. No franchise operations shall commence until Franchisee has complied with

the provisions of subsection 3.B., and any operations under the franchise shall be suspended during any period that Franchisee fails to obtain or maintain the insurance required hereunder.

SECTION 4. Security/Bond.

A. Security Requirements/Faithful Performance Bond.

1. Within sixty (60) days following the adoption of this ordinance, Franchisee shall provide to the County a faithful performance bond in the sum of not less than two hundred fifty-two thousand five hundred dollars (\$252,500) payable to "County of Los Angeles," executed by a corporate surety licensed to transact business as a surety in the State of California, and acceptable to the County. Such bond shall be conditioned upon the faithful performance by Franchisee of the terms and conditions of the franchise and shall provide that, in case of a breach of any condition of the franchise, the whole amount of the penal sum, or any portion thereof, shall be deemed by the County to be liquidated damages, and such amount shall be payable to the County by the principal and surety(ies) of the bond.

2. For every year that the franchise is in full force and effect, the amount of the faithful performance bond for the then-current twelve (12) month period shall be increased by one and one-half percent (1.5%) on or before the Anniversary Date in advance of the next franchise year.

3. Throughout the term of the franchise, Franchisee shall maintain the faithful performance bond in the amount required herein. Within ten (10) business days after receipt of notice from the County that any amount has been withdrawn from the

bond as provided in this Section, Franchisee shall restore the bond to the full amount required herein.

4. The faithful performance bond shall be maintained in full effect for one year following the date of the County's approval pursuant to the franchise of any sale, transfer, assignment, or other change of ownership of the franchise or Franchisee or following the expiration or termination of the franchise. The County may, in its sole discretion, release said bond prior to the end of the one-year period upon satisfaction by Franchisee of all the obligations under the franchise.

B. Alternative and/or Additional Security.

1. The County, in its sole discretion, may require and accept alternative and/or additional security to meet and/or supplement the above bonding requirements, including, but not limited to, an irrevocable letter of credit, certificate of deposit, or a cash deposit in the form of a Passbook Savings Account acceptable to the County, as alternative and/or additional security to a faithful performance bond to guarantee the performance of Franchisee's obligations under the franchise. Such alternative and/or additional security shall be made payable to the County and shall be deposited to the satisfaction of the County.

2. The types and amounts of the performance bond and alternative and/or additional security shall be subject to review and adjustment by the County, at the County's sole discretion, at any time during the term of the franchise. In the event of such adjustment, Franchisee agrees to obtain said adjusted coverage and bonding, in

type(s) and amount(s) as determined by the County, within thirty (30) days after written notice from the County.

C. No franchise operations shall commence until Franchisee has complied with the requirements of this Section.

SECTION 5. Transfers and Assignments.

A. Franchisee shall not sell, transfer (including stock transfer), exchange, assign, lease, or divest itself of the franchise or any part thereof (each of which is hereinafter referred to as an "Assignment") to any other person or entity ("Transferee"), except with the written consent of the Director of Public Works ("Director") or their designee and after payment of a transfer fee as detailed in subsection 5.G.

No such consent shall be required for any Assignment of the franchise in trust or by way of mortgage, deed of trust, pledge, or hypothecation with all or part of Franchisee's other property for the purpose of securing any indebtedness of Franchisee, provided that Franchisee shall provide the County at least ten (10) days' prior written notice of such Assignment in trust, mortgage, deed of trust, pledge or other hypothecation, including the name and address of the assignee, pledgee, mortgagee, or otherwise benefitted party. Except as provided in subsection 5.E., a merger will not be deemed a sale, transfer, Assignment, or lease of the franchise.

B. Franchisee shall give notice to the County of any pending Assignment, except as excluded in subsection 5.E., and shall provide all documents required by the County as set forth in subsection 5.F. Consent to any such Assignment shall only be refused if the County finds that Franchisee is in noncompliance with the terms and

conditions of the franchise and/or that the proposed Transferee, as applicable, is lacking in sufficient experience and/or financial ability to meet the franchise obligations.

Consent shall be conditioned upon the terms and conditions set forth in the Assignment documents delivered to the County, the assumption by the Transferee, as applicable, of all Franchisee's covenants and obligations under the franchise, and all information provided to the County under subsection 5.F., below, being true and correct as of completion of the Assignment. Upon receipt of such consent from the County, Franchisee may proceed to consummate the Assignment.

C. Franchisee shall file with the County within thirty (30) days after the effective date of any Assignment, a certified copy of the duly executed instrument(s) that officially evidence(s) such Assignment. If such duly executed instrument(s) is (are) not filed with the County within thirty (30) days after the effective date of such proposed Assignment, or if the conditions to consent by the County have not been met, then the County may notify Franchisee and the proposed Transferee that the Assignment is not deemed approved by the County. The County may then determine that the Assignment has no force or effect or that the franchise is forfeited.

D. As a condition to granting consent to such Assignment, the County may impose, by ordinance, such additional terms and conditions upon the proposed Transferee as the Board deems to be in the public interest. Nothing contained herein shall be construed to grant Franchisee the right to complete an Assignment except in the manner aforesaid. This Section applies to any Assignment, whether by operation of law, by voluntary act of Franchisee, or otherwise.

E. Notwithstanding the foregoing, shareholders, partners, and/or any other persons or entity owning an interest in Franchisee may transfer, sell, exchange, assign, or divest themselves of any interest they may have therein. However, in the event any such sale, transfer, exchange, Assignment, divestment, or other change, including a merger, is effected in such a way as to give majority control of Franchisee to any person or persons, corporation, partnership, or legal entity other than the person or entity with the controlling interest in Franchisee on the effective date of the franchise or the effective date of the last approved Assignment, consent thereof shall be required as otherwise provided in this Section.

F. Except for any Assignments made pursuant to subsection 5.E., upon notice by Franchisee of any proposed Assignment, the proposed Transferee shall submit an Assignment application to the County, which shall contain at a minimum:

1. Identification of the proposed Transferee, which indicates the corporate or business entity organization, including the submission of copies of the corporate or business formation papers (e.g., articles of incorporation and by-laws, limited partnership agreements, and operating agreements), and the names and addresses of any parent or subsidiary of the proposed Transferee(s), or any other business entity owning or controlling the proposed Transferee in part or in whole.

2. A current financial statement, which has been audited by a certified public accountant, demonstrating conclusively to the satisfaction of the County that the proposed Transferee has all the financial resources necessary to carry out all the terms and conditions of the franchise. The financial statement shall include a balance sheet,

profit and loss statement for at least the three (3) most recent years, and a statement of changes in financial position; however, if the proposed Transferee has been in existence for less than three (3) years, then for such period of existence.

3. A copy of the proposed agreement of sale, letter of understanding, or other documentation that details the proposed Assignment.

4. Other information that may be required by the County to assess the capability of the proposed Transferee to operate and maintain the franchise.

G. The transfer fee shall be submitted with Franchisee's request for the County's consent to any Assignment described in subsection 5.A., and the amount of the transfer fee shall be determined as follows:

1. Consent to Assignment or any other action in which the County does not elect to modify the franchise by adoption of an amending ordinance: five thousand dollars (\$5,000).

2. Consent to Assignment or any other action in which the County elects to modify the franchise by adoption of an amending ordinance: seven thousand five hundred dollars (\$7,500).

SECTION 6. Relocation of Facilities.

A. If any of the facilities constructed, installed, or maintained by Franchisee pursuant to the franchise on, along, upon, in, under, or across the County Highway are located in a manner that prevents or interferes with the change of grade, traffic needs, operation, maintenance, improvement, repair, construction, reconstruction, widening, alteration, or relocation of the County Highway, Franchisee shall remove and relocate

any such facility at no expense to the County, or any applicable cities or other public entities, within the time required by the County, upon receipt of a written request from the County to do so.

B. If Franchisee neglects or fails to remove and relocate its facilities within the time required by the County after receipt of any such notice, Franchisee shall be solely responsible for, and shall reimburse the County, city, and other applicable public entities, any and all additional costs or expenses incurred by the County, city, and other applicable public entities, due to, or resulting from, such delay and/or failure to remove and relocate Franchisee's facilities. Failure to remove such facilities within the time required by the County may constitute a breach of the franchise in the sole discretion of the County.

C. The County reserves the right for itself, and for all cities and public entities that are now or may later be established, to lay, construct, repair, alter, relocate, and maintain subsurface or other facilities or improvements of any type or description within the highways over which the franchise is granted, subject to the relocation provisions of subsection 6.A., above. Failure of Franchisee to relocate its facilities as required by the County may constitute a breach of the franchise, at the sole discretion of the County.

SECTION 7. Removing or Abandoning Facilities.

A. Removal. Franchisee must remove all of Franchisee's facilities located within the Franchise Area within one hundred eighty (180) days of the expiration or termination of the franchise and shall, at the time such facilities are removed, restore the Franchise Area to its former state as near as is practicable, so as not to impair its

usefulness, unless the County agrees that the facilities can be abandoned in place as set forth in subsection 7.B., below.

B. Abandonment. Upon application from Franchisee given at any time during the term of the franchise, the County may, in its sole discretion, give Franchisee permission to abandon, without removing, any facility laid, constructed, operated, or maintained under the franchise. The Director shall determine whether abandonment may be effected without detriment to the public interest and under what conditions such proposed abandonment may be effected. Within thirty (30) days of the Director's determination granting the request to abandon its facilities, Franchisee shall apply for a permit in compliance with the requirements of the applicable provisions of the County Highway Ordinance, in Division 1 of Title 16 of the County Code, or any successor or amended provisions ("County Highway Ordinance") and shall commence work authorized by the permit within sixty (60) days of permit issuance.

SECTION 8. Conditions of Franchise Grant; Suspension, Forfeiture, Termination; Grounds and Procedure.

A. The franchise is granted upon each and every condition contained in this ordinance, including conditions as are incorporated herein by reference.

B. Any neglect, failure, or refusal to comply with any of the conditions of the franchise shall constitute grounds for suspension, forfeiture, termination, or any combination thereof. The County, prior to any suspension or termination of the franchise, shall give to Franchisee not less than thirty (30) days' written notice of any default. If Franchisee does not, within the noticed period, commence to cure the

default, or if after such commencement, Franchisee fails to diligently prosecute said cure, the County may hold a hearing at which Franchisee shall have the right to appear and be heard and, thereupon, the County may determine whether such conditions are material and essential to the franchise and whether Franchisee is in default with respect thereto, and the County may declare the franchise suspended or terminated. Notice of the hearing shall be given to Franchisee by certified mail not less than thirty (30) days before said hearing. The franchise may only be suspended or terminated by the County after a hearing.

SECTION 9. Construction, Operation, and Maintenance.

A. All facilities, constructed, laid, operated, or maintained under the provisions of the franchise shall be constructed, laid, operated, or maintained in accordance with, and conforming to, all the ordinances, codes, rules, and regulations now or hereafter adopted or prescribed by the County and all applicable local, State, and federal laws and regulations.

B. Franchisee shall not commence any construction, excavation, or encroachment work under the franchise until it has obtained any permit or authorization required by the County Code, including, but not limited to, the County Highway Ordinance, except in cases of emergency affecting public health, safety, or welfare, or the preservation of life or property, in which case Franchisee shall apply for such permit not later than the next business day.

C. The work of constructing, laying, replacing, repairing, or removing facilities authorized under the provisions of the franchise on, along, upon, in, under, or across

the County Highways, in the Franchise Area, shall be conducted with as little hindrance as practicable to the use of the County Highway for purpose of travel; and, as soon as the constructing, laying, replacing, repairing, or removing of any of said facilities is completed, all portions of the County Highway that have been excavated or otherwise injured thereby shall be placed in as good condition as the same was in before the constructing, laying, replacing, repairing, or removing of the facilities, to the satisfaction of the County.

D. The County reserves the right for itself, and for all cities and public entities that are now or may be later established, to improve the surface of any highway over which the franchise is granted.

E. If the County constructs or maintains any storm drain, sewer structure, or other facility or improvement, under or across any facility of Franchisee maintained pursuant to the franchise, Franchisee shall provide, at no expense to the County, such support as shall be reasonably required to support, maintain, and protect Franchisee's facility.

F. Within twenty-one (21) days of a request by the County, Franchisee shall provide information, at no cost to the County, cities, or other applicable public entities, identifying the location of the facilities laid or constructed under the franchise by potholing or other method approved by the County. Franchisee shall maintain a membership and participate in Underground Service Alert – Southern California, in compliance with Government Code section 4216 et seq.

G. If any portion of any highway is damaged by reason of defective facilities laid or constructed by Franchisee under the franchise, Franchisee shall, at its own expense, repair any such defect and put such highway in as good condition as it was in before such damage was incurred, to the satisfaction of the County. If Franchisee neglects or fails to repair such damage after receipt of any such notice, or if such damage constitutes an immediate danger to public health and safety requiring the immediate repair thereof, Franchisee shall be solely responsible for, and shall reimburse the County, city, and other applicable public entities, any and all additional costs or expenses incurred by the County, city, and other applicable public entities, due to, or resulting from, the repair of such damage.

SECTION 10. Notices.

Unless stated otherwise herein, any notices to be given or other documents to be delivered by either party may be delivered in person, by private courier, or deposited in the United States registered or certified mail to the party for whom it was intended as follows:

To County: Attention: Survey/Mapping & Property Management Division
County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, California 91802-1460
Mailing Address:
P.O. Box 1460
Alhambra, California 91802-1460

AND

REVISED

Attention: Executive Office of the Board of Supervisors
County of Los Angeles Board of Supervisors
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

To Franchisee: Hecate Grid Humidor Storage 1 LLC
Attention: Asset Manager
621 W Randolph Street
Chicago, Illinois 60661

Notices given by mail in accordance with this provision shall be deemed to have been given at the time and on the date actually received, or if delivery is refused, on the date of such refusal. Any party may change its address for purposes of the receipt of notices and demands by giving notice of such change in the manner provided in this provision.

SECTION 11. County Franchises.

In addition to the terms and conditions stated herein, the franchise is granted pursuant to the terms and conditions contained in Division 3, Franchises, of Title 16, Highways, of the County Code, which are incorporated herein by reference, and as may be amended hereafter and/or in any successor provisions. In the event the terms and conditions of the franchise conflict with the terms and conditions of Division 3 of Title 16, the terms and conditions herein shall control. Without limiting the generality of the foregoing, for purposes of this franchise, Section 16.44.050 of the County Code is superseded by this ordinance.

SECTION 12. Franchise Operative Date.

The operative date of the franchise shall be December 26, 2024.

SECTION 13. Termination.

If Franchisee fails to comply with any of the requirements of the franchise, the County may, in its sole discretion, terminate the franchise and/or seek any and all available remedies at law or in equity.

[HECATEHUMIDORFRANGCCC]

EXHIBIT A

ACROSS THE ANGELES FOREST HIGHWAY

FOR AN

UNDERGROUND ELECTRIC TRANSMISSION LINE

IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING LOCATED IN THE

EAST 1/2 OF SEC 27 AND THE S 1/4 OF SEC 22

TOWNSHIP 5 NORTH, RANGE 12 WEST, SAN BERNARDINO MERIDIAN

PERMIT DESCRIPTION:

That portion of the Angeles Forest Highway located in the Southeast Quarter of Section 22 and the East Half of Section 27 all of Township 5 North, Range 12 West, San Bernardino Meridian, located in Los Angeles County, State of California described as follows:

COMMENCING at the North Quarter Corner of said Section 27; thence South 89°56'43" East 2139.68 feet along the north line of said Section 27; thence North 1°00'23" West 500.00 feet; thence North 50°58'55" East 24.78 feet to a point on the northwesterly ROW of said Angeles Forest Highway as shown hereon and the **POINT OF BEGINNING**; thence South 20°35'23" East 470.64 feet to the beginning of a curve concave northeasterly having a radius of 105.50 feet; thence southeasterly 72.12 feet along said curve through a central angle of 39°10'06"; thence South 59°45'29" East 32.08 feet to the beginning of a curve concave southwesterly having a radius of 105.50 feet; thence southeasterly 97.23 feet along said curve through a central angle of 52°48'16" to the centerline of said Angeles Forest Highway; thence continuing along said centerline South 06°57'13" East 384.63 feet to the beginning of a curve concave westerly having a radius of 1,000.00 feet; thence continuing along said centerline southerly 307.46 feet along said curve through a central angle of 17°36'58"; thence continuing along said centerline South 10°39'45" West 3,517.53 feet; thence departing said centerline North 79°20'15" West 40.00 feet; thence South 10°39'45" West 160.00 feet; thence South 79°20'15" East 40.00 feet to said centerline; thence along said centerline South 10°39'45" West 409.05 feet to the beginning of a curve concave northeasterly having a radius of 44.50 feet; thence departing said centerline southeasterly 65.39 feet along said curve through a central angle of 84°11'46"; thence North 10°39'45" East 11.08 feet to the beginning of a non-tangent curve concave northeasterly having a radius of 33.50 feet (a radial bearing to said point bears lies South 18°22'56" West); thence northwesterly 48.11 feet along said non-tangent curve through a central angle of 82°16'49" to a line parallel with and 11.00 feet easterly of said centerline; thence along said parallel line North 10°39'45" East 2,74.58 feet; thence South 79°20'15" East 29.00 feet; thence North 10°39'45" East 400.00 feet; thence North 79°20'15" West 29.00 feet to said parallel line; thence along said parallel line North 10°39'45" East 1,312.00 feet to the beginning of a curve concentric with said centerline and concave westerly having a radius of 1,011.00 feet; thence northerly 310.84 feet along said concentric curve through a central angle of 17°36'58"; thence along said parallel line North 06°57'13" West 390.10 feet to the beginning of a curve concave southwesterly having a radius of 105.50 feet; thence northwesterly 97.23 feet along said curve through a central angle of 52°48'16"; thence North 59°45'29" West 37.54 feet to the beginning of a curve concave northeasterly having a radius of 94.50 feet; thence northwesterly 64.60 feet along said curve through a central angle of 39°10'06"; North 20°35'23" West 474.30 feet; thence South 50°58'55" West 11.59 feet to the **POINT OF BEGINNING**.

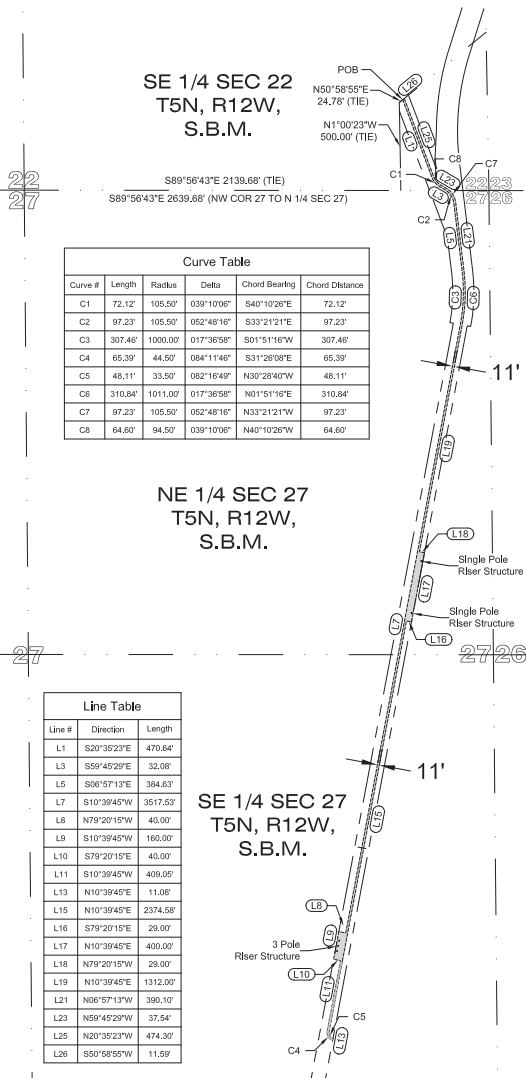
CONTAINING: 1.81 acres, more or less.

SURVEYOR'S STATEMENT:

This map correctly represents a survey made by me or under my direct supervision in conformance with the requirements of the Professional Land Surveyor's Act, at the request of Hecate Grid for the purpose of obtaining a permit over a portion of the Angeles Forest Highway in May of 2022.

James J. Coutts, PLS 8360

10/5/22
Date



SE 1/4 SEC 22
T5N, R12W,
S.B.M.

S89°56'43"E 2139.68' (TIE)
S89°56'43"E 2639.68' (NW COR 27 TO N 1/4 SEC 27)

Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	72.12	105.50	039°10'06"	S40°10'26"E	72.12'
C2	97.23	105.50	052°48'16"	S33°21'21"E	97.23'
C3	307.46	1000.00	017°36'58"	S01°51'16"W	307.46'
C4	65.39	44.50	084°11'46"	S31°28'08"E	65.39'
C5	48.11	33.50	082°16'49"	N30°28'40"W	48.11'
C6	310.84	1011.00	017°36'58"	N01°51'16"E	310.84'
C7	97.23	105.50	052°48'16"	N33°21'21"W	97.23'
C8	64.60	94.50	039°10'06"	N40°10'26"W	64.60'

NE 1/4 SEC 27
T5N, R12W,
S.B.M.

Line #	Direction	Length
L1	S20°35'23"E	470.64'
L3	S59°45'29"E	32.08'
L5	S06°57'13"E	384.63'
L7	S10°39'45"W	3517.53'
L8	N79°20'15"W	40.00'
L9	S10°39'45"W	160.00'
L10	S79°20'15"E	40.00'
L11	S10°39'45"W	409.05'
L13	N10°39'45"E	11.08'
L15	N10°39'45"E	2374.58'
L16	S79°20'15"E	29.00'
L17	N10°39'45"E	400.00'
L18	N79°20'15"W	29.00'
L19	N10°39'45"E	1312.00'
L21	N06°57'13"W	390.10'
L23	N59°45'29"W	37.54'
L25	N20°35'23"W	474.30'
L26	S50°58'55"W	11.59'

SE 1/4 SEC 27
T5N, R12W,
S.B.M.

SURVEYOR'S NOTE:

This description was prepared from record information only for the purpose of creating a preliminary permit area description. No field surveying has been yet completed. A final survey of the Angeles Forest Highway Right-of-Way and the permitted area will be completed in the field once the final permit location has been determined. Records used to establish the right-of-way shown hereon include: ROS 72/30; ROS 79/80; & ROS 98/30.

Bearings are CA State Plane Zone V, NAD 83, USSF. Distances are gts.

REV: 3	DATE: 10/5/2022	DESC: HEC-001 Humboldt Permit	BY AGD	CHK GHF	APP JJC
ANGELES FOREST HIGHWAY PROPOSED UNDERGROUND ELECTRIC ROUTE LOCATED IN THE EAST 1/2 OF SEC 27 AND THE SE 1/4 OF SEC 22 TOWNSHIP 5 NORTH, RANGE 12 WEST, SAN BERNARDINO MERIDIAN LOS ANGELES COUNTY, CALIFORNIA					
ELECTRICAL CONSULTANTS, INC. SALT LAKE CITY, UTAH			Hecate Grid		
PAGE 1 OF 1			SCALE: 1" = 500'		

Enclosure C

August 14, 2024

**Statement of Reasons for Exemption from
Additional Environmental Review and 15183 Checklist
Pursuant to California Public Resources Code section 21083.3
and CEQA Guidelines §15183**

Project Name:

Hecate Grid Humidor Storage 1 LLC Battery Energy Storage System Project

Lead Agency Name and Address:

Los Angeles County
Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803

Project Location:

Adjacent to W. Carson Mesa Road to the west and Angeles Forest Highway N-3 to the east in unincorporated Antelope Valley of Los Angeles County, California
APNs: 3056004058 and 3056004044

Project Applicant Name and Address:

Hecate Grid Humidor Storage 1 LLC
600 W Fulton, Suite 510
Chicago, IL 60661

Land Use and Zoning:

Direction/ Parcel	Countywide General Plan Land Use	Antelope Valley Area Plan Land Use	Zoning	Current Use
Project Site Portions of 3056004058 and 3056004044	IL Light Industrial	IL Light Industrial	M-1 (project site)/	Paintball facility/ truck parking and staging
West 3056-004-901	P Public/Utilities	P Public and Semipublic	A-2-20	Railroad
South 3056-004-838	RL-5 Rural Land	RL-5 Rural Land	A-2-2	Vacant
East 3056-007-007	RL-5 Rural Land	RL-5 Rural Land	A-2-2	Vacant
North 3056-004-060	IL Light Industrial	IL Light Industrial	A-2-2	Industrial

M-1 Zone Development Standards:

Dimensional Standard	M-1 Zone
Minimum Required Area	No minimum required area.
Maximum Height Limit	13 times buildable area, except as otherwise provided in community standards district (22.110.060)
Minimum Required Parking	<ul style="list-style-type: none"> Industrial uses require one space for each company vehicle plus one space for each two persons employed on the largest shift, or one space for each 500 square feet. of floor area, whichever is greater. One space for each 1000 square feet. of warehouse if 80% or more of building is used for warehouse (22.112.060A). For other uses, see applicable use– Chapter 22.112: Parking.
Building Setback	No building setback required.
Maximum Lot Coverage	<ul style="list-style-type: none"> For C-M and permitted A-1 uses, see 22.22.030.C. Other uses, no requirement.

Acton Community Standards District Development Standards:

The Project will comply with applicable Acton Community Standards District Development Standards outlined in Section 22.302 of the County’s Municipal Code. Applicable development standards include those pertaining to the preservation of native vegetation (Section 22.302.060(B)), signage (Section 22.302.060(F)), and outdoor lighting (Section 22.302.060(H)):

Preservation of Native Vegetation

- Development plans shall emphasize the protection of, and revegetation with, native vegetation.
- A Minor Conditional Use Permit is required for removal or destruction of native vegetation exceeding 10 percent of the lot area within any 12-month period for any lot of one acre or greater (Section 22.302.060(B)) and/or for any application involving grading (Section 22.302.060(B)(1)).

Signage

- Signage shall be unobtrusive and promote the style of the Western frontier architectural guidelines (Section 22.302.060(F)(1)(a)) and sign lighting shall be external, using fixtures to focus all light directly on the sign (Section 22.302.060(F)(1)(b)).
- For freestanding business signs, the height shall be limited to five feet measured from the natural grade at street level, and the maximum area of combined faces shall be limited to 100 square feet (Section 22.302.060(F)(2)(b)).

Outdoor Lighting

- Where outdoor lights are required, light fixtures in keeping with the Western frontier architectural style will be required (Section 22.302.060(H)).

Description of Project:

Hecate Grid Humidor Storage 1 LLC (Hecate) proposes to develop the Hecate Grid Humidor Storage 1 LLC Battery Energy Storage System (BESS) Project located adjacent to W. Carson Mesa Road to the west and Angeles Forest Highway N-3 to the east in unincorporated Antelope Valley of Los Angeles County, California (the Project). The Project site is located entirely on two privately owned parcels (3056004058, 3056004044) that total 25.6 acres, with portions currently developed with paved, gravel areas and a paintball facility and truck parking and staging. APN 3056004058 is zoned Light Manufacturing (M-1). APN 3056004044 contains split zoning; however, the Project will be contained only within the portion that is zoned M-1. The Project includes the development of an up to 400-megawatt (MW) BESS system capable of meeting a minimum 4-hour duration. The Project proposes to interconnect with an electrical tie-line to the existing Southern California Edison (SCE) 230-kV Vincent Substation, located approximately 3,400 feet to the south of Vincent View Road and W. Carson Mesa Road.

Project Components

The Project will consist of several battery storage cabinet series. Each series will consist of bi-directional inverters, a transformer, and a battery enclosure or an interconnected series of cabinets. Each enclosure would be self-enclosed, housing batteries, fire detection and suppression systems, controls, and cooling units.

Major equipment or Project components would include:

- battery modules assembled in racks inside enclosures monitored by a Battery Management System (BMS)
- bi-directional inverters
- battery chiller units
- fire detection/ suppression systems
- gas detection
- electrical switching equipment and auxiliary power panels
- computer and telecommunications equipment
- transformers
- switchgear or medium-voltage outdoor circuit breakers
- security lighting and signage
- perimeter wall or fence
- 230 kV interconnection to the existing SCE Vincent Substation

Project components are summarized below:

Project Component	Approximate Dimensions (each)
Battery Cabinets	9'6" H x 19'11" L x 8'0" W
Inverter	14'9" H x 12'3" L x 7' W
Generator Set-up Transformer	12' H x 7'8" L x 6'10" W
Overall Project Area	Approximately 19 Acres
Interconnection	Approximately 3,400 feet

The BESS facility would be unmanned and would not include restrooms. Water required during the construction phase would be trucked in from a commercial water supplier, as necessary. Because no habitable structures would be constructed as part of the Project, operational water required for the Project would only be required to establish and maintain landscaping. Police and fire services would be provided by the County Sheriff and Fire Departments.

Access to the Project is provided via the existing W. Carson Mesa Road.

Interconnection Design

The proposed 230 kV Underground Generation Tie lines from SCE's Vincent Substation to the transformer substation on the Project site would be installed in the general route shown on the approved site plan. The interconnection equipment would be constructed primarily underground within the existing road right-of-way.

Underground construction would use tracked excavators to construct roughly 6' wide by 8' deep open trenching and shoring. Roughly half of the spoils removed from the trenched excavations would need to be hauled off in dump trailers and can be utilized on the BESS site as part of the civil construction. Schedule 40 PVC duct lines would be assembled off the bottom of the excavation and encased in concrete using concrete trucks to convey concrete from a nearby plant. The concrete encasements would be covered with well graded select soil backfill compacted to meet existing grades and material course requirements at groundline. Large diameter cable reels, trailers, cable pullers and cranes would be stationed at the riser pole location on the BESS property to pull the XLPE cables through the duct bank. A crane would be used to lift the cables and tie them up to the termination locations for final splicing and termination activities.

Project Operations

The Project would be operated remotely and monitored 24 hours a day, 7 days a week. The long-term operational workforce would also entail Hecate-employed and contracted staff who would visit the site periodically to maintain the facility over the Project life. The Project maintenance crew would typically consist of one operator, one contracted field engineer, and two mechanical or electrical technicians.

Planned maintenance would typically be developed and scheduled a few months in advance. Typical maintenance intervals for major Project components would include:

- Fire protection system – twice a year
- HVAC and chiller units – twice a year
- Battery enclosure – twice a year
- Relay protection – once a year
- Project performance testing – once a year
- Project HV substation – once a year

The Project would be designed with multiple automatic and manual power-down/safety mechanisms including active fire suppression systems built into each enclosure. Electrical and fire systems would be designed to open breakers automatically during fault conditions. Each fire protection system would have a signal that would trigger power-down in case of fire, electrical fire, overheating, etc. The entire Project power-down would occur automatically during electrical fault conditions (e.g., high-voltage, high-frequency, ground fault). In addition, the Project would be equipped with breakers that could be opened manually to power-down different equipment or the Project as a whole.

The Project would be designed to be in operation for up to 35 years with the potential to be extended. After completion of operations, most of the Project's electrical equipment (breakers, transformers, inverters) would be removed and recycled. Project batteries and associated equipment would be removed and recycled as feasible and in accordance with local laws and regulations. Equipment foundations and pads would be demolished and removed unless the landowner elects to maintain some of the installed infrastructure.

Existing Conditions

The Project site is located near the Antelope Valley Freeway 14 and Mountain Springs Road. The Project site boundary runs along Carson Mesa Road to the west and Angeles Forest Highway to the east. The Project site is located within the unincorporated area of Antelope Valley of Los Angeles County, the Acton Community Standards District, and the City of Palmdale's Sphere of Influence. The Project would comply with the Acton Community Standards District (CSD), Section 22.302.060.B (Preservation of Native Vegetation). The Project site is zoned Light Manufacturing (M-1).

A portion of the Project site is generally undeveloped with paved parking areas and storage containers within the Light Manufacturing zone. Most of the Project site had been previously developed and is presently occupied by commercial developments, including the Paintball USA facility, a utility electrical subcontractor laydown yard and commercial trucking staging/parking. The surrounding Project area includes additional development including a Metrolink station and parking lot and residential single-family residences.

Discretionary Action:

The discretionary approval for the Project is an ordinance to grant a franchise agreement allowing the placement of privately-owned electrical lines in the public right-of-way. This ordinance confers on the applicant a real-estate type of right to construct and maintain privately-owned equipment in publicly owned property.

The Project is consistent with the development density established by existing zoning, the Countywide General Plan, and Antelope Valley Area Plan. The County previously certified EIRs for the adoption of updates to the Countywide General Plan and Antelope Valley Area Plan and therefore the Project as a whole is statutorily exempt from CEQA under California Public Resources Code section 21083.3 and CEQA Guidelines Section 15183.

Overview of 15183 Checklist

California Public Resources Code section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that:

1. Are peculiar to the project or the parcel on which the project would be located;
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent,
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the Project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

Section 15183(d) also specifies that it applies only to projects which meet the following conditions:

- (1) The project is consistent with:
 - (A) A community plan adopted as part of a general plan,

- (B) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or
 - (C) A general plan of a local agency, and
- (2) An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

General Plan Update Program EIR

The Los Angeles County General Plan Update (GPU) establishes a blueprint for future land development in the unincorporated County that meets community desires and balances the environmental protection goals with the need for housing, agriculture, infrastructure, and economic vitality. The GPU applies to all of the unincorporated portions of Los Angeles County and directs population growth and plans for infrastructure needs, development, and resource protection. The GPU included adoption of new General Plan elements, which set the goals and policies that guide future development.

The County Board of Supervisors certified an EIR in connection with an update to the GPU on October 6, 2015. The GPU EIR comprehensively evaluated environmental impacts that would result from Plan implementation, including information related to existing site conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts.

Antelope Valley Area Plan EIR

The Project is within the boundaries of the Antelope Valley Area Plan (AVAP). The AVAP serves as a blueprint for future development and conservation within the Antelope Valley. As a component of the GPU, the AVAP refines the countywide goals and policies outlined in the GPU by providing further guidance on elements already included in the GPU and by addressing issues specific to the Antelope Valley. The AVAP, which is a comprehensive update of the previous 1986 Antelope Valley Area Plan, includes updated regional goals and policies pertaining to land use, housing, community revitalization, community design, human resources, circulation, public services and facilities, governmental services, environmental resource management, noise abatement, seismic safety, public safety, and energy conservation.

The County Board of Supervisors certified an EIR in conjunction with adoption of the update to the AVAP on June 16, 2015. The AVAP EIR evaluated environmental impacts that would result from Plan implementation, including information related to existing site conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts.

Summary of Findings

The Project is consistent with the development density and use characteristics established by the existing zoning, Los Angeles County General Plan, and AVAP. Furthermore, the Project is consistent with the analysis performed in the GPU and AVAP EIRs. Both EIRs adequately described and analyzed the impacts of the Project, and the Project is consistent with the Goals and Policies identified in the County's General Plan and the AVAP.

An environmental evaluation has been completed for the Project as documented herein.

In accordance with CEQA Guidelines §15183, the Project qualifies for an exemption based on the following:

1. The Project is consistent with the development density established by existing zoning, community plan, and general plan policies for which two EIRs were certified.

The Project would develop a BESS facility and gen-tie line to connect to SCE's existing Vincent station. The Project is consistent with the applicable General Plan, AVAP, and zoning categories for the site. The Project site is designated as Light Industrial (IL) by both the Countywide General Plan and the AVAP, and Light Manufacturing (M-1) by the County Zoning Ordinance. These use regulations allow for development and operation of the Project at the proposed location. The Project is consistent with all applicable floor area ratio, lot coverage, height and setback standards. Per County Department of Regional Planning Subdivision and Zoning Interpretation No. 2021-23 – Battery Electric Storage Systems, a BESS is similar to an Electrical Distribution Substation and is treated the same as that defined land use under the Zoning Code. An Electrical Distribution Substation, and thus a BESS facility, is a permitted use in the M-1 zone. The County Department of Regional Planning has approved a Site Plan Review to confirm the Project BESS complies with all applicable zoning requirements. The Site Plan Review approval is final and not subject to appeal. A local opposition group appealed to the Board of Supervisors the Department of Regional Planning's determination that the Site Plan Review is a ministerial approval exempt from review under CEQA. On December 19, 2023, the Board of Supervisors rejected the appeal and upheld the Department of Regional Planning's determination that the Site Plan Approval for the Project is statutorily exempt from CEQA because the approval is ministerial.

Because the Project is a "by right" permitted use and consistent with the M-1 use regulations, and is consistent with the IL designations in the Countywide General Plan and AVAP, it is consistent with the development density established by the GPU and AVAP and the certified EIRs.

2. There are no Project specific effects which are peculiar to the Project or its site.

As explained through the 15183 Checklist below, the Project site is comparable to other properties in the surrounding area, and there are no Project specific effects which are peculiar to the Project or its site. The Project site is zoned industrial and is currently developed with a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard. The Project site is surrounded by commercial land uses and electrical infrastructure and it does not support any peculiar environmental features.

Electrical infrastructure is prevalent throughout California and specifically within the Project area, near the SCE Vincent substation. BESS facilities have impacts similar to other common electrical facilities, such as distribution and transformer substations. In addition, BESS facilities have themselves become commonplace. From 2018 to 2023, battery storage capacity in California increased from 500 megawatts to more than 6,600 megawatts, with approximately 1,900 megawatts still planned to come online by the end of 2023. The state projects 52,000 megawatts of battery energy storage will be needed by 2045. (California Energy Commission, <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-storage-system-survey#:~:text=From%202018%20to%202023%2C%20battery,will%20be%20needed%20by%2045> (CEC, 2023).

3. There are no significant Project specific environmental effects that were not analyzed as significant in the GPU or AVAP EIR.

As explained through the 15183 Checklist below, the Project would not result in any significant environmental effects, including any significant effects that were not analyzed as significant in either the GPU or AVAP EIR.

4. There are no potentially significant off-site and/or cumulative impacts which the GPU and AVAP EIRs failed to evaluate.

The Project is consistent with the density and use characteristics of the development considered by the

GPU and AVAP EIRs and would represent a small part of the growth that was forecasted for build-out of the General Plan. The GPU and AVAP EIRs considered the incremental impacts of the Project, and as explained further in the 15183 Exemption Checklist below, no potentially significant offsite or cumulative impacts have been identified which were not previously evaluated.

The list of past, present and reasonably foreseeable project in the vicinity of the Project area includes the following:

- Animal Permit to allow 13 golden retrievers, approved December 2019;
- Revised Exhibit "A" for a manufactured mobile house as a single-family residence, approved April 2015;
- Time extension for a tentative parcel map for two single-family lots on 10 acres, approved June 2015;
- Zoning Conformance Review for grading for a horse corral, approved September 2014;
- Revised Exhibit "A" for modifications to an existing wireless facility, approved January 2015;
- Plot Plan for a single-family residence, approved July 2015;
- Plot Plan for rescue dog kennel, approved December 2015;
- Plot Plan for manufactured single-family residence, approved August 2014;
- Plot Plan for single-family home, approved November 2014;
- Zoning Conformance Review for single-family home, approved September 2014;
- Plot Plan for storage container for personal or agricultural items, approved December 2019;
- Plot Plan for non-commercial storage container, approved May 2014;
- Plot Plan for single-family home, approved June 2014;
- Plot Plan for single-family home, approved April 2018;
- Plot Plan for manufactured home and storage container, approved March 2014;
- Plot Plan for addition to single-family home, approved October 2015;
- Plot Plan for dog kennel, approved January 2015;
- Plot Plan for guest house accessory to a single-family home, approved March 2014;
- Renewal of Conditional Use Permit for wireless facility, approved April 2015;
- Plot Plan for single-family home, approved May 2014;
- Plot Plan for detached garage accessory to existing single-family home, approved March 2014;
- Conditional Use Permit for a small commercial center, approved November 2016;
- Plot Plan for single-family home, approved February 2015;
- Plot Plan for single-family home reconstruction, approved June 2014;
- Plot Plan for single-family home, approved March 2015;
- Business License referral for tack store, completed September 2014;
- Plot Plan for contractor's equipment, truck, and building materials storage, approved October 2014;
- Zoning Conformance Review for one ground-mounted solar array totaling approximately 425

square feet to provide power to a single-family residence, approved September 2014;

- Zoning Conformance Review for one ground-mounted solar array totaling 543 square feet to provide power to a single-family home, approved September 2014;
- Plot Plan for single-family home, approved July 2015;
- Plot Plan for single-family home, approved April 2015;
- Animal Permit for 25 wolf-dogs, approved January 2016;
- Plot Plan for single-family home, approved February 2016; and
- Plot Plan for single-family home, approved November 2015.

To date, the County Department of Regional Planning has issued land use approvals for seven BESS projects throughout the County, including the Site Plan Review for the Humidor project. Of those seven projects, three proposed battery energy storage as a primary use and four proposed battery energy storage as accessory to another land use. In addition to this Humidor Project, these include the Cald Project in Florence Firestone (100 MWs, BESS as primary use), Homestead in Castaic (15 MW, BESS as primary use), Magic Mountain in the Santa Clarita Valley (1.37 MW, BESS as accessory use), Estrella in the Antelope Valley (28 MWs, BESS as accessory use), El Campo in the Antelope Valley (108 MWs, BESS as accessory use), and Alpine in the Antelope Valley (80 MWs, BESS as accessory use).

The County contacted the CEC, CAISO, Southern California Edison, and Clean Power Alliance regarding potential future BESS projects. Approximately 16 projects were identified throughout the County as possible future projects. It is difficult to ascertain reliable information on these potential future projects for numerous reasons. One factor is that detailed information for projects applying for interconnection, either through a utility distribution or directly with CAISO, is considered confidential customer information. This confidential information includes proposed site location. Furthermore, projects may apply for interconnection through CAISO without site control, and several entities may propose competing projects for the same property. There is also a high degree of attrition in the interconnect application process. Therefore, applications to CAISO for interconnection positions cannot be used to reliably determine whether a particular energy generation project at a particular location is reasonably foreseeable or probable. Applications to CAISO for queue positions are made to interconnect some requested number of megawatts at an identified substation but do not predict exactly where a generation or storage project would be located in relation to the substation or what its characteristics would be. Specifically, after an application is submitted, CAISO will first subject it to a multi-phase study process to determine what system-wide and/or project specific upgrades will be required to allow the project to interconnect. The multi-phase study process can take years and may end up determining that there is insufficient existing grid capacity for the project, and the interconnection request will require millions of dollars in upgrades, often making a project economically unfeasible. Even in cases where the upgrades evaluated by the applicant have been determined to be economically feasible, the location of a generation or storage project could be anywhere in a fairly large radius around that substation because multi-mile generation tie lines can be used to connect an energy generation or storage facility to a substation. Finally, developers lose or choose not to maintain queue positions for a variety of reasons, including the network upgrade costs, interconnection facility costs, construction timelines, and queue position security postings. Per CAISO, approximately 60 percent of interconnection customers withdraw from the queue after receiving their phase 1 studies. (<https://www.caiso.com/Documents/feb8-2024-TariffAmendment-Postpone-2024-Interconnection-Request-Window-ER24-1213.pdf>.) For example, of all the projects in Queue Clusters 11, 12, and 13, 130 projects remain in the queue or are operational, 247 projects have been withdrawn, only 34.4 percent of projects are still in the queue, and less than 1 percent are operational. (Hecate, 2024.) A Queue Cluster refers to the CAISO's bundling of applications for assessment. So, the fact that a developer has filed an application to CAISO for interconnection at a substation does not mean that a particular energy generation project will be approved at a foreseeable location within a foreseeable timeframe with foreseeable characteristics such that it can be said to be reasonably foreseeable or probable.

5. There is no substantial new information which results in more severe impacts than anticipated by the GPU and AVAP EIRs.

As detailed in the 15183 exemption checklist below, no new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the GPU and AVAP EIRs.

6. All Project specific impacts can be substantially mitigated by the imposition of uniformly applied development policies or standards

As explained in the 15183 exemption checklist below, there are no Project specific effects that would require mitigation. The Project would implement standard best management practices as applicant-proposed measures, consistent with the goals and policies outlined in the GPU and AVAP EIRs, and would comply with applicable federal, state and local laws, regulations, ordinances and codes. Therefore, no mitigation measures are required.

7. The Project is consistent with the goals and policies of the GPU and AVAP.

The Project is consistent with the applicable goals and policies of the Countywide General Plan, as described in Table 1, below.

**Table 1
Humidor Battery Energy Storage System Project
LA County General Plan Update (GPU) – Consistency Analysis Table¹**

Air Quality Element

Air Quality Policy	Policy Text	Consistency Analysis
<i>Goal AQ 1: Protection from exposure to harmful air pollutants.</i>		
AQ 1.1	Minimize health risks to people from industrial toxic or hazardous air pollutant emissions, with an emphasis on local hot spots, such as existing point sources affecting immediate sensitive receptors.	<p><u>Consistent:</u> The purpose of the BESS is to store electricity generated from solar and wind power when it is being created and then to be able to use these non-carbon energy sources throughout the day. The energy that will be stored would not be able to be captured without development of the Project.</p> <p>During construction, the Project would be subject to SCAQMD and AVAQMD Rule 403 to reduce fugitive dust emissions from construction activities, which would prevent the travel of fugitive dust to nearby receptors. Construction activities that emit diesel particulate matter include off-road construction equipment and any diesel-powered vehicle trips to the site. The exposure from diesel particulate matter would be relatively short-term, lasting only as long as the construction period. The Project also falls below SCAQMD and AVAQMD thresholds for criteria air pollutants.</p> <p>Due to the limited number of vehicle trips generated by the Project that would occur and the efficiency of the BESS system resulting in very little electricity being required, it is anticipated that Project operation would create nominal air emissions and would not contribute to a health risk to nearby receptors.</p> <p>The batteries utilized in the BESS do not vent during normal operation. The Project will comply with all State and County Fire Code and Department standards specifically designed for BESS</p>

¹ Goals and policies from the Mobility and Economic Development Elements of the General Plan are not applicable and are not discussed further.

Air Quality Policy	Policy Text	Consistency Analysis
		<p>facilities. Lithium-ion batteries do not vent during normal operations and, therefore, would present no hazard risk to air or water during normal operations. During potential fire events, UL9540A testing has shown that gases produced by a BESS fire are considered to be similar to other fire scenarios, such as a plastics fire, and can be treated with the same precautions as something like a sofa, mattress, or office fire in terms of toxicity so long as precautions are taken during the most intense moments of the fire. (DET NORSKE VERITAS (U.S.A., INC., Considerations for ESS Fire Safety, 2017, pp. 9-10.) In other words, while testing is ongoing, the potential toxicity of emissions from the Project during potential fire events is considered to be similar to that of other uses allowed at the site. Moreover, ventilation is the standard and primary means of reducing the toxicity and flammability of gases emitted during a battery fire. (Id., p. 48.) Unlike other utility-scale energy storage facilities, the Project would not be enclosed and would be outdoors. Therefore, any gases emitted during a fire event would have reduced toxicity and flammability as compared to high-density, closed environments (e.g., apartment buildings, enclosed buildings). Further, in accordance with UL 9540A and LA County Fire Code 1207.1.5, large-scale fire testing must be conducted on a representative stationary storage battery system before a construction permit can be issued for the Project. The testing must be conducted or witnessed and reported by an approved testing laboratory, and the test report must be provided to the Fire Code Official for review and approval in accordance with Section 104.8.2 of the LA County Fire Code.</p>
AQ 1.2	Encourage the use of low or no volatile organic compound (VOC) emitting materials.	<u>Consistent:</u> The Project will comply with SCAQMD Rule 1108 limiting VOC content in asphalt and Rule 1113 limiting VOC content in paints and solvents.
AQ 1.3	Reduce particulate inorganic and biological emissions from construction, grading, excavation, and demolition to the maximum extent feasible.	<u>Consistent:</u> During construction, the Project would be subject to SCAQMD and AVAQMD Rule 403 to reduce fugitive dust emissions from construction activities, which would prevent the travel of fugitive dust to nearby receptors.
AQ 1.4	Work with local air quality management districts to publicize air quality warnings, and to track potential sources of airborne toxics from identified mobile and stationary sources.	<u>Not Applicable</u>
<i>Goal AQ 2: The reduction of air pollution and mobile source emissions through coordinated land use, transportation and air quality planning.</i>		
AQ 2.1	Encourage the application of design and other appropriate measures when siting sensitive uses, such as residences, schools, senior centers, daycares, medical facilities, or parks with active recreational facilities within proximity to major sources of air pollution, such as freeways.	<u>Not Applicable</u>

Air Quality Policy	Policy Text	Consistency Analysis
AQ 2.2	Participate in, and effectively coordinate the development and implementation of community and regional air quality programs.	<u>Not Applicable</u>
AQ 2.3	Support the conservation of natural resources and vegetation to reduce and mitigate air pollution impacts.	<u>Consistent:</u> The Project site is previously disturbed and the Project limits vegetation clearance to that required for structures and fire clearance.
AQ 2.4	Coordinate with different agencies to minimize fugitive dust from different sources, activities, and uses.	<u>Not Applicable</u>
<i>Goal AQ 3: Implementation of plans and programs to address the impacts of climate change.</i>		
AQ 3.1	Facilitate the implementation and maintenance of the Community Climate Action Plan to ensure that the County reaches its climate change and greenhouse gas emission reduction goals.	<u>Consistent:</u> The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting the County to meet its goals to reduce greenhouse gas emissions. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.
AQ 3.2	Reduce energy consumption in County operations by 20 percent by 2015.	<u>Not Applicable</u>
AQ 3.3	Reduce water consumption in County operations.	<u>Not Applicable</u>
AQ 3.4	Participate in local, regional and state programs to reduce greenhouse gas emissions.	<u>Consistent:</u> The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting the state and local goals to reduce greenhouse gas emissions. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.
AQ 3.5	Encourage energy conservation in new development and municipal operations.	<u>Not Applicable</u>
AQ 3.6	Support rooftop solar facilities on new and existing buildings.	<u>Not Applicable</u>
AQ 3.7	Support and expand urban forest programs within the unincorporated areas.	<u>Not Applicable</u>
AQ 3.8	Develop, implement, and maintain countywide climate change adaptation strategies to ensure that the community and public services are resilient to climate change impacts.	<u>Consistent:</u> The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience.

Noise Element

Noise Policy	Policy Text	Consistency Analysis
<i>Goal N 1: The reduction of excessive noise impacts</i>		
N 1.1	Utilize land uses to buffer noise-sensitive uses from sources of adverse noise impacts.	<u>Consistent</u> : Operational noise levels would not change the noise characteristics of the site and would fall below the noise compatibility levels of 65 dBA for exterior areas and 45 dBA for interior spaces, as defined in the County noise ordinance. Construction operations can generate varying degrees of noise levels, depending on the construction procedures and equipment. The Project operations would not generate noise in excess of the standards established in the GPU and AVAP EIRs or the Los Angeles County noise ordinance.
N 1.2	Reduce exposure to noise impacts by promoting land use compatibility.	<u>Consistent</u> : The Project is designated as Light Industrial (IL) by both the Countywide General Plan, the AVAP, and Light Manufacturing (M-1) by the County Zoning Ordinance. The development and operation of the Project is consistent with the use regulations.
N 1.3	Minimize impacts to noise-sensitive land uses by ensuring adequate site design, acoustical construction, and use of barriers, berms, or additional engineering controls through Best Available Technologies (BAT).	<u>Consistent</u> : The Project's operational noise levels would not increase the noise characteristics of the site and would fall below applicable noise compatibility levels as defined in the County noise ordinance. Additionally, the 8-foot masonry wall required for electric distribution substations per 22.140.200 can act as a barrier against any operation-related sounds.
N 1.4	Enhance and promote noise abatement programs in an effort to maintain acceptable levels of noise as defined by the Los Angeles County Exterior Noise Standards and other applicable noise standards.	<u>Not Applicable</u>
N 1.5	Ensure compliance with the jurisdictions of State Noise Insulation Standards (Title 24, California Code of Regulations and Chapter 35 of the Uniform Building Code), such as noise insulation of new multifamily dwellings constructed within the 60 dB Community Noise Equivalent Level (CNEL) or Day-night average sound level (LDN) noise exposure contours.	<u>Not Applicable</u>
N 1.6	Ensure cumulative impacts related to noise do not exceed health-based safety margins.	<u>Consistent</u> : The Project does not involve any operational uses that may create substantial temporary or periodic increases in ambient noise levels in the Project vicinity.
N 1.10	Orient residential units away from major noise sources (in conjunction with applicable building codes).	<u>Not Applicable</u>

Noise Policy	Policy Text	Consistency Analysis
N 1.11	Maximize buffer distances and design and orient sensitive receptor structures (hospitals, residential, etc.) to prevent noise and vibration transfer from commercial/light industrial uses.	<u>Consistent:</u> Operational noise levels would not change the noise characteristics of the site and would fall below the noise compatibility levels of 65 dBA for exterior areas and 45 dBA for interior spaces, as defined in the County noise ordinance. Construction operations can generate varying degrees of noise levels, depending on the construction procedures and equipment. The Project operations would not generate noise in excess of the standards established in the GPU and AVAP EIRs or the Los Angeles County noise ordinance. The Project would develop a battery energy storage system which is not considered a County sensitive receptor to low ambient vibration. Potential vibration levels generated from the site during construction activities would be well below the threshold could occur since the nearest receptor would be located 650 feet from construction activities.
N 1.12	Decisions on land adjacent to transportation facilities, such as the airports, freeways and other major highways, must consider both existing and future noise levels of these transportation facilities to assure the compatibility of proposed uses	<u>Consistent:</u> The Project is not the type of use that could be affected by existing and future noise levels of transportation facilities.

Public Services and Facilities Element

Public Services and Facilities Policy	Policy Text	Consistency Analysis
<i>Goal PS/F 1: A coordinated, reliable, and equitable network of public facilities that preserves resources, ensures public health and safety, and keeps pace with planned development</i>		
PS/F 1.1	Discourage development in areas without adequate public services and facilities.	<u>Consistent:</u> The Project site is previously disturbed and developed. Public services and facilities already serve the site. The Project will improve the resiliency of the electricity utility grid.
PS/F 1.2	Ensure that adequate services and facilities are provided in conjunction with development through phasing or other mechanisms.	<u>Consistent:</u> The Project site is previously disturbed and developed. Public services and facilities already serve the site. The Project will improve the resiliency of the electricity utility grid.
PS/F 1.3	Ensure coordinated service provision through collaboration between County departments and service providers.	<u>Not Applicable</u>
PS/F 1.4	Ensure the adequate maintenance of infrastructure.	<u>Not Applicable</u>
PS/F 1.5	Focus infrastructure investment, maintenance and expansion efforts where the General Plan encourages development.	<u>Not Applicable</u>
PS/F 1.6	Support multi-faceted public facility expansion efforts, such as substations, mobile units, and satellite offices.	<u>Consistent:</u> The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience.
PS/F 1.7	Consider resource preservation in planning of public facilities.	<u>Not Applicable</u>

Public Services and Facilities Policy	Policy Text	Consistency Analysis
<i>Goal PS/F 6: A County with adequate public utilities</i>		
PF/S 6.1	Ensure efficient and cost-effective utilities that serve existing and future needs.	<u>Consistent</u> : The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience.
PF/S 6.2	Improve existing wired and wireless telecommunications infrastructure.	<u>Not Applicable</u>
PF/S 6.3	Expand access to wireless technology networks, while minimizing visual impacts through co-location and design.	<u>Not Applicable</u>
PF/S 6.4	Protect and enhance utility facilities to maintain the safety, reliability, integrity and security of utility services.	<u>Consistent</u> : The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience.
PF/S 6.5	Encourage the use of renewable energy sources in utility and telecommunications networks.	<u>Consistent</u> : The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.
PF/S 6.6	Encourage the construction of utilities underground, where feasible.	<u>Consistent</u> : The Project gen-tie line will be placed underground within an existing utility corridor, within the County right-of-way.
PF/S 6.7	Discourage above-ground electrical distribution and transmission lines in hazard areas.	<u>Consistent</u> : The Project gen-tie line will be placed underground within an existing utility corridor, within the County right-of-way.
PF/S 6.8	Encourage projects that incorporate onsite renewable energy systems.	<u>Not Applicable</u>
PF/S 6.9	Support the prohibition of public access within, and the limitation of access in areas adjacent to natural gas storage facilities and oil and gas production and processing facilities to minimize trespass and ensure security.	<u>Not Applicable</u>
PF/S 6.10	Encourage utility siting to be located and decentralized to reduce impacts; reduce transmission losses; promote local conservation by connecting users to their systems more directly; and reduce system malfunction.	<u>Consistent</u> : The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant. The Project is located near the existing SCE Vincent Substation.

Safety Element

Safety Policy	Policy Text	Consistency Analysis
<i>Goal S 1: An effective regulatory system that prevents or minimizes personal injury, loss of life and property damage due to seismic and geotechnical hazards</i>		
Geotechnical Hazards	S 1.1 Discourage development in Seismic Hazard and Alquist-Priolo Earthquake Fault Zones.	<u>Consistent</u> : Pursuant to the Geotechnical Investigation Report prepared for the Project, the Project is not located within a currently mapped Alquist-Priolo Special Studies Fault Zone. The nearest active fault is the San Andreas fault, located approximately 3.2 miles northeast of the Site. In addition, the Project site is not located in a California Geological Survey Liquefaction Hazard Zone.
	S 1.2 Prohibit construction of structures for human occupancy adjacent to active faults unless a comprehensive fault study that addresses seismic hazard risks and proposes appropriate actions to minimize the risk is approved.	<u>Not Applicable</u> : The Project does not propose structures for human occupancy and is not located adjacent to an active fault.
	S 1.3 Require developments to mitigate geotechnical hazards, such as soil instability and landslides, in Hillside Management Areas through siting and development standards.	<u>Not Applicable</u> : The Project site is not within a Hillside Management Area.
	S 1.4 Support the retrofitting of unreinforced masonry structures and soft-story buildings to help reduce the risk of structure and human loss due to seismic hazards.	<u>Not Applicable</u> : The Project is new construction.
<i>Goal S 2: An effective regulatory system that prevents or minimizes personal injury, loss of life, and property damage due to climate hazards and climate-induced secondary impacts</i>		
Climate Adaption and Resiliency	S 2.1 Explore the feasibility of community microgrids that are driven by renewable energy sources to increase local energy resilience during grid power outages, reduce reliance on long-distance transmission lines, and reduce strain on the grid when demand for electricity is high.	<u>Consistent</u> : The Project is designed to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting state and local goals to reduce greenhouse gas emissions. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.
	S 2.2 Plan for future climate impacts on critical infrastructure and essential public facilities.	<u>Consistent</u> : The Project is designed to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting state and local goals to reduce greenhouse gas emissions.

Safety Policy		Policy Text	Consistency Analysis
	S 2.3	Require new residential subdivisions and new accessory dwelling units within hazard areas to meet required evacuation standards.	<u>Not Applicable</u>
	S 2.4	Promote the creation of resilience hubs in frontline communities that are at highly vulnerable to climate hazards and ensure that they have adequate resources to adapt to climate-induced emergencies.	<u>Not Applicable</u>
	S 2.5	Promote the development of community-based and workplace groups such as Community Emergency Response Teams to improve community resilience to climate emergencies.	<u>Not Applicable</u>
	S 2.6	Promote climate change and resilience awareness education about the effects of climate change-induced hazards and ways to adapt and build resiliency to climate change.	<u>Not Applicable</u>
	S 2.7	Increase the capacity of frontline communities to adapt to climate impacts by focusing planning efforts and interventions on communities facing the greatest vulnerabilities and ensuring representatives of these communities have a role in the decision-making process for directing climate change response.	<u>Not Applicable</u>
<i>Goal S3: An effective regulatory system that prevents or minimizes personal injury, loss of life, and property damage due to flood and inundation hazards</i>			
Flood Hazards	S 3.1	Strongly discourage development in the County's Flood Hazard Zones, unless it solely provides a public benefit.	<u>Consistent</u> : The Project is not within a 100-year flood hazard area as mapped on flood hazard delineation maps; therefore, no structures would impede or redirect flows. The Project would construct drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site.

Safety Policy		Policy Text	Consistency Analysis
	S 3.2	Strongly discourage development from locating downslope from aqueducts, unless it solely provides a public benefit.	<u>Consistent</u> : The Preliminary Drainage Report conducted for the Project identifies that drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site. The runoff would ultimately be conveyed to the low point at the existing culvert at Vincent View Road.
	S 3.3	Promote the use of natural, or nature-based, flood protection measures to prevent or minimize flood hazards, where feasible.	<u>Consistent</u> : Drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site. The development site would be graded to be two-tiers with the site generally sloping at 1% to 2% to the west and south. The runoff would ultimately be conveyed to the low point at the existing culvert at Vincent View Road.
	S 3.4	Ensure that developments located within the County's Flood Hazard Zones are sited and designed to avoid isolation from essential services and facilities in the event of flooding.	<u>Not Applicable</u>
	S 3.5	Ensure that biological and natural resources are protected during rebuilding after a flood event.	<u>Consistent</u> : Most of the Project site consists of disturbed/developed areas and native habitats. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the Project site.
	S 3.6	Infiltrate development runoff on-site, where feasible, to preserve or restore the natural hydrologic cycle and minimize increases in stormwater or dry weather flows.	<u>Consistent</u> : Drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site. The runoff would ultimately be conveyed to the low point at the existing culvert at Vincent View Road restoring the natural hydrologic cycle.
<i>Goal S 4: An effective regulatory system that prevents or minimizes personal injury, loss of life, and property damage due to fire hazards</i>			
Fire Hazards	S 4.1	Prohibit new subdivisions in Very High Fire Hazard Severity Zones (VHFHSZ) unless: (1) the new subdivision is generally surrounded by existing or entitled development or is located in an existing approved specific plan or is within the boundaries of a communities facility district adopted by the County prior to January 1, 2022, including any improvement areas and future annexation areas identified in the County resolution approving such district; (2) the County	<u>Not Applicable</u>

Safety Policy		Policy Text	Consistency Analysis
		<p>determines there is sufficient secondary egress; and (3) the County determines the adjoining major highways and street networks are sufficient for evacuation as well as safe access for emergency responders under a range of emergency scenarios, as determined by the County. Discourage new subdivisions in all other FHSZs.</p>	
	S 4.2	<p>New subdivisions shall provide adequate evacuation and emergency vehicle access to and from the subdivision on streets or street systems that are evaluated for their traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end, one-way, or single lane conditions.</p>	<p><u>Not Applicable</u></p>
	S 4.3	<p>Ensure that biological and natural resources are protected during rebuilding after a wildfire event.</p>	<p><u>Consistent:</u> Most of the Project site consists of disturbed/developed areas and native habitats. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the Project site, and the Project site is not within USFWS designated critical habitat.</p> <p>The Project will be developed in compliance with all fire code requirements, which have been developed specifically for BESS facilities. A defensible space including a secured 8' concrete masonry unit wall will be created around the Project site and in particular around the battery enclosures. In addition, annual clearing per County code outside of the Project wall will comply with the Fire Department guidelines. The Project will comply with all applicable local and state fire code requirements. Moreover, the Project site is gently sloping, does not contain any significant geological features that would influence wildland fire behavior, and is surrounded by commercial development.</p>

Safety Policy		Policy Text	Consistency Analysis
	S 4.4	Reduce the risk of wildland fire hazards through meeting minimum State and local regulations for fire-resistant building materials, vegetation management, fuel modification, and other fire hazard reduction programs.	<u>Consistent:</u> The Project will be developed in compliance with all fire code requirements, which have been developed specifically for BESS facilities. A defensible space including a secured 8' concrete masonry unit wall will be created around the Project site and in particular around the battery enclosures. In addition, annual clearing per County code outside of the Project wall will comply with the Fire Department guidelines. The Project will comply with all applicable local and state fire code requirements. Moreover, the Project site is gently sloping, does not contain any significant geological features that would influence wildland fire behavior, and is surrounded by commercial development.
	S 4.5	Encourage the use of climate-adapted plants that are compatible with the area's natural vegetative habitats.	<u>Consistent:</u> The Project site plan includes a landscape plan meeting County requirements. Per the landscape plan, the Project shall use a local native seed mix consisting of native non-woody perennials and low shrubs that conform to the County Fire Modification Plant List for Zones A & B.
	S 4.6	Ensure that infrastructure requirements for new development meet minimum State and local regulations for ingress, egress, peak load water supply availability, anticipated water supply, and other standards within FHSZs.	<u>Not Applicable</u>
	S 4.7	Discourage building mid-slope, on ridgelines and on hilltops, and employ adequate setbacks on and below slopes to reduce risk from wildfires and post-fire, rainfall induced landslides and debris flows.	<u>Consistent:</u> The Project site is previously disturbed and not located mid-slope or on a ridgeline or hilltop.
	S 4.8	Support the retrofitting of existing structures in FHSZs to meet current safety regulations, such as the building and fire code, to help reduce the risk of structural and human loss due to wildfire.	<u>Not Applicable</u>
	S 4.9	Adopt by reference the County of Los Angeles Fire Department Strategic Fire Plan, as amended.	<u>Not Applicable</u>

Safety Policy		Policy Text	Consistency Analysis
	S 4.10	Encourage the planting of native oaks in strategic locations and near existing oak woodlands, including those to be mapped in the Oak Woodlands Conservation Management Plan, to protect developments from wildfires, as well as to lessen fire risk associated with developments.	<u>Not Applicable</u>
	S 4.11	Support efforts to address unique pest, disease, exotic species and other forest health issues in open space areas to reduce fire hazards and support ecological integrity.	<u>Not Applicable</u>
	S 4.12	Support efforts to incorporate systematic fire protection improvements for open space, including the facilitation of safe fire suppression tactics, standards for adequate access for firefighting, fire mitigation planning with landowners and other stakeholders, and water sources for fire suppression.	<p><u>Consistent:</u> The Project was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 <i>et seq.</i> has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located. The BESS equipment and design will undergo further design review with the County for conformance with the California Fire Code as part of securing building permits. Further, the BESS facility will minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing.</p> <p>The Applicant has consulted with the Los Angeles County Fire Department to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.</p>

Safety Policy		Policy Text	Consistency Analysis
	S 4.13	Encourage the siting of major landscape features, including but not limited to large water bodies, productive orchards, and community open space at the periphery of new subdivisions to provide strategic firefighting advantage and function as lasting firebreaks and buffers against wildfires, and the maintenance of such features by respective property owners.	<u>Not Applicable</u>
	S 4.14	Encourage the strategic placement of structures in FHSZs that conserves fire suppression resources, increases safety for emergency fire access and evacuation, and provides a point of attack or defense from a wildfire.	<p><u>Consistent:</u> The Project site is depicted within the M-1 zone, where industrial and utility land uses are permitted. The Project site is adjacent to three highways and a railroad. A portion of the Project site is generally undeveloped with paved parking areas and storage containers. Most of the Project site has been previously developed and is presently occupied by commercial developments, including an adjacent Metrolink station and its large parking lot, Paintball USA facility, a utility electrical subcontractor and commercial trucking staging/parking area as well as a residential single-family residence. The Project would minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24 hours a day, 7 days a week, in contrast to the current site uses.</p> <p>The Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 <i>et seq.</i> has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located. The Project will be designed to comply with Chapter 12 of the California County Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS.</p> <p>The Applicant and Department of Regional Planning consulted with the Los Angeles County Fire Department on the development and County approval of the site plan to ensure</p>

Safety Policy		Policy Text	Consistency Analysis
			<p>the site meets or exceeds code requirements. The Fire Department reviewed the Project site plan and included 22 approval notes to reiterate code requirements applicable to the approval that must be met before a construction permit can issue, in addition to other fire related requirements of the Site Plan Review approval.</p> <p>The BESS equipment and design will undergo further design review with the County Fire Department for conformance with the California Fire Code as part of securing building permits.</p> <p>The Project will also comply with the requirements of California Public Utilities Code Section 761.3, which requires BESS 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 Applicant will work with first responders to develop these plans and to coordinate site-specific training for first responders.</p> <p>Further, the Project BESS is itself designed to minimize fire risk. The Project batteries will use modern technology, tested and meeting standards set by Underwriter's Laboratories (UL)—a third-party certification company founded in 1894 that certifies products for safety for workers and consumers. The Project batteries will be isolated within steel enclosures with individual fire detection/suppression systems. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system's response to thermal runaway event. To meet these performance criteria, the system's various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels) and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff, local fire department, etc.). The site will be operated remotely, with full-time staff monitoring the Project to address any maintenance and/or emergency issues immediately and to work in direct coordination with local first responders. Current industry best practice is to fight a BESS fire</p>

Safety Policy		Policy Text	Consistency Analysis
			<p>defensively (<i>i.e.</i>, using water as a cooling agent to target units or other structures to prevent the fire from spreading) and when appropriate, allowing the BESS fire to burn itself out inside the steel enclosure. These tactics will be planned and coordinated with the County Fire Department and incorporated into a site-specific Emergency Response Plan.</p> <p>In addition to the design safety standards for the BESS itself, the Project site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and all vegetation will be managed per County fire fuel modification requirements outside the wall on the balance of the undeveloped site. The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements. These fuel modification protections would minimize risk of a wildland fire reaching the Project BESS facility. In addition, the same defensive fire-fighting tactics described above would be utilized to prevent a wildland fire from spreading to the BESS facility (<i>i.e.</i>, using water as a cooling agency to prevent the fire from spreading to the BESS). These tactics would be coordinated in consultation with the County Fire Department and as incorporated into the site-specific Emergency Response Plan.</p>
	S 4.15	Encourage rebuilds and additions to comply with fire mitigation guidelines.	<p><u>Consistent:</u> The Project site is enclosed by three highways and a railroad. It is used currently as a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/equipment yard. The BESS facility will minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS.</p>

Safety Policy		Policy Text	Consistency Analysis
	S 4.16	Require local development standards to meet or exceed SRA Fire Safe Regulations, which include visible home and street addressing and signage and vegetation clearance maintenance on public and private roads; all requirements in the California Building Code and Fire Code; and Board of Forestry Fire Safe Regulations.	<u>Consistent</u> : The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.
	S 4.17	Coordinate with agencies, including the Fire Department and ACWM, to ensure that effective fire buffers are maintained through brush clearance and fuel modification around developments.	<u>Consistent</u> : The Applicant has consulted with the Los Angeles County Fire Department to ensure the approved site plan meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The enclosures are steel and have individual fire detection/suppression systems. Additionally, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and managed per County requirements outside the wall on the balance of the undeveloped site. The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements.
	S 4.18	Require Fire Protection Plans for new residential subdivisions in FHSZs that minimize and mitigate potential loss from wildfire exposure and reduce impact on the community's fire protection delivery system.	<u>Not Applicable</u>
	S 4.19	Ensure all water distributors providing water in unincorporated Los Angeles County identify, maintain, and ensure the long-term integrity of future water supply for fire suppression needs, and ensure that water supply infrastructure adequately supports existing and future development and redevelopment, and provides adequate water flow to combat structural and wildland fires, including during peak domestic demand periods.	<u>Consistent</u> : The Project would require minimal water usage during construction and operation. The Project would use approximately 12.0 acre-feet of water for dust suppressant and concrete during construction. Because no habitable structures would be constructed as part of the Project, operational water required for the Project would only be needed to establish and maintain landscaping. The Applicant has refined maximum applied water use assumptions for landscaping on the site plan to account for the different water use during establishment and maintenance, use of irrigation targeted at each individual plant rather than spread out over the Project site, and use of very low water groundcover. Approximately 0.9 acre-feet would be required during the first year of operations to support establishment of

Safety Policy		Policy Text	Consistency Analysis
			landscaping. Thereafter, water required to maintain landscaping is expected to decrease to 0.27 acre-feet per year during operations. The Project site has an existing water service connection from Los Angeles County Waterworks District 37 and no new facilities would be required. The County Department of Regional Planning confirmed with County Waterworks District 37 that it has sufficient water to service the Project. (Personal communication with Sam Dea, February 22, 2024.) Water to fight a fire is expected to be sourced from the existing hydrant on Carson Mesa Road and/or new hydrants installed by the project during construction. In the event of a battery fire, it is generally best to allow the fire to burn out while ensuring the fire remains contained to the BESS container of origin. Offensive firefighting tactics are not anticipated nor are they recommended for containerized BESS fires. As such, the application of water is anticipated to be used for exposure control (cooling nearby equipment, if necessary) and suppressing any small vegetation fires to help ensure the fire does not spread.
	S 4.20	Prohibit new and intensification of existing general assembly uses in VHFHSZs unless: (1) the use is located in an existing approved specific plan or (2) the County determines there is sufficient secondary egress and the County determines the adjoining major highways and street networks are sufficient for evacuation, as well as safe access for emergency responders under a range of emergency scenarios, as determined by the County. Discourage new general assembly uses in all other FHSZs.	<u>Not Applicable:</u> The Project is not a general assembly use. The Project would be unmanned except for periodic maintenance visits.
<i>Goal S 5: An effective regulatory system that prevents or minimizes personal injury, loss of life, and property damage due to extreme heat and drought impacts</i>			
Extreme Heat	S 5.1	Encourage building designs and retrofits that moderate indoor temperatures during extreme heat events.	<u>Consistent:</u> The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing, which tests a battery system's response to thermal runaway event. Sensors are installed to instantly alert of smoke or heat detection and proper parties would be instantly notified.

Safety Policy		Policy Text	Consistency Analysis
	S 5.2	Encourage the addition of shade structures in the public realm through appropriate means, and in frontline communities.	<u>Not Applicable</u>
	S 5.3	Encourage the use of cooling methods to reduce the heat retention of pavement and surfaces.	<u>Not Applicable</u>
	S 5.4	Ensure all park facilities, including recreational sports complexes, include a tree canopy, shade structures and materials with low solar gain to improve usability on high heat days and reduce heat retention.	<u>Not Applicable</u>
	S 5.5	Encourage alternatives to air conditioning such as ceiling fans, air exchangers, increased insulation and low solar gain exterior materials to reduce peak electrical demands during extreme heat events to ensure reliability of the electrical grid.	<u>Not Applicable</u>
	S 5.6	Coordinate with demand-response/paratransit transit services prior to expected extreme heat days to ensure adequate capacity for customer demand for transporting to cooling centers.	<u>Not Applicable</u>
	S 5.7	Coordinate with local transit agencies to retrofit existing bus stops, where feasible, with shade structures to safeguard the health and comfort of transit users.	<u>Not Applicable</u>
	S 5.8	Enhance and sustainably manage urban forests that provide shade and cooling functions.	<u>Not Applicable</u>
	S 5.9	Promote greater awareness of the impacts of extreme heat exposure on the most vulnerable populations, such as seniors, people living in poverty, those with chronic conditions, and outdoor workers.	<u>Not Applicable</u>

Safety Policy	Policy Text	Consistency Analysis	
<i>Goal S6: An effective regulatory system that prevents or minimizes personal injury, loss of life, and property damage due to human-made hazards</i>			
Human-made Hazards	S 6.1	Assess public health and safety risks associated with existing oil and gas facilities in the unincorporated Los Angeles County.	<u>Not Applicable</u>
	S 6.2	Coordinate with State and regional air quality agencies to ensure funding and implementation of annual inspections, ongoing air monitoring, and health impact assessment data continue to be collected and used to prioritize and facilitate the timely phase out of existing wells.	<u>Not Applicable</u>
	S 6.3	Support State and federal policies and proposals that increase funding sources to help plug, abandon, remediate and revitalize idle and orphaned well sites, and advocate for increased funding that will provide critical relief to the County and its residents.	<u>Not Applicable</u>
<i>Goal S7: Effective County emergency response management capabilities</i>			
Emergency Response	S 7.1	Ensure that residents are protected from the public health consequences of natural or human-made disasters through increased readiness and response capabilities, risk communication, and the dissemination of public information.	<u>Not Applicable</u>
	S 7.2	Support County emergency providers in reaching their response time goals.	<u>Not Applicable</u>
	S 7.3	Coordinate with other County and public agencies, such as transportation agencies and health care providers, on emergency planning and response activities, and evacuation planning.	<u>Not Applicable</u>
	S 7.4	Encourage the improvement of hazard prediction and early warning capabilities	<u>Not Applicable</u>
	S 7.5	Ensure that there are adequate resources, such as sheriff and fire services, for emergency response.	<u>Not Applicable</u>

Safety Policy	Policy Text	Consistency Analysis
S 7.6	Ensure that essential public facilities are maintained during disasters, such as flooding, wildfires, extreme temperature and precipitation events, drought, and power outages.	<u>Not Applicable</u>
S 7.7	Locate essential public facilities, such as hospitals, where feasible, outside of hazard zones identified in the Safety Element to ensure their reliability and accessibility during disasters.	<u>Not Applicable</u>
S 7.8	Adopt by reference the County of Los Angeles All-Hazards Mitigation Plan, as amended.	<u>Not Applicable</u>
S 7.9	Work cooperatively with public agencies with responsibility for flood and fire protection, and with stakeholders in planning for flood and fire hazards.	<u>Consistent:</u> The Applicant consulted with the Los Angeles County Fire Department to ensure the approved site plan meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The Project is not located within a floodway, floodplain or 100-year flood area.

Land Use Element

Land Use Policy	Policy Text	Consistency Analysis
<i>Goal LU 1: A General Plan that serves as the constitution for development, and a Land Use Policy Map that implements the General Plan's Goals, Policies and Guiding Principles</i>		
General Plan Amendments	LU 1.1	Support comprehensive updates to the General Plan, area plans, community plans, coastal land use plans and specific plans.
	LU 1.2	Discourage project-specific amendments to the text of the General Plan, including but not limited to the Guiding Principles, Goals, and Policies.
	LU 1.3	In the review of project-specific amendments to the General Plan, ensure that they support the Guiding Principles.
		<u>Consistent:</u> The Project is consistent with the density and use characteristics of the development considered by the GPU and AVAP EIRs and would represent a small part of the growth that was forecasted for build-out of the General Plan. The Project is also consistent with the applicable General Plan, AVAP, and zoning categories for the Project site.
		<u>Consistent:</u> The Project does not require project-specific amendments to the text of the General Plan nor the AVAP.
		<u>Not Applicable</u>

Land Use Policy	Policy Text	Consistency Analysis
LU 1.4	<p>In the review of a project-specific amendment(s) to the General Plan, ensure that the project-specific amendment(s):</p> <ul style="list-style-type: none"> • Is consistent with the goals and policies of the General Plan; • Shall benefit the public interest and is necessary to realize an unmet local or regional need. 	<u>Not Applicable</u>
LU 1.5	<p>In the review of a project-specific amendment(s) to convert OS-C designated lands to other land use designations, ensure that the project-specific amendment(s) does not contribute to the overall loss of open space that protects water quality, provides natural habitats, and contributes to improved air quality.</p>	<u>Not Applicable</u>
LU 1.6	<p>In the review of a project-specific amendment(s) to convert lands within the (Employment Protection District) EPD Overlay to non-industrial land use designations, ensure that the project-specific amendment(s):</p> <ul style="list-style-type: none"> • Is located on a parcel that adjoins a parcel with a comparable use, at a comparable scale and intensity; • Will not negatively impact the productivity of neighboring industrial activities; • Is necessary to promote the economic value and the long-term viability of the site; and • Will not subject future residents to potential noxious impacts, such as noise, odors or dust or pose significant health and safety risks. 	<u>Not Applicable</u>

Land Use Policy		Policy Text	Consistency Analysis
	LU 1.7	<p>In the review of a project-specific amendment(s) to convert lands within the Agricultural Resource Areas (ARAs), ensure that the project-specific amendment(s):</p> <ul style="list-style-type: none"> • Is located on a parcel that adjoins another parcel with a comparable use, at a comparable scale and intensity; and • Will not negatively impact the productivity of neighboring agricultural activities. 	<u>Not Applicable</u>
	LU 1.8	<p>Limit the amendment of each mandatory element of the General Plan to four times per calendar year, unless otherwise specified in Section 65358 of the California Government Code.</p>	<u>Not Applicable</u>
	LU 1.9	<p>Allow adjustments to the General Plan Land Use Policy Map to follow an adjusted Highway Plan alignment without a General Plan amendment, when the following findings can be met:</p> <ul style="list-style-type: none"> • The adjustment is necessitated by an adjusted Highway Plan alignment that was approved by the Los Angeles County Interdepartmental Engineering Committee (IEC) in a duly noticed public meeting; • The adjustment maintains the basic relationship between land use types; and • The adjustment is consistent with the General Plan. 	<u>Not Applicable</u>
	LU 1.10	<p>Prohibit plan amendments that increase density of residential land uses within mapped fire and flood hazard areas unless generally surrounded by existing built development and the County determines the adjoining major highways and street networks can accommodate evacuation as well as safe access for emergency responders under a range of emergency scenarios, as determined by the County.</p>	<u>Not Applicable</u>

Land Use Policy		Policy Text	Consistency Analysis
Specific Plans	LU 1.11	Require the intensity, density, and uses allowed in a new specific plan to be determined using the General Plan, including the Land Use Policy Map and Land Use Legend.	<u>Not Applicable</u>
	LU 1.12	Require a General Plan amendment for any deviation from the intensities, densities, and uses allowed by the General Plan (to apply the appropriate designation from the General Plan Land Use Legend), unless allowances for flexibility are specified in the specific plan.	<u>Not Applicable</u>
	LU 1.13	Require development regulations and zoning for new specific plans to be consistent with their corresponding General Plan land use designation.	<u>Not Applicable</u>
	LU 1.14	Allow specific plans to include implementation procedures for flexibility, such as development phasing, and redistribution of intensities and uses, as appropriate.	<u>Not Applicable</u>
	LU 1.15	Require a specific plan amendment for any deviation from the procedures and policies established by a specific plan.	<u>Not Applicable</u>
	LU 1.16	For existing specific plans, which are depicted with an "SP" land use designation, the General Plan Land Use Policy Map shall be amended as part of a comprehensive area planning effort, to identify existing specific plans using the Specific Plan Overlay.	<u>Not Applicable</u>
<i>Goal LU 2: Community-based planning efforts that implement the General Plan and incorporate public input, and regional and community level collaboration</i>			
Regional and Community-Based Planning Initiatives	LU 2.1	Ensure that all community-based plans are consistent with the General Plan.	<u>Not Applicable</u>
	LU 2.2	Ensure broad outreach, public participation, and opportunities for community input in community-based planning efforts.	<u>Not Applicable</u>

Land Use Policy	Policy Text	Consistency Analysis
LU 2.3	Consult with and ensure that applicable County departments, adjacent cities and other stakeholders are involved in community-based planning efforts.	<u>Not Applicable</u>
LU 2.4	Coordinate with other local jurisdictions to develop compatible land uses.	<u>Not Applicable</u>
LU 2.5	Support and actively participate in inter-jurisdictional and regional planning efforts to help inform community-based planning efforts.	<u>Not Applicable</u>
LU 2.6	Consider the role of arts and culture in community-based planning efforts to celebrate and enhance community character.	<u>Not Applicable</u>
LU 2.7	Set priorities for Planning Area-specific issues, including transportation, housing, open space, and public safety as part of community-based planning efforts.	<u>Not Applicable</u>
LU 2.8	Coordinate with the Los Angeles County Department of Public Works and other infrastructure providers to analyze and assess infrastructure improvements that are necessary for plan implementation.	<u>Consistent</u> : The Project is designed to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting state and local goals to reduce greenhouse gas emissions. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.
LU 2.9	Utilize the General Plan Land Use Legend and the Hazard, Environmental and Resource Constraints Model to inform the development of land use policy maps.	<u>Not Applicable</u>

Land Use Policy		Policy Text	Consistency Analysis
	LU 2.10	Ensure consistency between land use policy and zoning by undergoing a comprehensive zoning consistency analysis that includes zoning map changes and Zoning Code amendments, as needed.	<u>Consistent:</u> The Project site is located on a parcel which is split zoned; however, the Project will be contained only in the portion zoned M-1. The Project proposes a BESS facility and interconnection that would provide important electrical reliability services to the local area. In accordance with Zoning Interpretation Ordinance No. 2021-03, the Project is similar to an Electrical Distribution Substation for purposes of characterizing BESS as a land use under the Zoning Code. An Electrical Distribution Substation is a permitted use in the M-1 zone which requires Site Plan Review and is considered a ministerial permit (Section 22.22.030 of County Code). The County Department of Regional Planning has approved a Site Plan Review for the Project. The Project meets the County's development standards, as well as the Acton Community District development standards, for industrial uses in the M-1 zoning, including setbacks, height, landscaping, and other standards.
	LU 2.11	Update community-based plans on a regular basis.	<u>Not Applicable</u>
	LU 2.12	Community-based plans and existing specific plans shall be updated, as needed, to reflect the General Plan Land Use Legend as part of a comprehensive area planning effort. An exception to this is for coastal land use plans, which are subject to the California Coastal Act and to review by the California Coastal Commission.	<u>Not Applicable</u>
<i>Goal LU 3: A development pattern that discourages sprawl, and protects and conserves areas with natural resources and SEAs</i>			
Growth Management	LU 3.1	Encourage the protection and conservation of areas with natural resources, and SEAs.	<p><u>Consistent:</u> The General Plan incorporates Significant Ecological Areas (SEAs) designed to protect the most sensitive biological resources. The Los Angeles County Santa Clara River SEA occurs to the east of the Project site; however, none of the Project components would be located within the SEA boundaries.</p> <p>Most of the Project site consists of disturbed/developed areas and native habitats. The most prominent vegetation type within the Project site is California Juniper Woodland. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the Project site, and the Project site is not within USFWS designated critical habitat.</p>

Land Use Policy	Policy Text	Consistency Analysis
LU 3.2	Discourage development in areas with high environmental resources and/or severe safety hazards.	<p>Consistent: A portion of the Project site is generally undeveloped with paved parking areas and storage containers within the Light Manufacturing zone. Most of the Project site had been previously developed and is presently occupied by commercial developments, including the Paintball USA facility, a utility electrical subcontractor laydown yard and commercial trucking staging/parking. The surrounding Project site includes additional development including a Metrolink station and parking lot and residential single-family residences.</p> <p>Although the Project site is located in a very high fire hazard severity zone, many project sites are so located. As described in Figure 12.5 of the Countywide General Plan Safety Element, much of the County is also located within a very high fire hazard severity zone and it is not unusual for development to be located within a very high fire hazard severity zone.</p> <p>Furthermore, the Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 <i>et seq.</i> has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located.</p> <p>The BESS equipment and design will undergo further design review with the County for conformance with the California Fire Code as part of securing building permits.</p> <p>The Project site is enclosed by three highways and a railroad. It is used currently as a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/equipment yard. The BESS facility would likely minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system's response to thermal runaway event. To meet these performance criteria, the system's various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels)</p>

Land Use Policy	Policy Text	Consistency Analysis
		<p>and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff, local fire department, etc.). The site will be operated remotely, with full-time staff monitoring the Project to address any maintenance and/or emergency issues immediately and will work in direct coordination with local first responders.</p> <p>The Applicant consulted with the Los Angeles County Fire Department on the development and County approval of the site plan to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The enclosures are steel and have individual fire detection/suppression systems. Additionally, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and managed per County requirements outside the wall on the balance of the undeveloped site.</p> <p>The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements.</p> <p>The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.</p> <p>Water to fight a fire is expected to be sourced from the existing hydrant on Carson Mesa Road and/or new hydrants installed by the project during construction. In the event of a battery fire, it is generally best to allow the fire to burn out while ensuring the fire remains contained to the BESS container of origin. Offensive firefighting tactics are not anticipated nor are they recommended for containerized BESS fires. As such, the application of water is anticipated to be used for exposure control (cooling nearby equipment, if necessary) and suppressing any small vegetation fires to help ensure the fire does not spread.</p>

Land Use Policy		Policy Text	Consistency Analysis
	LU 3.3	Discourage development in undeveloped areas where infrastructure and public services do not exist, or where no major infrastructure projects are planned, such as state and/or federal highways.	<u>Consistent</u> : The Project site is previously developed, nearby an existing major highway, and served by existing public services. The surrounding Project area includes additional development including a Metrolink station and parking lot and residential single-family residences. Infrastructure and public services already exist and serve the Project site.
<i>Goal LU 4: Infill development and redevelopment that strengthens and enhances communities</i>			
Infill Development	LU 4.1	Encourage infill development in urban and suburban areas on vacant, underutilized, and/or brownfield sites.	<u>Consistent</u> : The Project site is previously developed, nearby an existing major highway, and served by existing public services. The Project has an approved site plan confirming that it meets all applicable County zoning standards. The surrounding Project site includes additional development including a Metrolink station and parking lot and residential single-family residences.
	LU 4.2	Encourage the adaptive reuse of underutilized structures and the revitalization of older, economically distressed neighborhoods.	<u>Not Applicable</u>
	LU 4.3	Encourage transit-oriented development in urban and suburban areas with the appropriate residential density along transit corridors and within station areas.	<u>Not Applicable</u>
	LU 4.4	Encourage mixed use development along major commercial corridors in urban and suburban areas.	<u>Not Applicable</u>
<i>Goal LU 5: Vibrant, livable and healthy communities with a mix of land uses, services and amenities</i>			
Community-Serving Uses	LU 5.1	Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types and styles.	<u>Not Applicable</u> : The Project does not propose residential land uses.
	LU 5.2	Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.	<u>Consistent</u> : The Project would develop an industrial use on industrially zoned land, near commercial uses.

Land Use Policy	Policy Text	Consistency Analysis
	LU 5.3 Support a mix of land uses that promote bicycling and walking, and reduce VMTs.	<u>Consistent</u> : The Project would not trigger a VMT analysis as it would be below the 110 average daily trips threshold in accordance with Los Angeles County Public Works Transportation Impact Guidelines (July 23, 2020). Consistent with development pursuant to the GPU and AVAP, the Project would not conflict with any policies, plans, or programs regarding public transit, roadway, bicycle, or pedestrian facilities or the performance or safety of those facilities.
	LU 5.4 Encourage community-serving uses, such as early care and education facilities, grocery stores, farmers markets, restaurants, and banks to locate near employment centers.	<u>Not Applicable</u>
	LU 5.5 Ensure that all households have access to a sufficient supply of quality early care and education and supervised school-age enrichment options for children from birth to age 13.	<u>Not Applicable</u>
	LU 5.6 Reduce regulatory and other barriers to early care and education facilities.	<u>Not Applicable</u>
	LU 5.7 Direct resources to areas that lack amenities, such as transit, clean air, grocery stores, bikeways, parks, and other components of a healthy community.	<u>Not Applicable</u>
	LU 5.8 Encourage farmers markets, community gardens, and proximity to other local food sources that provide access to healthful and nutritious foods.	<u>Not Applicable</u>
Employment Generating Uses	LU 5.9 Preserve key industrially designated land for intensive, employment-based uses.	<u>Consistent</u> : The Project will require periodic maintenance visits and a remote operational workforce. The Hecate-employed and contracted operational workforce would consist of locally contracted staff.
	LU 5.10 Encourage employment opportunities and housing to be developed in proximity to one another.	<u>Consistent</u> : The Project does not involve development of residential units. The long-term operational workforce would entail Hecate-employed and contracted staff who would maintain the facility over the Project life.

Land Use Policy	Policy Text	Consistency Analysis
<i>Goal LU 6: Protected rural communities characterized by living in a non-urban or agricultural environment at low densities without typical urban services</i>		
Rural Character	LU 6.1	<p>Protect rural communities from the encroachment of incompatible development that conflict with existing land use patterns and service standards.</p> <p><u>Consistent:</u> The Project is consistent with the applicable General Plan, AVAP, and zoning categories for the Project site. The Project site is designated as IL by both the Countywide General Plan and the AVAP, and M-1 by the County Zoning Ordinance. These use regulations allow for development and operation of the Project on the Project site. The Project is consistent with all applicable floor area ratio, lot coverage, height and setback standards. Per County Department of Regional Planning Subdivision and Zoning Interpretation No. 2021-23 – Battery Electric Storage Systems, a BESS is similar to an Electrical Distribution Substation and is treated the same as that defined land use under the Zoning Code. An Electrical Distribution Substation, and thus a BESS facility, is a permitted use in the M-1 zone.</p>
	LU 6.2	<p>Encourage land uses and developments that are compatible with the natural environment and landscape.</p> <p><u>Consistent:</u> The Project site is comparable to other properties in the surrounding area, and there are no Project specific effects which are peculiar to the Project or its site. The majority of the Project site has been previously developed and is presently occupied by commercial developments, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard. The Project site is also enclosed by three highways and a railroad. The Project would replace these existing uses with a relatively low-profile BESS facility that has been designed in accordance with the County’s development standards for industrial uses in the M-1 zoning, including setbacks, height, landscaping, and other standards.</p> <p>The Project would be consistent with the current development of the Project site and compatible with the existing natural environment and landscape at the Project site.</p>

Land Use Policy	Policy Text	Consistency Analysis
LU 6.3	Encourage low density and low intensity development in rural areas that is compatible with rural community character, preserves open space, and conserves agricultural land.	<p><u>Consistent:</u> The majority of the Project site has been previously developed and is presently occupied by commercial developments, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard. The Project would replace these existing uses with a relatively low-profile BESS facility that has been designed in accordance with the County's development standards for industrial uses in the M-1 zoning, including setbacks, height, landscaping, and other standards.</p> <p>The Project would be consistent with the density and use characteristics established by existing zoning regulations and the General Plan.</p>
<i>Goal LU 7: Compatible land uses that complement neighborhood character and the natural environment</i>		
Land Use Compatibility	LU 7.1 Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers and other design techniques.	<u>Consistent:</u> The Project is consistent with the applicable General Plan, AVAP, and zoning categories for the Project site. The Project site is designated as IL by both the Countywide General Plan and the AVAP, and M-1 by the County Zoning Ordinance. These use regulations allow for development and operation of the Project on the Project site.
	LU 7.2 Protect industrial parks and districts from incompatible uses.	<u>Consistent:</u> The Project site is designated as IL by both the Countywide General Plan and the AVAP, and M-1 by the County Zoning Ordinance. These use regulations allow for development and operation of the Project on the Project site.
	LU 7.3 Protect public and semi-public facilities, including but not limited to major landfills, natural gas storage facilities, and solid waste disposal sites from incompatible uses.	<u>Consistent:</u> The Project does not propose an incompatible use near an existing public or semi-public facility.
	LU 7.4 Ensure land use compatibility in areas adjacent to military installations and where military operations, testing, and training activities occur.	<u>Consistent:</u> The Project site is not located near a military installation.
	LU 7.5 Ensure land use compatibility in areas adjacent to mineral resources where mineral extraction and production, as well as activities related to the drilling for and production of oil and gas, may occur.	<u>Consistent:</u> The Project site is not located within a mineral extraction area.
	LU 7.6 Ensure that proposed land uses located within Airport Influence Areas are compatible with airport operations through compliance with airport land use compatibility plans.	<u>Consistent:</u> The Project is not located within an Airport Influence Area. The nearest airports to the Project site include the Los Angeles-Palmdale Regional Airport, approximately 9 miles north of the Project site.

Land Use Policy	Policy Text	Consistency Analysis	
	LU 7.7	Review all proposed projects located within Airport Influence Areas for consistency with policies of the applicable airport land use compatibility plan.	Consistent: The Project is not located within an Airport Influence Area. The nearest airports to the Project site include the Los Angeles-Palmdale Regional Airport, approximately 9 miles north of the Project site.
<i>Goal LU 8: Land uses that are compatible with military operations and military readiness, and enhance safety for military personnel and persons on the ground</i>			
Military Compatible Uses	LU 8.1	Facilitate the early exchange of project-related information that is pertinent to military operations with the military for proposed actions within MOAs, HRAIZs, and within 1,000 ft. of a military installation.	<u>Not Applicable</u>
	LU 8.2	Evaluate the potential impact of new structures within MOAs and HRAIZs to ensure the safety of the residents on the ground and continued viability of military operations. In the review of development within MOAs and HRAIZs, consider the following: <ul style="list-style-type: none"> • Uses that produce electromagnetic and frequency spectrum interference, which could impact military operations; • Uses that release into the air any substance such as steam, dust and smoke, which impair pilot visibility; • Uses that produce light emissions, glare or distracting lights, which could interfere with pilot vision or be mistaken for airfield lighting; and • Uses that physically obstruct any portion of the MOA and/or HRAIZ due to relative height above ground level. 	<u>Not Applicable</u>
<i>Goal LU 9: Land use patterns and community infrastructure that promote health and wellness</i>			
Community Wellness	LU 9.1	Promote community health for all neighborhoods.	<u>Not Applicable</u>
	LU 9.2	Encourage patterns of development that promote physical activity.	<u>Not Applicable</u>
	LU 9.3	Encourage patterns of development that increase convenient, safe access to healthy foods, especially fresh produce, in all neighborhoods.	<u>Not Applicable</u>

Land Use Policy		Policy Text	Consistency Analysis
	LU 9.4	Encourage patterns of development that protect the health of sensitive receptors.	<u>Consistent:</u> The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting the County to meet its goals to reduce greenhouse gas emissions. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.
<i>Goal LU 10: Well-designed and healthy places that support a diversity of built environments</i>			
Community Design	LU 10.1	Encourage community outreach and stakeholder agency input early and often in the design of projects.	<u>Consistent:</u> The County Department of Regional Planning has approved a Site Plan Review to confirm the Project BESS complies with all applicable zoning requirements. The Site Plan Review approval is final and not subject to appeal.
	LU 10.2	Design development adjacent to natural features in a sensitive manner to complement the natural environment.	<u>Consistent:</u> The majority of the Project site has been previously developed and is presently occupied by commercial developments, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard. The Project site is also enclosed by three highways and a railroad. The Project would replace these existing uses with a relatively low-profile BESS facility that has been designed in accordance with the County's development standards and landscaping requirements to provide additional screening. Landscaping will be incorporated to provide screening and would be consistent with the current development of the site and the surrounding area and would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.
	LU 10.3	Consider the built environment of the surrounding area and location in the design and scale of new or remodeled buildings, architectural styles, and reflect appropriate features such as massing, materials, color, detailing or ornament.	<u>Consistent:</u> The majority of the Project site has been previously developed and is presently occupied by commercial developments, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard. The Project site is also enclosed by three highways and a railroad. The Project would replace these existing uses with a relatively low-profile BESS facility that has been designed in accordance with the County's development standards and landscaping requirements to provide additional screening. Where outdoor lights are required, light fixtures will be in keeping with the Western frontier architectural style.

Land Use Policy	Policy Text	Consistency Analysis
		Landscaping will be incorporated to provide screening and would be consistent with the current development of the site and the surrounding area and would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.
LU 10.4	Promote environmentally-sensitive and sustainable design.	<u>Consistent:</u> The majority of the Project site has been previously developed and is presently occupied by commercial developments. The Project would replace existing uses with a relatively low-profile BESS facility that has been designed in accordance with the County's development standards and landscaping requirements to provide additional screening.
LU 10.5	Encourage the use of distinctive landscaping, signage and other features to define the unique character of districts, neighborhoods or communities, and engender community identity, pride and community interaction.	<u>Consistent:</u> Signage will be unobtrusive and promote the style of Western frontier architectural guidelines. Where outdoor lights are required, light fixtures will be in keeping with the Western frontier architectural style.
LU 10.6	Encourage pedestrian activity through the following: <ul style="list-style-type: none"> • Designing the main entrance of buildings to front the street; • Incorporating landscaping features; • Limiting masonry walls and parking lots along commercial corridors and other public spaces; • Incorporating street furniture, signage, and public events and activities; and • Using wayfinding strategies to highlight community points of interest. 	<u>Consistent:</u> Consistent with development pursuant to the GPU and AVAP, the Project would not conflict with any policies, plans, or programs regarding public transit, roadway, bicycle, or pedestrian facilities or the performance or safety of those facilities.
LU 10.7	Promote public spaces, such as plazas that enhance the pedestrian environment, and, where appropriate, continuity along commercial corridors with active transportation activities.	<u>Not Applicable</u>
LU 10.8	Promote public art and cultural amenities that support community values and enhance community context.	<u>Not Applicable</u>

Land Use Policy		Policy Text	Consistency Analysis
	LU 10.9	Encourage land uses and design that stimulate positive and productive human relations and foster the achievement of community goals.	<u>Not Applicable</u>
	LU 10.10	Promote architecturally distinctive buildings and focal points at prominent locations, such as major commercial intersections and near transit stations or open spaces.	<u>Not Applicable</u>
	LU 10.11	Promote architecturally distinctive buildings and focal points at prominent locations, such as major commercial intersections and near transit stations or open spaces.	<u>Not Applicable</u>
	LU 10.12	Discourage gated entry subdivisions (“gated communities”) to improve neighborhood access and circulation, improve emergency access, and encourage social cohesion.	<u>Not Applicable</u>
	LU 10.13	Discourage flag lot subdivisions unless designed to be compatible with the existing neighborhood character.	<u>Not Applicable</u>
<i>Goal LU 11: Development that utilize sustainable design techniques</i>			
Energy Efficient Development	LU 11.1	Encourage new development to employ sustainable energy practices, such as utilizing passive solar techniques and/or active solar technologies.	<u>Consistent:</u> The Project, which comprises the building of a BESS, would be part of a sustainable solution to enable increasing amounts of renewable energy generating sources to be accessed.
	LU 11.2	Support the design of developments that provide substantial tree canopy cover, and utilize light-colored paving materials and energy-efficient roofing materials to reduce the urban heat island effect.	<u>Consistent:</u> The Project would incorporate landscaping to provide screening, which would be consistent with the current development of the site and the surrounding area.
	LU 11.3	Encourage development to optimize the solar orientation of buildings to maximize passive and active solar design techniques.	<u>Not Applicable</u>

Land Use Policy		Policy Text	Consistency Analysis
Sustainable Subdivisions	LU 11.4	Encourage subdivisions to utilize sustainable design practices, such as maximizing energy efficiency through lot configuration; preventing habitat fragmentation; promoting stormwater retention; promoting the localized production of energy; promoting water conservation and reuse; maximizing interconnectivity; and utilizing public transit.	<u>Not Applicable</u>
	LU 11.5	Prohibit the use of private yards as required open space within subdivisions, unless such area includes active recreation or outdoor activity areas dedicated for common and/or public use.	<u>Not Applicable</u>
	LU 11.6	Ensure that subdivisions in VHFHSZs site open space to minimize fire risks, as feasible.	<u>Not Applicable</u>
	LU 11.7	Encourage the use of design techniques to conserve natural resource areas.	<u>Not Applicable</u>
	LU 11.8	Encourage sustainable subdivisions that meet green neighborhood standards, such as Leadership in Energy and Environmental Design–Neighborhood Development (LEED ND).	<u>Not Applicable</u>

Conservation and Natural Resources Element

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
<i>Goal C/NR 1: Open space areas that meet the diverse needs of Los Angeles County</i>			
Open Space Preservation and Conservation of Natural Areas	C/NR 1.1	Implement programs and policies that enforce the responsible stewardship and preservation of dedicated open space areas.	<u>Not Applicable</u>
	C/NR 1.2	Protect and conserve natural resources, natural areas, and available open spaces.	<u>Consistent:</u> Most of the Project site consists of disturbed/developed areas and native habitats. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the Project site, and the Project site is not within USFWS designated critical habitat. The Project is not located within an area including a habitat conservation plan or natural community conservation plan. Development plans would emphasize the protection of, and revegetation with, native vegetation.

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
Open Space Acquisition	C/NR 1.3	Support the acquisition of new available open space areas. Augment this strategy by leveraging County resources in concert with the compatible open space stewardship actions of other agencies, as feasible and appropriate.	<u>Not Applicable</u>
	C/NR 1.4	Create, support and protect an established network of dedicated open space areas that provide regional connectivity, between the southwestern extent of the Tehachapi Mountains to the Santa Monica Mountains, and from the southwestern extent of the Mojave Desert to Puento Hills and Chino Hills.	<u>Not Applicable</u>
	C/NR 1.5	Provide and improve access to dedicated open space and natural areas for all users that considers sensitive biological resources.	<u>Not Applicable</u>
	C/NR 1.6	Provide and improve access to dedicated open space and natural areas for all users that considers sensitive biological resources.	<u>Not Applicable</u>
<i>Goal C/NR 2: Effective collaboration in open space resource preservation</i>			
Open Space Collaboration and Financing	C/NR 2.1	Establish new revenue generating mechanisms to leverage County resources to enhance and acquire available open space and natural areas.	<u>Not Applicable</u>
	C/NR 2.2	Encourage the development of multi-benefit dedicated open spaces.	<u>Not Applicable</u>
	C/NR 2.3	Improve understanding and appreciation for natural areas through preservation programs, stewardship, and educational facilities.	<u>Not Applicable</u>
	C/NR 2.4	Collaborate with public, non-profit, and private organizations to acquire and preserve available land for open space.	<u>Not Applicable</u>

Conservation and Natural Resources Policy	Policy Text	Consistency Analysis
<i>Goal C/NR 3: Permanent, sustainable preservation of genetically and physically diverse biological resources and ecological systems including: habitat linkages, forests, coastal zone, riparian habitats, streambeds, wetlands, woodlands, alpine habitat, chaparral, shrublands, and SEAs</i>		
Protection of Biological Resources	C/NR 3.1	<p>Conserve and enhance the ecological function of diverse natural habitats and biological resources.</p> <p><u>Consistent:</u> Most of the Project site consists of disturbed/developed areas and native habitats. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the Project site, and the Project site is not within USFWS designated critical habitat.</p> <p>Project development plans would emphasize the protection of, and revegetation with, native vegetation.</p>
	C/NR 3.2	<p>Create and administer innovative County programs incentivizing the permanent dedication of SEAs and other important biological resources as open space areas.</p> <p><u>Not Applicable</u></p>
	C/NR 3.3	<p>Restore upland communities and significant riparian resources, such as degraded streams, rivers, and wetlands to maintain ecological function—acknowledging the importance of incrementally restoring ecosystem values when complete restoration is not feasible.</p> <p><u>Consistent:</u> No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the Project site, and the Project site is not within USFWS designated critical habitat. Additionally, there were no special-status plant species observed within the Project site during site surveys. Therefore, no significant riparian resources or sensitive upland communities are present on site.</p> <p>Project development plans would emphasize the protection of, and revegetation with, native vegetation.</p>
	C/NR 3.4	<p>Conserve and sustainably manage forests and woodlands.</p> <p><u>Consistent:</u> The Project site does not include forest land.</p>
	C/NR 3.5	<p>Ensure compatibility of development in the National Forests in conjunction with the U.S. Forest Service Land and Resource Management Plan.</p> <p><u>Consistent:</u> The Project site does not include forest land.</p>
	C/NR 3.6	<p>Assist state and federal agencies and other agencies, as appropriate, with the preservation of special status species and their associated habitat and wildlife movement corridors through the administration of the SEAs and other programs.</p> <p><u>Consistent:</u> Most of the Project site consists of disturbed/developed areas and native habitats. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the Project site, and the Project site is not within USFWS designated critical habitat. The Project area does not occur within any known wildlife movement corridor or habitat linkage as identified by California Department of Fish and Wildlife Biogeographic Information and Observation System Habitat Connectivity Viewer.</p> <p>None of the native habitats mapped within the Project area are considered special-status natural</p>

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
			communities. Two special-status plant species, the Mt. Gleason paintbrush and short-joint beavertail, and six special-status wildlife species, the northern California legless lizard, California legless lizard, coast horned lizard, Cooper's hawk, tricolored blackbird, and loggerhead shrike were determined to have moderate potential to occur within the Project area based on the presence of potentially suitable habitat and known occurrences within five miles. None were observed during surveys of the Project site. Therefore, while they meet the criteria for the moderate potential of occurrence, these species are not expected to occur within Project site.
	C/NR 3.7	Participate in inter-jurisdictional collaborative strategies that protect biological resources.	<u>Not Applicable</u>
Site Sensitive Design	C/NR 3.8	Discourage development in areas with identified significant biological resources, such as SEAs.	<u>Consistent:</u> The Los Angeles County Santa Clara River SEA occurs to the east of the Project site; however, none of the Project components would be located within the SEA boundaries.
	C/NR 3.9	Consider the following in the design of a project that is located within an SEA, to the greatest extent feasible: <ul style="list-style-type: none"> • Preservation of biologically valuable habitats, species, wildlife corridors and linkages; • Protection of sensitive resources on the site within open space; • Protection of water sources from hydromodification in order to maintain the ecological function of riparian habitats; • Placement of the development in the least biologically sensitive areas on the site (prioritize the preservation or avoidance of the most sensitive biological resources onsite); • Design required open spaces to retain contiguous undisturbed open space that preserves the most sensitive biological resources onsite and/or serves to maintain regional connectivity; • Maintenance of watershed connectivity by capturing, treating, retaining, and/or 	<u>Not Applicable</u>

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
		infiltrating storm water flows on site; and • Consideration of the continuity of onsite open space with adjacent open space in project design.	
	C/NR 3.10	Require environmentally superior mitigation for unavoidable impacts on biologically sensitive areas, and permanently preserve mitigation sites.	<u>Consistent</u> : The Project would not result in unavoidable impacts on biologically sensitive areas.
	C/NR 3.11	Discourage development in riparian habitats, streambeds, wetlands, and other native woodlands in order to maintain and support their preservation in a natural state, unaltered by grading, fill, or diversion activities.	<u>Consistent</u> : Results of reconnaissance-level surveys conducted on the Project site identified no riparian habitat. No evidence of the historic Santa Clara River feature was observed within the Project site.
<i>Goal C/NR 4: Conserved and sustainably managed woodlands</i>			
Woodland Preservation	C/NR 4.1	Preserve and restore oak woodlands and other native woodlands that are conserved in perpetuity with a goal of no net loss of existing woodlands.	<u>Not Applicable</u>
<i>Goal C/NR 5: Protected and useable local surface water resources</i>			
Surface Water Protection	C/NR 5.1	Support the LID philosophy, which seeks to plan and design public and private development with hydrologic sensitivity, including limits to straightening and channelizing natural flow paths, removal of vegetative cover, compaction of soils, and distribution of naturalistic BMPs at regional, neighborhood, and parcel-level scales.	<u>Consistent</u> : The Project would be to comply with the County LID ordinance and would also be required to obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction and Land Disturbance Activities. Compliance with the General Construction Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) which would eliminate or reduce non-stormwater discharge offsite into storm drainage systems or other water bodies and require the implementation of best management practices (BMPs) throughout the Project construction period. Stormwater BMPs would be required to limit erosion, minimize sedimentation, and control stormwater runoff water quality during Project construction activities. Compliance with the SWPPP would ensure that construction activities would not degrade the surface water quality of receiving waters to levels that would exceed the standards considered acceptable by the State Water Resources Control Board (SWRCB).

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
	C/NR 5.7	Actively support the design of new and retrofit of existing infrastructure to accommodate watershed protection goals, such as roadway, railway, bridge, and other— particularly—tributary street and greenway interface points with channelized waterways.	<u>Consistent:</u> The Preliminary Drainage Report prepared for the Project identifies that drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site. The development site would be graded to be two-tiers with the site generally sloping at 1% to 2% to the west and south. The runoff would ultimately be conveyed to the low point at the existing culvert at Vincent View Road. Therefore, the Project would not create or contribute water runoff that would exceed capacity of the existing or planned drainage system
<i>Goal C/NR 6: Protected and usable local groundwater resources</i>			
Groundwater Protection	C/NR 6.1	Support the LID philosophy, which incorporates distributed, post-construction parcel-level stormwater infiltration as part of new development.	<u>Consistent:</u> The Project would implement erosion control BMPs during grading and construction, as well as site design, source control, and structural BMPs during operations, to ensure water standards quality standards and requirements are met. In addition, the Project would construct drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site
	C/NR 6.2	Protect natural groundwater recharge areas and regional spreading grounds.	<u>Consistent:</u> Storm water management plans are prepared for both phases of the development Project to avoid potential violations of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Project operation would not deplete groundwater supplies or interfere substantially with ground water recharge.
	C/NR 6.3	Actively engage in stakeholder efforts to disperse rainwater and stormwater infiltration BMPs at regional, neighborhood, infrastructure, and parcel-level scales.	<u>Not Applicable</u>
	C/NR 6.4	Manage the placement and use of septic systems in order to protect high groundwater.	<u>Not Applicable</u>
	C/NR 6.5	Prevent stormwater infiltration where inappropriate and unsafe, such as in areas with high seasonal groundwater, on hazardous slopes, within 100 feet of drinking water wells, and in contaminated soils.	<u>Consistent:</u> The development site would be graded to be two-tiers with the site generally sloping at 1% to 2% to the west and south. The runoff would ultimately be conveyed to the low point at the existing culvert at Vincent View Road. Therefore, the Project would not expose people or structures to a significant risk, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes

Conservation and Natural Resources Policy	Policy Text	Consistency Analysis	
<i>Goal C/NR 7: Protected and healthy watersheds</i>			
Watershed Protection	C/NR 7.1	Support the LID philosophy, which mimics the natural hydrologic cycle using undeveloped conditions as a base, in public and private land use planning and development design.	<u>Consistent</u> : The Project would implement erosion control BMPs during grading and construction, as well as site design, source control, and structural BMPs during operations, to ensure water standards quality standards and requirements are met. In addition, the Project would construct drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site
	C/NR 7.2	Support the preservation, restoration and strategic acquisition of available land for open space to preserve watershed uplands, natural streams, drainage paths, wetlands, and rivers, which are necessary for the healthy function of watersheds.	<u>Not Applicable</u>
	C/NR 7.3	Actively engage with stakeholders to incorporate the LID philosophy in the preparation and implementation of watershed and river master plans, ecosystem restoration projects, and other related natural resource conservation aims, and support the implementation of existing efforts, including Watershed Management Programs and Enhanced Watershed Management Programs.	<u>Not Applicable</u>
	C/NR 7.4	Promote the development of multi-use regional facilities for stormwater quality improvement, groundwater recharge, detention/attenuation, flood management, retaining non stormwater runoff, and other compatible uses.	<u>Not Applicable</u>
<i>Goal C/NR 8: Productive farmland that is protected for local food production, open space, public health, and the local economy</i>			
Agricultural Resources	C/NR 8.1	Protect ARAs, and other land identified as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance by the California Department of Conservation, from encroaching development and discourage incompatible adjacent land uses.	<u>Consistent</u> : The Project site is classified as Not Prime Farmland; therefore, the Project would not impact Prime Farmland, Farmland of Statewide Importance, and Unique Farmland lands, including any Williamson Act contract, nor would it impact any forest land or timberland. The Project would not result in the conversion of farmland to non-agricultural uses or forest land to non-forest use.

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
	C/NR 8.2	Discourage land uses in ARAs, and other land identified as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance by the California Department of Conservation, that are incompatible with agricultural activities.	<u>Consistent</u> : The Project site is classified as Not Prime Farmland; therefore, the Project would not impact Prime Farmland, Farmland of Statewide Importance, and Unique Farmland lands, including any Williamson Act contract, nor would it impact any forest land or timberland. The Project would not result in the conversion of farmland to non-agricultural uses or forest land to non-forest use.
	C/NR 8.3	Encourage agricultural activities within ARAs.	<u>Consistent</u> : The Project site is classified as Not Prime Farmland. The Project would not result in the conversion of farmland to non-agricultural uses or forest land to non-forest use.
<i>Goal C/NR 9: Sustainable agricultural practices</i>			
Sustainable Agricultural Practices	C/NR 9.1	Support agricultural practices that minimize and reduce soil loss, minimize pesticide use, and prevent water runoff from leaching pesticide and fertilizer into groundwater and affecting water, soil, and air quality.	<u>Not Applicable</u>
	C/NR 9.2	Support innovative agricultural practices that conserve resources and promote sustainability, such as drip irrigation, hydroponics, organic farming, and the use of compost.	<u>Not Applicable</u>
	C/NR 9.3	Support farmers markets, farm stands, and community-supported agriculture.	<u>Not Applicable</u>
	C/NR 9.4	Support countywide community garden and urban farming programs.	<u>Not Applicable</u>
	C/NR 9.5	Discourage the conversion of native vegetation to agricultural uses.	<u>Not Applicable</u>
<i>Goal C/NR 10: Locally available mineral resources to meet the needs of construction, transportation, and industry</i>			
Mineral Resource Zone Protection	C/NR 10.1	Protect MRZ-2s and access to MRZ-2s from development and discourage incompatible adjacent land uses.	<u>Consistent</u> : The Project is not located within mapped mineral resources within the Antelope Valley Planning Area. A map in the Mineral Resources section of the GPU and AVAP EIRs shows a mineral resource area southeast of the Project site. Therefore, implementation of the Project would not result in the loss of availability of a known mineral resource

Conservation and Natural Resources Policy	Policy Text	Consistency Analysis	
	C/NR 10.2	Prior to permitting a use that threatens the potential to extract minerals in an identified Mineral Resource Zone, the County shall prepare a statement specifying its reasons for permitting the proposed use, and shall forward a copy to the State Geologist and the State Mining and Geology Board for review, in accordance with the Public Resources Code, as applicable.	<u>Not Applicable</u>
	C/NR 10.3	Recognize newly identified MRZ-2s within 12 months of transmittal of information by the State Mining and Geology Board.	<u>Not Applicable</u>
	C/NR 10.4	Work collaboratively with agencies to identify Mineral Resource Zones and to prioritize mineral land use classifications in regional efforts.	<u>Not Applicable</u>
	C/NR 10.5	Manage mineral resources in a manner that effectively plans for access to, development and conservation of, mineral resources for existing and future generations.	<u>Not Applicable</u>
	C/NR 10.6	Require that new non-mining land uses adjacent to existing mining operations be designed to provide a buffer between the new development and the mining operations. The buffer distance shall be based on an evaluation of noise, aesthetics, drainage, operating conditions, biological resources, topography, lighting, traffic, operating hours, and air quality.	<u>Not Applicable</u>

Conservation and Natural Resources Policy	Policy Text	Consistency Analysis	
<i>Goal C/NR 11: Mineral extraction and production activities that are conducted in a manner that minimizes impacts to the environment</i>			
Mineral Extraction	C/NR 11.1	Require mineral resource extraction and production activities and drilling for and production of oil and natural gas to comply with County regulations and state requirements, such as SMARA, and DOGGR regulations.	<u>Consistent</u> : The Project is not located within mapped mineral resources within the Antelope Valley Planning Area. A map in the Mineral Resources section of the GPU and AVAP EIRs shows a mineral resource area southeast of the Project site. Therefore, implementation of the Project would not result in the loss of availability of a known mineral resource.
	C/NR 11.2	Require the reclamation of abandoned surface mines to productive second uses.	<u>Not Applicable</u>
	C/NR 11.3	Require appropriate levels of remediation for all publicly-owned oil and natural gas production sites based on possible future uses.	<u>Not Applicable</u>
	C/NR 11.4	Require that mineral resource extraction and production operations, as well as activities related to the drilling for and production of oil and natural gas, be conducted to protect other natural resources and prevent excessive grading in hillside areas.	<u>Not Applicable</u>
	C/NR 11.5	Encourage and support efforts to increase the safety of oil and gas production and processing activities, including state regulations related to well stimulation techniques such as hydraulic fracturing or “fracking.”	<u>Not Applicable</u>
<i>Goal C/NR 12: Sustainable management of renewable and non-renewable energy resources</i>			
Energy Resources	C/NR 12.1	Encourage the production and use of renewable energy resources.	<u>Consistent</u> : The Project is the development of a BESS that is designed to help integrate renewable energy to the electric grid and support grid reliability and resilience.
	C/NR 12.2	Encourage the effective management of energy resources, such as ensuring adequate reserves to meet peak demands.	<u>Consistent</u> : The Project development of a BESS would provide a secure and reliable electricity supply, improve community infrastructure, and support sustainable electricity generation. By building the Project, a clean, reliable resource would be gained to help integrate renewable energy sources, reduce dependence on gas-fired generation, eliminate ocean water for cooling, reduce freshwater consumption, and reduce GHG and criteria air pollutant emissions.

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
	C/NR 12.3	Encourage distributed systems that use existing infrastructure and reduce environmental impacts.	<u>Consistent:</u> The Project is a BESS facility and interconnect to an existing substation. There would be no extension of new major infrastructure such as public roadways or other infrastructure into previously unserved areas, and no regulatory changes are proposed that would allow increased population growth.
<i>Goal C/NR 13: Protected visual and scenic resources</i>			
Scenic Resource Protection	C/NR 13.1	Protect scenic resources through land use regulations that mitigate development impacts.	<u>Consistent:</u> The Project is not located within areas identified as Hillside Management Areas or significant ridgelines, nor is the Project located within an area identified as a scenic viewshed. Further, there are no designated state scenic highways located near the Project site based on review of Caltrans list of scenic highways.
	C/NR 13.2	Protect ridgelines from incompatible development that diminishes their scenic value.	<u>Consistent:</u> The Project is not located within areas identified as Hillside Management Areas or significant ridgelines, nor is the Project located within an area identified as a scenic viewshed.
	C/NR 13.3	Reduce light trespass, light pollution and other threats to scenic resources.	<u>Consistent:</u> The Project would result in new and increased sources of nighttime lighting and illumination including signage and security lighting. Section 22.80.050 (General Development Standards) of the County's Zoning Code pertaining to outdoor lighting establishes limits on the types of fixtures and size of bulbs used in all aspects of development. In addition, the Project site is located within and will comply with the County's Rural Outdoor Lighting District, which includes additional requirements for project development in rural areas to promote and maintain dark skies (Los Angeles County Code of Ordinances 2019). The Project would also include perimeter landscaping, which would reduce impacts of lights in the surrounding area. The Project would not adversely affect day or nighttime views in the area, and the Project would not contribute to night sky pollution.
	C/NR 13.4	Encourage developments to be designed to create a consistent visual relationship with the natural terrain and vegetation.	<u>Consistent:</u> The majority of the Project site has been previously developed and is presently occupied by commercial developments, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard. The Project site is also enclosed by three highways and a railroad. The Project would replace these existing uses with a relatively low-profile BESS facility that has been designed in accordance with the County's development standards and landscaping requirements to provide additional screening. Per visual simulations developed for the Project, the Project would incorporate landscaping to provide screening, which would be consistent with the current development of the site and the surrounding area and would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
	C/NR 13.5	Encourage required grading to be compatible with the existing terrain.	<u>Consistent</u> : The Project would require the grading of approximately 99,909 cubic yards of material total for cut and fill, including 43,497 cubic yards of import of material required. The Project would incorporate landscaping to provide screening, which would be consistent with the current development of the site and the surrounding area and would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.
	C/NR 13.6	Prohibit outdoor advertising and billboards along scenic routes, corridors, waterways, and other scenic areas.	<u>Not Applicable</u>
	C/NR 13.7	Encourage the incorporation of roadside rest stops, vista points, and interpretive displays into projects in scenic areas.	<u>Not Applicable</u>
Hillside Management	C/NR 13.8	Manage development in HMAs to protect their natural and scenic character and minimize risks from natural hazards, such as fire, flood, erosion, and landslides.	<u>Not Applicable</u> : The Project is not located within areas identified as Hillside Management Areas or significant ridgelines, nor is the Project located within an area identified as a scenic viewshed.
	C/NR 13.9	Consider the following in the design of a project that is located within an HMA, to the greatest extent feasible: <ul style="list-style-type: none"> • Public safety and the protection of hillside resources through the application of safety and conservation design standards; • Maintenance of large contiguous open areas that limit exposure to landslide, liquefaction and fire hazards and protect natural features, such as significant ridgelines, watercourses and SEAs. 	<u>Not Applicable</u>
	C/NR 13.10	To identify significant ridgelines, the following criteria must be considered: <ul style="list-style-type: none"> • Topographic complexity; • Uniqueness of character and location; • Presence of cultural or historical landmarks; • Visual dominance on the skyline or viewshed, such as the height and elevation of a ridgeline; and; • Environmental significance to natural ecosystems, parks, and trail systems. 	<u>Not Applicable</u> : The Project is not located within areas identified as Hillside Management Areas or significant ridgelines, nor is the Project located within an area identified as a scenic viewshed.

Conservation and Natural Resources Policy	Policy Text	Consistency Analysis	
<i>Goal C/NR 14: Protected historic, cultural, and paleontological resources</i>			
Historic, Cultural, and Paleontological Resource Protection	C/NR 14.1	Mitigate all impacts from new development on or adjacent to historic, cultural, and paleontological resources to the greatest extent feasible.	<p><u>Consistent:</u> Pursuant to the cultural resources report prepared for the Project, two previously recorded refuse deposits were identified and resulted in the recordation of one large, but very sparse refuse deposit. Based on previous research and data gathered during the study, the recordation of each refuse appears to exhaust its research potential and the overall lack of integrity does not qualify any three of the resources for inclusion to the California Register of Historical Resources (CRHR).</p> <p>Further, two previously recorded refuse deposits were identified and resulted in the recordation of one large, but very sparse refuse deposit. Based on previous research and data gathered during the course of the study, it appears that recordation of each refuse appears to exhaust its research potential and the overall lack of integrity does not qualify any three of the resources for inclusion to the CRHR. The Project would implement standard best management practices and applicant-proposed measures, including pre-construction cultural resources inventory and data recovery, if necessary, and minimization or avoidance of impacts to any potentially significant cultural resources that might be discovered by implementing standard protocols that include ceasing all work within 50 feet of the discovery, protecting the discovery from further impacts, and contacting a Cultural Resources Specialist for recovery.</p>
	C/NR 14.2	Support an inter-jurisdictional collaborative system that protects and enhances historic, cultural, and paleontological resources.	<p><u>Consistent:</u> The Project would comply with all applicable laws and regulations pertaining to protection of historic, cultural, and paleontological resources. The Project would implement standard best management practices and applicant-proposed measures, including pre-construction cultural resources inventory and data recovery, if necessary, and minimization or avoidance of impacts to any potentially significant cultural resources that might be discovered by implementing standard protocols that include ceasing all work within 50 feet of the discovery, protecting the discovery from further impacts, and contacting a Cultural Resources Specialist for recovery.</p>
	C/NR 14.3	Support the preservation and rehabilitation of historic buildings.	<u>Not Applicable</u>
	C/NR 14.4	Ensure proper notification procedures to Native American tribes in accordance with Senate Bill 18 (2004).	<u>Not Applicable</u>

Conservation and Natural Resources Policy		Policy Text	Consistency Analysis
	C/NR 14.5	Promote public awareness of historic, cultural, and paleontological resources.	<u>Consistent</u> : The Project would comply with all applicable laws and regulations pertaining to protection of historic, cultural, and paleontological resources. The Project would implement standard best management practices and applicant-proposed measures, including pre-construction cultural resources inventory and data recovery, if necessary, and minimization or avoidance of impacts to any potentially significant cultural resources that might be discovered by implementing standard protocols that include ceasing all work within 50 feet of the discovery, protecting the discovery from further impacts, and contacting a Cultural Resources Specialist for recovery.
	C/NR 14.6	Ensure proper notification and recovery processes are carried out for development on or near historic, cultural, and paleontological resources.	<u>Consistent</u> : The Project would comply with all applicable laws and regulations pertaining to protection of historic, cultural, and paleontological resources. The Project would implement standard best management practices and applicant-proposed measures, including pre-construction cultural resources inventory and data recovery, if necessary, and minimization or avoidance of impacts to any potentially significant cultural resources that might be discovered by implementing standard protocols that include ceasing all work within 50 feet of the discovery, protecting the discovery from further impacts, and contacting a Cultural Resources Specialist for recovery.

Parks & Recreation Element

Parks and Recreation Policy		Policy Text	Consistency Analysis
<i>Goal P/R 1: Enhanced active and passive park and recreation opportunities for all users</i>			
Park Programming	P/R 1.1	Provide opportunities for public participation in designing and planning parks and recreation programs.	<u>Not Applicable</u>
	P/R 1.2	Provide additional active and passive recreation opportunities based on a community's setting, and recreational needs and preferences.	<u>Consistent</u> : The Project does not interfere with the County's ability to provide public recreation for the community. The Project will not introduce a new population to the community that would use public recreation or require expansion or construction of new recreation facilities.
	P/R 1.3	Consider emerging trends in parks and recreation when planning for new parks and recreation programs.	<u>Not Applicable</u>
	P/R 1.4	Promote efficiency by building on existing recreation programs.	<u>Not Applicable</u>

Parks and Recreation Policy		Policy Text	Consistency Analysis
Park Management	P/R 1.5	Ensure that County parks and recreational facilities are clean, safe, inviting, usable and accessible.	<u>Not Applicable</u>
	P/R 1.6	Improve existing parks with needed amenities and address deficiencies identified through the park facility inventories.	<u>Not Applicable</u>
	P/R 1.7	Ensure adequate staffing, funding, and other resources to maintain satisfactory service levels at all County parks and recreational facilities.	<u>Not Applicable</u>
	P/R 1.8	Enhance existing parks to offer balanced passive and active recreation opportunities through more efficient use of space and the addition of new amenities.	<u>Not Applicable</u>
	P/R 1.9	Offer more lighted playing fields using energy efficient light fixtures to extend playing time, where appropriate (e.g., not in areas adjacent to open space or natural areas that can be impacted by spillover lighting).	<u>Not Applicable</u>
	P/R 1.10	Ensure a balance of passive and recreational activities in the development of new park facilities.	<u>Not Applicable</u>
	P/R 1.11	Provide access to parks by creating pedestrian and bicycle-friendly paths and signage regarding park locations and distances.	<u>Not Applicable</u>
<i>Goal P/R 2: Enhanced multi-agency collaboration to leverage resources</i>			
Collaboration and Financing	P/R 2.1	Develop joint-use agreements with other public agencies to expand recreation services	<u>Not Applicable</u>
	P/R 2.2	Establish new revenue generating mechanisms to leverage County resources to enhance existing recreational facilities and programs.	<u>Not Applicable</u>

Parks and Recreation Policy	Policy Text	Consistency Analysis
	P/R 2.3	Build multi-agency collaborations with schools, libraries, non-profit, private, and other public organizations to leverage capital and operational resources.
	P/R 2.4	Utilize school and library facilities for County sponsored and community sponsored recreational programs and activities.
	P/R 2.5	Support the development of multi-benefit parks and open spaces through collaborative efforts among entities such as cities, the County, state, and federal agencies, private groups, schools, private landowners, and other organizations.
	P/R 2.6	Participate in joint powers authorities (JPAs) to develop multi-benefit parks as well as regional recreational facilities.
	P/R 2.7	Increase communication and partnerships with local law enforcement, neighborhood watch groups, and public agencies to improve safety in parks.
Mass Care and Shelters	P/R 2.8	Evaluate and enhance facilities and amenities with respect to alternative use of parks to carry out Mass Care and Shelter operations in the wake of a disaster.
<i>Goal P/R 3: Acquisition and development of additional parkland</i>		
Parkland Acquisition and Dedication	P/R 3.1	Acquire and develop local and regional parkland to meet the following County goals: 4 acres of local parkland per 1,000 residents in the unincorporated areas and 6 acres of regional parkland per 1,000 residents of the total population of Los Angeles County.

Parks and Recreation Policy	Policy Text	Consistency Analysis
	P/R 3.2	For projects that require zone change approvals, general plan amendments, specific plans, or development agreements, work with developers to provide for local and regional parkland above and beyond their Quimby obligations.
	P/R 3.3	Provide additional parks in communities with insufficient local parkland as identified through the gap analysis.
	P/R 3.4	Provide additional parks in communities with insufficient local parkland as identified through the gap analysis.
	P/R 3.5	Collaborate with other public, non-profit, and private organizations to acquire land for parks.
	P/R 3.6	Pursue a variety of opportunities to secure property for parks and recreational facilities, including purchase, grant funding, private donation, easements, surplus public lands for park use, and dedication of private land as part of the development review process.
Parkland Development	P/R 3.7	Mitigate impacts from freeways to new parks to the extent feasible.
	P/R 3.8	Site new parks near schools, libraries, senior centers and other community facilities where possible.

Parks and Recreation Policy		Policy Text	Consistency Analysis
	P/R 3.9	The Department of Parks and Recreation does not accept undeveloped park sites from developers. Developers are required to provide a developed park to the County on a “turn-key” basis and receive credit for the costs of developing the public park up to and against any remaining Quimby obligation, after accounting for the net acreage dedicated to the County.	<u>Not Applicable</u> : The Project includes no housing and will not introduce a new population to the community that would use recreational facilities.
<i>Goal P/R 4: Improved accessibility and connectivity to a comprehensive trail system including rivers, greenways, and community linkages</i>			
Trail System	P/R 4.1	Create multi-use trails to accommodate all users.	<u>Not Applicable</u>
	P/R 4.2	Develop staging areas and trail heads at strategic locations to accommodate multi-use trail users.	<u>Not Applicable</u>
	P/R 4.3	Develop a network of feeder trails into regional trails.	<u>Not Applicable</u>
	P/R 4.4	Maintain and design multi-purpose trails in ways that minimize circulation conflicts among trail users.	<u>Not Applicable</u>
	P/R 4.5	Collaborate with other public, non-profit, and private organizations in the development of a comprehensive trail system.	<u>Not Applicable</u>
	P/R 4.6	Create new multi-use trails that link community destinations including parks, schools and libraries.	<u>Not Applicable</u>
<i>Goal P/R 5: Protection of historical and natural resources on County park properties</i>			
Park Resource Preservation	P/R 5.1	Preserve historic resources on County park properties, including buildings, collections, landscapes, bridges, and other physical features.	<u>Not Applicable</u>

Parks and Recreation Policy	Policy Text	Consistency Analysis
	P/R 5.2 Expand the collection of historical resources under the jurisdiction of the County, where appropriate.	<p><u>Consistent:</u> Pursuant to the cultural resources report prepared for the Project, two previously recorded refuse deposits were identified and resulted in the recordation of one large, but very sparse refuse deposit. Based on previous research and data gathered during the study, the recordation of each refuse appears to exhaust its research potential and the overall lack of integrity does not qualify any three of the resources for inclusion to the California Register of Historical Resources (CRHR).</p> <p>The Project would implement standard best management practices and applicant-proposed measures, including pre-construction cultural resources inventory and data recovery, if necessary, and minimization or avoidance of impacts to any potentially significant cultural resources that might be discovered by implementing standard protocols that include ceasing all work within 50 feet of the discovery, protecting the discovery from further impacts, and contacting a Cultural Resources Specialist for recovery.</p>
	P/R 5.3 Protect and conserve natural resources on County park properties, including natural areas, sanctuaries, and open space preserves.	<u>Not Applicable</u>
	P/R 5.4 Ensure maintenance, repair, rehabilitation, restoration, or reconstruction of historical resources in County parks and recreational facilities are carried out in a manner consistent with the most current Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.	<u>Not Applicable</u>
Education and Programming	P/R 5.5 Preserve and develop facilities that serve as educational resources that improve community understanding of and appreciation for natural areas, including watersheds.	<u>Not Applicable</u>
	P/R 5.6 Promote the use of County parks and recreational facilities for educational purposes, including a variety of classes and after school programs.	<u>Not Applicable</u>

Parks and Recreation Policy		Policy Text	Consistency Analysis
	P/R 5.7	Integrate a range of cultural arts programs into existing activities, and partner with multicultural vendors and organizations.	<u>Not Applicable</u>
<i>Goal P/R 6: A sustainable parks and recreation system</i>			
Sustainable Parks System	P/R 6.1	Support the use of recycled water for landscape irrigation in County parks.	<u>Not Applicable</u>
	P/R 6.2	Support the use of alternative sources of energy, such as wind and solar sources to reduce the use of energy at existing parks.	<u>Consistent</u> : The Project supports use of alternative sources of energy by helping integrate renewable energy to the electric grid and support grid reliability and resilience. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.
	P/R 6.3	Prolong the life of existing buildings and facilities on County park properties through preventative maintenance programs and procedures.	<u>Not Applicable</u>
	P/R 6.4	Ensure that new buildings on County park properties are environmentally sustainable by reducing carbon footprints, and conserving water and energy.	<u>Not Applicable</u>
	P/R 6.5	Ensure the routine maintenance and operations of County parks and recreational facilities to optimize water and energy conservation.	<u>Not Applicable</u>

In addition, the Project is consistent with the General Plan's Guiding Principle 5 to provide healthy, livable, and equitable communities. The General Plan is intended to design communities that incorporate their cultural and historic surroundings and are not overburdened by nuisance and negative environmental factors and provide reasonable access to food systems. The General Plan promotes creation of communities that foster physical activity and address environmental justice by providing information and raising awareness of issues such as excessive noise, traffic, water pollution, air pollution, and heavy industrial uses. The General Plan emphasizes the importance of sufficient community-based services and infrastructure, protecting and conserving open space and natural areas, preventing and minimizing pollution impacts, and stakeholder participation in planning efforts. Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income. Environmental risks, hazards, and public services, such as trash hauling and landfills, should be distributed equitably without discrimination.

The Project is consistent with Guiding Principle 5. The BESS is an electrical utility use on previously disturbed and developed land that is zoned for industrial uses. The Project will redevelop an already improved site and will not interfere with the goals of the GPU and AVAP to maintain substantial portions of the Antelope Valley as open space and preserving rural communities. The Project would not

overburden a disadvantaged community with pollution impacts. The Project will result in negligible vehicle trips and associated emissions. Further, a BESS facility is not a heavy industrial use and will not result in operational emissions of air pollutants. To the contrary, the Project would help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby assisting the State and the County to reach greenhouse gas emissions reduction targets and improving the overall health of the State. As described in the checklist below, the Project will result in less than significant impacts for all resource areas.

The State Office of Environmental Health Hazard Assessment (OEHHA) created a way to measure the unfair differences in pollution and health burden in communities throughout California. The tool they created, called CalEnviro Screen, ranks each community in the state. Each community's rank is calculated by combining two factors: the amount of pollution present and the characteristics of people living in the community. The town of Acton has a CalEnviroScreen 4.0 percentile of 24 (one of the lower possible scores) and it is also not shown as a disadvantaged community on CalEPA's SB 535 Disadvantaged Communities (2022 Update) map.

The Project is consistent with the applicable goals and policies of the Antelope Valley Area Plan, as described in Table 2, below.

Table 2
Humidor Battery Energy Storage System Project
Antelope Valley Area Plan (AVAP) – Consistency Analysis Table²

Land Use Element

Land Use Element	Policy Text	Consistency Analysis
<i>Goal LU 1: A land use pattern that maintains and enhances the rural character of the unincorporated AV</i>		
LU 1.1	Direct the majority of the unincorporated AV's future growth to rural town center areas, rural town areas, and identified economic opportunity areas.	<u>Consistent:</u> The Project is located within a rural town area as shown on the AV Rural Preservation Strategy Map. The Project is designated as Light Industrial (IL) by both the Countywide General Plan and the AVAP, and Light Manufacturing (M-1) by the County Zoning Ordinance. These use regulations allow for development and operation of the Project on the Project site. The Project does not involve development of residential units, and physical changes caused by the Project would not induce substantial population growth in the area.
LU 1.2	Limit the amount of potential development in rural preserve areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area plan,	<u>Consistent:</u> The Project is not located within a rural preserve area as shown on the AV Rural Preservation Strategy Map. The use regulations established by the Project's designated zoning (IL by the Countywide General Plan and the AVAP, and M-1 by the County Zoning Ordinance) allow for development and operation of the Project on the Project site. The Project consists of a series of small-scale equipment on approximately 12 acres within an industrial zone and adjacent to other existing public utilities, industrial uses, and railroad infrastructure. The Site is also currently developed with paved, gravel areas, a paintball facility and truck parking and staging.
LU 1.3	Maintain the majority of the unincorporated AV as Rural Land, allowing for agriculture, equestrian and animal-keeping uses, and single-family homes on large lots,	<u>Consistent:</u> The Project is designated as IL by both the Countywide General Plan and the AVAP, and M-1 by the County Zoning Ordinance. One of the Project parcels (APN 3056004044) is split zoned M-1 and Heavy Agricultural (A2); however, the Project will be wholly contained within the M-1 zone. The Project site is currently developed and paved and is surrounded by existing public utilities and industrial uses.

² Goals and policies from the Mobility and Economic Development Elements of the Antelope Valley Area Plan are not applicable and are not discussed further.

Land Use Element	Policy Text	Consistency Analysis
LU 1.4	Ensure there are appropriate lands for commercial and industrial services throughout the unincorporated AV sufficient to serve the daily needs of rural residents and to provide local employment opportunities,	<u>Consistent:</u> The Project, designated as IL by both the Countywide General Plan and the AVAP and M-1 by the County Zoning Ordinance, consists of a series of small-scale equipment on approximately 12 acres within an industrial zone and adjacent to other existing public utilities, industrial uses, and railroad infrastructure. The Project will require periodic maintenance visits and a remote operational workforce. The Hecate-employed and contracted operational workforce would consist of locally contracted staff. The Project would help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby assisting the State and the County to reach greenhouse gas emissions reduction targets and improving the overall health of the State including local communities such as Acton.
LU 1.5	Provide varied lands for residential uses sufficient to meet the needs of all segments of the population, and allow for agriculture, equestrian uses and animal-keeping uses in these areas where appropriate,	<u>Not Applicable</u>
<i>Goal LU 2: A land use pattern that protects environmental resources</i>		
LU 2.1	Limit the amount of potential development in Significant Ecological Areas, including Joshua Tree Woodlands, wildlife corridors, and other sensitive habitat areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan,	<p><u>Consistent:</u> The Project site is not located within a SEA, Joshua tree woodland, wildlife corridor, or other sensitive habitat area. The Project site consists of disturbed/developed areas and native habitats. None of the native habitats mapped within the Project site are considered special-status natural communities. Two special-status species, the Mt. Gleason paintbrush and short-joint beavertail, and six special-status wildlife species, the northern California legless lizard, California legless lizard, coast horned lizard, Cooper's hawk, tricolored blackbird, and loggerhead shrike were determined to have moderate potential to occur within the Project area based on the presence of potentially suitable habitat; however, none were observed during surveys of the site. Wildlife corridors within or surrounding the Project area were also not identified during site surveys.</p> <p>The Project is consistent with the County's General Plan Goals and Policies for Biological Resources and the AVAP Goals and Policies for Biological Resources.</p>
LU 2.2	Except within economic opportunity areas, limit the amount of potential development near and within Scenic Resource Areas, including water features, significant ridgelines, and Hillside Management Areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan,	<u>Consistent:</u> The Project is not located within areas identified as Hillside Management Areas or significant ridgelines, nor is the Project located within an area identified as a scenic viewshed.

Land Use Element	Policy Text	Consistency Analysis
LU 2.3	Except within economic opportunity areas, limit the amount of potential development in Agricultural Resource Areas, including important farmlands designated by the State of California and historical farmland areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan,	<u>Consistent:</u> The Project site is not classified as Farmland; therefore, the Project would not impact Prime Farmland, Farmland of Statewide Importance, and Unique Farmland lands. The Project site is not encumbered by a Williamson Act contract. The Project would not impact any forest land or timberland. The Project would also not result in the conversion of farmland to non-agricultural uses or forest land to non-forest use.
LU 2.4	Except within economic opportunity areas, limit the amount of potential development in Mineral Resource Areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan,	<u>Consistent:</u> The Project is not located within mapped mineral resources within the AV Planning Area.
LU 2.5	Except within economic opportunity areas, limit the amount of potential development in riparian areas and groundwater recharge basins, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan,	<u>Consistent:</u> Most of the Project site consists of disturbed/developed areas and native habitats. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the Project site, and the Project site is not within USFWS designated critical habitat. No riparian habitat, special-status plant species, or sensitive natural communities were identified during reconnaissance-level surveys conducted for the Project.
LU 2.6	Except within economic opportunity areas, limit the amount of potential development near the National Forests and on private lands within the National Forests, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan,	<u>Consistent:</u> The Project is designated as IL by both the Countywide General Plan and the AVAP, and M-1 by the County Zoning Ordinance. The Project site is not located within a National Forest and does not include forest land. The nearest National Forest, Angeles National Forest, is located more than 2 miles south of the Project site.
<i>Goal LU 3: A land use pattern that minimizes threats from hazards</i>		
LU 3.1	Except within economic opportunity areas, prohibit new development on fault traces and limit the amount of potential development in Seismic Zones, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan,	<u>Consistent:</u> Per the Geotechnical Investigation Report prepared for the Project, the Project site is not located within a currently mapped Alquist-Priolo Special Studies Fault Zone. The nearest active fault, the San Andreas Fault, is located approx. 3.2 miles northeast of the Site. No active faults are known to underlie or project toward the Project site. All structures constructed as part of the Project would be required by state law to comply with applicable earthquake construction standards.

Land Use Element	Policy Text	Consistency Analysis
LU 3.2	<p>Except within economic opportunity areas, limit the amount of potential development in Very High Fire Hazard Severity Zones, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan,</p>	<p><u>Consistent:</u> The Project site is located within a Very High Fire Hazard Severity Zone, similar to many other project sites (Figure 12.5 of the Countywide General Plan Safety Element). The Project proposes no housing.</p> <p>The Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 <i>et seq.</i> has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located.</p> <p>The BESS equipment and design will undergo further design review with the County for conformance with the California Fire Code as part of securing building permits.</p> <p>The Project site is enclosed by three highways and a railroad. It is used currently as a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/equipment yard. The BESS facility would likely minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system's response to thermal runaway event. To meet these performance criteria, the system's various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels) and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff, local fire department, etc.). The site will be operated remotely, with full-time staff monitoring the Project to address any maintenance and/or emergency issues immediately and will work in direct coordination with local first responders.</p> <p>The Applicant consulted with the Los Angeles County Fire Department on the development and County approval of the site plan to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The enclosures are steel and have individual fire detection/suppression systems. Additionally, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and managed per County requirements outside the wall on the balance of the undeveloped site.</p> <p>The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements.</p>

Land Use Element	Policy Text	Consistency Analysis
		<p>The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.</p> <p>Water to fight a fire is expected to be sourced from the existing hydrant on Carson Mesa Road and/or new hydrants installed by the project during construction. In the event of a battery fire, it is generally best to allow the fire to burn out while ensuring the fire remains contained to the BESS container of origin. Offensive firefighting tactics are not anticipated nor are they recommended for containerized BESS fires. As such, the application of water is anticipated to be used for exposure control (cooling nearby equipment, if necessary) and suppressing any small vegetation fires to help ensure the fire does not spread.</p>
LU 3.3	<p>Except within economic opportunity areas, limit the amount of potential development in Flood Zones designated by the Federal Emergency Management Agency, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.</p>	<p><u>Consistent:</u> The Project is not within a 100-year flood hazard area as mapped on flood hazard delineation maps; therefore, no structures would impede or direct flows. The Project would also construct drainage channels proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site.</p>
LU 3.4	<p>Except within economic opportunity areas, limit the amount of potential development on steep slopes identified as Hillside Management Acres, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.</p>	<p><u>Consistent:</u> The Project is not located within areas identified as Hillside Management Areas or significant ridgelines.</p>
LU 3.5	<p>Except within economic opportunity areas, limit the amount of potential development in landslide and liquefaction areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.</p>	<p><u>Consistent:</u> The Project site is not located in a California Geological Survey Liquefaction Hazard Zone. All structures constructed as part of the Project would be required by state law to comply with applicable earthquake construction standards.</p>

Land Use Element	Policy Text	Consistency Analysis
LU 3.6	Except within economic opportunity areas, limit the amount of potential residential development in airport influence areas near military lands, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.	<u>Consistent:</u> The Project site is not located within an Airport Influence Area, Airport Safety Zone, Airport Land Use Compatibility Plan Area, Avigation Easement, or Overflight Area. The nearest airports to the Project site include the Los Angeles-Palmdale Regional Airport, approximately 9 miles north of the Project site. The Project is also not within one mile of a private airstrip. The Project is also located outside the area considered in the Air Force Civil Engineer Center Air Installations Compatible Use Zones (AFCEC AICUZ) for Edwards Air Force Base.
LU 3.7	All development projects located on parcels that are within an airport influence area shall be consistent with all policies of that airport's land use compatibility plan.	<u>Not Applicable:</u> The Project site is not within an airport influence area.
<i>Goal LU 4: A land use pattern that promotes the efficient use of existing and/or planned infrastructure and public facilities</i>		
LU 4.1	Direct the majority of the unincorporated Antelope Valley's future growth to areas that are served by existing or planned infrastructure, public facilities, and public water systems.	<u>Consistent:</u> The Project would be unmanned for the exception of periodic maintenance visits. Daily operations would occur remotely; therefore, would not increase the demand for other public services, infrastructure, utilities, or wastewater facilities. The Project site is previously developed and served by existing services and facilities.
<i>Goal LU 5: A land use pattern that decreases greenhouse gas emission</i>		
LU 5.1	Ensure that development is consistent with the Sustainable Communities Strategy adopted in 2012, an element of the Regional Transportation Plan developed by the Southern California Association of Governments.	<u>Consistent:</u> Construction traffic would be temporary, and the Project would comply with the standards and best management practices identified in the Project's Traffic Management Plan. The Project would be unmanned for the exception of periodic maintenance visits. The Project would operate with no permanent on-site operations; therefore, operational vehicle trips generated by the Project would be negligible.
LU 5.2	Encourage the continued development of rural town center areas that provide for the daily needs of surrounding residents, reducing the number of vehicle trips and providing local employment opportunities.	<u>Consistent:</u> The Project would be remotely operated and would result in negligible operational vehicle trips. The Project would provide a secure and reliable electricity supply, improve community infrastructure, and support sustainable electricity generation.
LU 5.3	Preserve open space areas to provide large contiguous carbon sequestering basins.	<u>Consistent:</u> The Project site is currently developed and paved and is surrounded by existing public utilities and industrial uses.
LU 5.4	Ensure that there is an appropriate balance of residential uses and employment opportunities within close proximity of each other.	<u>Consistent:</u> The Project would operate remotely and with up to four maintenance personnel. The Project does not involve development of residential units, and physical changes caused by the Project would not induce substantial population growth in the area.
<i>Goal LU 6: A land use pattern that makes the Antelope Valley a sustainable and resilient place to live</i>		
LU 6.1	Periodically review changing conditions to ensure that land use policies are compatible with the Area Plan's Rural Preservation Strategy.	<u>Not Applicable</u>

Land Use Element	Policy Text	Consistency Analysis
LU 6.2	Ensure that the Area Plan is flexible in adapting to new issues and opportunities without compromising the rural character of the unincorporated Antelope Valley.	<u>Consistent:</u> The Project, which comprises the building of a BESS, would be part of a sustainable solution to enable increasing amounts of renewable energy generating sources to be accessed. The Project would provide a secure and reliable electricity supply, improve community infrastructure, and support sustainable electricity generation. By building the Project, a clean, reliable resource would be gained to help integrate renewable energy sources, reduce dependence on gas-fired generation, eliminate ocean water for cooling, reduce freshwater consumption, and reduce greenhouse gas and criteria air pollutant emissions.

Conservation and Resources Element

Conservation and Resources Elements	Policy Text	Consistency Analysis
<i>Goal COS 4: Sensitive habitats and species are protected to promote biodiversity</i>		
COS 4.1	Direct the majority of the unincorporated Antelope Valley's future growth to rural town centers and economic opportunity areas, minimizing the potential for habitat loss and negative impacts in Significant Ecological Areas.	<u>Consistent:</u> The Project site is previously disturbed and developed and is not located within a Significant Ecological Area.
COS 4.2	Limit the amount of potential development in Significant Ecological Areas, including the Joshua Tree Woodlands, wildlife corridors, and other sensitive habitat areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.	<u>Consistent:</u> The Project site is previously disturbed and developed and is not located within a Significant Ecological Area. The Project will not impact Joshua trees or other sensitive habitat and will not impede wildlife corridors. The project does not propose residential land uses that will contribute to population growth.
COS 4.3	Require new development in Significant Ecological Areas to comply with applicable Zoning Code requirements, ensuring that development occurs on the most environmentally suitable portions of the land.	<u>Not Applicable:</u> The Project site is not within a Significant Ecological Area.
COS 4.4	Require new development in Significant Ecological Areas, to consider the following in design of the project, to the greatest extent feasible: -Preservation of biologically valuable habitats, species, wildlife corridors and linkages; -Protection of sensitive resources on the site within open space; -Protection of water sources from hydromodification in order to maintain the ecological function of riparian habitats;	<u>Not Applicable:</u> The Project site is not within a Significant Ecological Area.

Conservation and Resources Elements	Policy Text	Consistency Analysis
	<p>-Placement of development in the least biologically sensitive areas on the site, prioritizing the preservation or avoidance of the most sensitive biological resources onsite;</p> <p>-Design of required open spaces to retain contiguous undisturbed open space that preserves that preserves the most sensitive biological resources onsite and/or serves to maintain connectivity;</p> <p>-Maintenance of watershed connectivity by capturing, treating, retaining and/or infiltrating storm water flows on site; and</p> <p>-Consideration of the continuity of onsite open space with adjacent open space in project design.</p>	
Policy COS 4.5	Subject to local, state or federal laws, require new development to provide adequate buffers from preserves, sanctuaries, habitat areas, wildlife corridors, State Parks, and National Forest lands, except within Economic Opportunity Areas.	<u>Consistent:</u> The Project site is previously disturbed and developed, maintains adequate buffers from sensitive biological resources, and will not impede wildlife movement.
Policy COS 4.6	Encourage connections between natural open space to allow for wildlife movement.	<u>Consistent:</u> The Project site is previously disturbed and developed, maintains adequate buffers from sensitive biological resources, and will not impede wildlife movement.
Policy COS 4.7	Restrict fencing in wildlife corridors. Where fencing is necessary for privacy or safety, require appropriate development standards that maximize opportunities for wildlife movement.	Not Applicable: The Project site is previously disturbed and developed, not located within a wildlife corridor, and will not impede wildlife movement.
Policy 4.8	Ensure ongoing habitat preservation by coordinating with the California Department of Fish and Game to obtain the latest information regarding threatened and endangered species.	<u>Not Applicable</u>
Policy 4.9	Ensure water bodies are well-maintained to protect habitat areas and provide water to local species.	Not Applicable
Policy 4.10	Restrict development that would reduce the size of water bodies, minimizing the potential for loss of habitat and water supply.	<u>Not Applicable</u>
<i>Goal COS 9: Improved air quality in the Antelope Valley</i>		
COS 9.1	Implement land use patterns that reduce the number of vehicle trips, reducing potential air pollution, as directed in the policies of the Land Use Element.	<u>Consistent:</u> The Project proposes a BESS facility on previously disturbed industrial land and will produce very few operational vehicle trips.

Conservation and Resources Elements	Policy Text	Consistency Analysis
COS 9.2	Develop multi-modal transportation systems that offer alternative to automobile travel to reduce the number of vehicle trips, including regional transportation, local transit, bicycle routes, trails, and pedestrian networks, as directed in the policies of the Mobility Element.	<u>Not Applicable</u>
COS 9.3	In evaluating new development proposals, consider requiring trip reduction measures to relieve congestion and reduce air pollution from vehicle emissions.	<u>Consistent:</u> The Project proposes a BESS facility on previously disturbed industrial land and will produce very few operational vehicle trips.
COS 9.4	Promote recycling and composting throughout the Antelope Valley to reduce air quality impacts from waste disposal and landfill operations.	<u>Not Applicable</u>
COS 9.5	Encourage the use of alternative fuel vehicles throughout the Antelope Valley.	<u>Not Applicable</u>
COS 9.6	Educate Antelope Valley industries about new, less polluting equipment, and promote incentives for industries to use such equipment.	<u>Not Applicable</u>
COS 9.7	Encourage reforestation and planting of trees to sequester greenhouse gas emissions.	<u>Not Applicable</u>
COS 9.8	Coordinate with the Antelope Valley Air Quality Management District and other local, regional, state, and federal agencies to develop and implement regional air quality policies and programs.	<u>Not Applicable</u>
<i>Goal COS 10: Diverse energy systems that utilize existing renewable or waste resources to meet future energy demands.</i>		
COS 10.1	Encourage the use of non-hazardous materials in all individual renewable energy systems and all utility-scale renewable energy production facilities to prevent the leaching of potentially dangerous run-off materials into the soil and watershed.	<u>Consistent:</u> According to the Phase I Environmental Site Assessment (ESA) Report developed for the Project (Stantec 2021), there are no known hazardous materials sites registered on the Project site and there were no recognized environmental conditions identified on the Project site. Per review of the California Environmental Protection Agency's (CalEPA) Cortese List, the Project site is not on a list compiled pursuant to Section 65962.5 of the Government Code (CalEPA 2024). In addition, the Project would be required to comply with applicable federal, state and local regulations related to hazardous materials and also to fire safety.

Conservation and Resources Elements	Policy Text	Consistency Analysis
COS 10.2	Ensure that all individual renewable energy systems and all utility-scale renewable production facilities do not interfere with commercial and military flight operations or communications facilities. Consult with Edwards Air Force Base and U.S. Air Force Plant 42 on all proposed renewable energy projects that require discretionary approval.	<u>Not Applicable</u> : The Project does not propose a production facility and is not located within the vicinity of commercial or military flight operations.
COS 10.3	Encourage the same and orderly development of biomass conversion facilities as an alternative to burning agricultural wastes.	<u>Not Applicable</u>
COS 10.4	Promote methane recapture at landfills for purpose of generating energy and reducing fugitive greenhouse gas emissions.	<u>Not Applicable</u>
COS 10.5	Encourage the development of emerging energy technologies, such as solar roads.	<u>Consistent</u> : The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting the County to meet its goals to reduce greenhouse gas emissions. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.
COS 10.6	Encourage the development of Conversion Technologies such as anaerobic digestion and gasification for converting post recycled residual waste into renewable fuels and energy.	<u>Not Applicable</u>
<i>Goal COS 11: Energy systems for use in public facilities that reduce consumption of non-renewable resources while maintaining public safety.</i>		
COS 11.1	Promote energy retrofits of existing public facilities throughout the County to complement and reduce dependence upon utility-scale renewable production facilities.	<u>Not Applicable</u>
COS 11.2	Promote the use of solar-powered lighting for highways, streets, and public facilities, including parks and trails.	<u>Not Applicable</u>
COS 11.3	Promote the use of renewable energy systems in public facilities, such as hospitals, libraries, and schools, to ensure access to power in case of major disasters.	<u>Consistent</u> : The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience. By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant.

Conservation and Resources Elements	Policy Text	Consistency Analysis
<i>Goal COS 13: Utility-scale energy production facilities for offsite use that reduce consumption of non-renewable resources while minimizing potential impacts on natural resources and existing communities.</i>		
COS 13.1	Direct utility-scale renewable energy production facilities, such as solar facilities, to locations where environmental, noise, and visual impacts will be minimized.	<u>Not Applicable:</u> The Project does not propose an energy production facility. The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience. The Project site is previously disturbed industrial land, located near the existing SCE Vincent substation, and not within a scenic resource area. The Project BESS is similar to an electric distribution substation and is required to comply with the development standards for an electric distribution substation in the County zoning code.
COS 13.2	Restrict development of utility-scale wind energy production facilities within the vicinity of Edwards Air Force Base to limit interference with military operations.	<u>Not Applicable:</u> The Project does not propose wind energy and is not located within the vicinity of Edwards Air Force Base.
COS 13.3	Require all utility-scale renewable energy production facilities to develop and implement a decommissioning plan, with full and appropriate financial guarantee instruments that will restore the full site to its natural state upon complete discontinuance of operations and will restore non-operational portions of the site while the remained continues operating.	<u>Not Applicable:</u> The Project does not propose an energy production facility.
COS 13.4	Promote the use of recycled water in utility-scale renewable energy production facilities to limit impacts on the available fresh water supply.	<u>Not Applicable:</u> The Project does not propose an energy production facility. The Project will use very little operational water to establish and maintain landscaping.
COS 13.5	Where development of utility-scale renewable energy production facilities cannot avoid sensitive biotic communities, require open space dedication within Significant Ecological Areas as a mitigation measure.	<u>Not Applicable:</u> The Project does not propose an energy production facility. The Project site is previously disturbed industrial land and will not impact sensitive biological resources.
COS 13.6	Ensure that all utility-scale renewable energy production facilities, such as solar facilities, do not create land use conflicts with adjacent agricultural lands or existing residential areas in the vicinity. Require buffering and appropriate development standards to minimize potential conflicts.	<u>Not Applicable:</u> The Project does not propose an energy production facility. The Project site is currently developed with commercial land uses, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard and is surrounded by commercial land uses and electrical infrastructure. The Project has received approval of a site plan review, confirming that it meets all County development standards.
COS 13.7	Limit the aesthetic impacts of utility-scale renewable energy production facilities to preserve rural character.	<u>Not Applicable:</u> The Project does not propose an energy production facility. The Project site is currently developed with commercial land uses, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard and is surrounded by commercial land uses and electrical infrastructure. The Project site is not within a scenic resource area.

Conservation and Resources Elements	Policy Text	Consistency Analysis
COS 13.8	Coordinate with other jurisdictions to plan for utility-scale renewable energy production facilities in order to minimize impacts to sensitive biotic communities and existing residential areas.	<u>Not Applicable</u> : The Project does not propose an energy production facility. The purpose of the Project is to help integrate renewable energy to the electric grid and support grid reliability and resilience.
COS 13.9	Prohibit ground-mounted utility-scale renewable energy production facilities within Significant Ecological Areas and Economic Opportunity Areas.	<u>Not Applicable</u> : The Project does not propose an energy production facility. The Project site is not within a Significant Ecological Area or Economic Opportunity Area.
<i>Goal COS 14: Energy infrastructure that is sensitive to the scenic qualities of the Antelope Valley and minimizes potential environmental impacts.</i>		
COS 14.1	Require that new transmission lines be placed underground whenever physically feasible.	<u>Consistent</u> : The Project proposes to place the gen-tie line underground, within the County right-of-way and within an existing utility corridor.
COS 14.2	If new transmission lines cannot feasibly be placed underground due to physical constraints, require that they be collocated with existing transmission lines, or along existing transmission corridors, wherever physically feasible.	<u>Consistent</u> : The Project proposes to place the gen-tie line underground, within the County right-of-way and within an existing utility corridor.
COS 14.3	If new transmission lines cannot be placed underground or feasibly located within existing transmission lines or along existing transmission corridors due to physical constraints, direct new transmission lines to locations where environmental and visual impacts will be minimized.	<u>Consistent</u> : The Project proposes to place the gen-tie line underground, within the County right-of-way and within an existing utility corridor.
COS 14.4	Discourage the placement of new transmission lines on undisturbed lands containing sensitive biotic communities.	<u>Consistent</u> : The Project proposes to place the gen-tie line underground, within an existing public road and in an existing utility corridor.
COS 14.5	Discourage the placement of new transmission lines through existing communities or through properties with existing residential uses.	<u>Consistent</u> : The Project proposes to place the gen-tie line underground, within the County right-of-way and within an existing utility corridor.
COS 14.6	Review all proposed transmission line projects for conformity with the Goals and Policies of the Area Plan, including those listed above. When the California Public Utilities Commission is the decision-making authority for these projects, provide comments regarding conformity with the Goals and Policies of the Area Plan.	<u>Consistent</u> : The Project is consistent with the applicable Goals and Policies of the Area Plan, as described in this Table.
COS 14.7	Require that electrical power lines in new residential developments be placed underground.	<u>Not Applicable</u>

Conservation and Resources Elements	Policy Text	Consistency Analysis
<i>Goal COS 15: Humans and wildlife enjoy beautiful dark Antelope Valley skies unimpeded by light pollution.</i>		
COS 15.1	Ensure that outdoor lighting, including street lighting, is provided at the lowest possible level while maintaining safety.	<u>Consistent:</u> The Project would include minimal lighting for security and safety purposes, which would be directed downward and reduce spillover to adjacent properties. The Project will comply with Section 22.80.050 (General Development Standards) of the County's Zoning Code pertaining to outdoor lighting, which establishes limits on the types of fixtures and size of bulbs used in all aspects of development. In addition, the Project site is located within and will comply with the County's Rural Outdoor Lighting District, which includes additional requirements for project development in rural areas to promote and maintain dark skies (Los Angeles County Code of Ordinances 2019). The Project would also include perimeter landscaping, which would reduce impacts of lights in the surrounding area.
COS 15.2	Prohibit continuous all-night outdoor lighting in rural areas, unless required for land uses with unique security concerns, such as fire stations, hospitals, and prisons.	<u>Consistent:</u> The Project would include minimal lighting for security and safety purposes, which would be directed downward and reduce spillover to adjacent properties.
COS 15.3	Replace outdated, obtrusive, and inefficient light fixtures with fixtures that meet dark sky and energy efficiency objectives.	<u>Consistent:</u> The Project will be new construction, replacing existing industrial uses.
COS 15.4	Require compliance with the provisions of the Rural Outdoor Lighting District throughout the unincorporated Antelope Valley.	<u>Consistent:</u> The Project will comply with all applicable requirements and standards regarding lighting and protection of the night sky, including Rural Outdoor Lighting District requirements.
<i>Goal COS 16: Native vegetation thrives throughout the Antelope Valley, reducing erosion, flooding, and windborne dust and sand.</i>		
COS 16.1	Except within Economic Opportunity Areas, require new development to minimize removal of native vegetation. Discourage the clear-scraping of land and ensure that a large percentage of land is left in its natural state.	<u>Consistent:</u> The Project site is mostly disturbed and previously developed. The Project will minimize removal of native vegetation to the extent needed to construct the BESS facilities and meet County Fire Department standards for fuel modification.
COS 16.2	Maximize the use of native vegetation in landscaped areas, provided that vegetation meets all applicable requirements of the Fire Department and the Department of Public Works.	<u>Consistent:</u> The Project site plan includes a landscape plan meeting County requirements. Per the landscape plan, the Project shall use a local native seed mix consisting of native non-woody perennials and low shrubs that conform to the County Fire Modification Plant List for Zones A & B.

Public Safety, Services, and Facilities

Public Safety, Services and Facilities Elements	Policy Text	Consistency Analysis
<i>Goal PS 1: Protection of the public through fire hazard planning and mitigation</i>		
PS 1.1	<p>Limit the amount of potential master-planned development in Very High Fire Hazard Severity Zones through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.</p>	<p><u>Consistent:</u> The Project site is located within a Very High Fire Hazard Severity Zone, similar to many other project sites (Figure 12.5 of the Countywide General Plan Safety Element). The Project proposes no housing.</p> <p>The Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 <i>et seq.</i> has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located.</p> <p>The BESS equipment and design will undergo further design review with the County for conformance with the California Fire Code as part of securing building permits.</p> <p>The Project site is enclosed by three highways and a railroad. It is used currently as a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/equipment yard. The BESS facility would likely minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system’s response to thermal runaway event. To meet these performance criteria, the system’s various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels) and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff, local fire department, etc.). The site will be operated remotely, with full-time staff monitoring the Project to address any maintenance and/or emergency issues immediately and will work in direct coordination with local first responders.</p> <p>The Applicant consulted with the Los Angeles County Fire Department on the development and County approval of the site plan to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The enclosures are steel and have individual fire detection/suppression systems. Additionally, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and managed</p>

Public Safety, Services and Facilities Elements	Policy Text	Consistency Analysis
		<p>per County requirements outside the wall on the balance of the undeveloped site.</p> <p>The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements.</p> <p>The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.</p> <p>Water to fight a fire is expected to be sourced from the existing hydrant on Carson Mesa Road and/or new hydrants installed by the project during construction. In the event of a battery fire, it is generally best to allow the fire to burn out while ensuring the fire remains contained to the BESS container of origin. Offensive firefighting tactics are not anticipated nor are they recommended for containerized BESS fires. As such, the application of water is anticipated to be used for exposure control (cooling nearby equipment, if necessary) and suppressing any small vegetation fires to help ensure the fire does not spread.</p>
PS 1.2	Require that all new developments provide sufficient access for emergency vehicles and sufficient evacuation routes for residents and animals.	<u>Consistent</u> : The Project has been designed to comply with all County Fire Department requirements.
PS 1.3	Promote fire prevention measures, such as brush clearance and the creation of defensible space, to reduce fire protection costs.	<u>Consistent</u> : The Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 <i>et seq.</i> has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located. The BESS equipment and design will undergo further design review with the County for conformance with the California Fire Code as part of securing building permits. Further, the BESS facility will minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing.

Public Safety, Services and Facilities Elements	Policy Text	Consistency Analysis
PS 1.4	Provide strict enforcement of the Fire Code and all Fire Department policies and regulations.	<p><u>Consistent:</u> The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.</p> <p>The Applicant has consulted with the Los Angeles County Fire Department to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.</p>
<i>Goal PS 2: Protection of the public through geological hazard planning and mitigation.</i>		
PS 2.1	Limit the amount of potential development in Seismic Zones and along the San Andreas Fault and other fault traces, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.	<u>Not Applicable</u>
PS 2.2	Limit the amount of development on steep slopes (Hillside Management Areas) and within landslide and liquefaction areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.	<u>Not Applicable</u>
PS 2.3	Prohibit the construction of new structures on or across a fault trace.	<u>Consistent:</u> The Project does not propose structures that are on or cross a fault trace.
PS 2.4	Ensure that new development does not cause or contribute to slope instability.	<u>Consistent:</u> The Project site is not located in a California Geological Survey Liquefaction Hazard Zone. Liquefaction induced lateral spreading can occur in areas of sloping ground, or towards a free face. Given the relatively flat topography, distance to a free face, and depth to groundwater, the potential for liquefaction-induced lateral spreading is considered low.

Public Safety, Services and Facilities Elements	Policy Text	Consistency Analysis
<i>Goal PS 3: Protection of the public through flood hazard planning and mitigation.</i>		
PS 3.1	Limit the amount of potential development in Flood Zones designated by the Federal Emergency Management Agency through appropriate land use designations with very low densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.	<u>Not Applicable</u>
PS 3.2	Require onsite stormwater filtration in all new developments through use of appropriate measures, such as permeable surface coverage, permeable paving of parking and pedestrian areas, catch basins, and other low impact development strategies.	<u>Consistent:</u> The Project proposes drainage channels along the perimeter of the Project site to capture and convey off-site flows around the Project site. The development site would be graded to be two-tiers with the site generally sloping at 1% to 2% to the west and south. The runoff would ultimately be conveyed to the low point at the existing culvert at Vincent View Road. The Project site is not within a 100-year flood hazard area as mapped on flood hazard delineation maps.
PS 3.3	Review the potential local and regional drainage impacts of all development proposals to minimize the need for new drainage structures.	<u>Consistent:</u> The Project will comply with all County requirements and standards regarding flood protection and low impact development.
PS 3.4	Ensure that new drainage structures are compatible with the surrounding environment by requiring materials and colors that are consistent with the natural landscape. Discourage concrete drainage structures.	<u>Consistent:</u> The Project will comply with all County requirements and standards regarding flood protection and low impact development.
<i>Goal PS 6: Governmental officials work with community members to promote community safety</i>		
PS 6.1	Ensure safety information is available at local public areas.	<u>Not Applicable</u>
PS 6.2	Encourage residents and business owners to create an evacuation plan and maintain emergency supplies.	<u>Consistent:</u> The Project will comply with the requirements of California Public Utilities Code Section 761.3, which requires BESS 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.
PS 6.3	Promote the formation and coordination of Certified Emergency Response Teams.	<u>Not Applicable</u>
PS 6.4	Provide assistance to local communities that wish to create a local emergency evacuation plan.	<u>Not Applicable</u>
PS 6.5	Strengthen coordination and collaboration between citizens, public agencies, and non-profit groups to plan for disaster response.	<u>Not Applicable</u>

Public Safety, Services and Facilities Elements	Policy Text	Consistency Analysis
PS 6.6	Develop an inclusive master emergency plan that designates evacuation routes, emergency relief centers, emergency animal keeping shelters, and information centers in every Antelope Valley community.	<u>Not Applicable</u>
<i>Goal PS 8: Antelope Valley residents enjoy access to parks and recreational facilities</i>		
PS 8.1	Maintain existing parks to ensure attractiveness and safety and make improvements as necessary. Ensure adequate funding on an ongoing basis.	<u>Consistent:</u> The Project proposed no housing and will not introduce a new resident population that will use existing parks.
PS 8.2	Provide recreational activities at parks that serve all segments of the population.	<u>Not Applicable</u>
PS 8.3	Provide new parks as additional development occurs or as the population grows, with a goal of four acres of parkland for every 1,000 residents.	<u>Consistent:</u> The Project proposed no housing and will not introduce a new resident population that will use existing parks or require the construction of new parks.
PS 8.4	Prioritize new parks for existing park deficient communities.	<u>Not Applicable</u>
PS 8.5	Encourage the use of school playgrounds and sporting fields for community recreation (“joint use”) when school is not in session.	<u>Not Applicable</u>
PS 8.6	Within rural town center areas, promote the inclusion of parks, recreational facilities, and other gathering places that allow neighbors to meet and socialize.	<u>Not Applicable</u>
PS 8.7	Provide trails, bikeways, and bicycle routes for recreational purposes, as directed in the policies of the Mobility Element.	<u>Consistent:</u> The Project redevelops an existing industrial development and does not require changes to access or circulation. The Project will not introduce a new resident population that would require the construction of new bicycle lanes or trails. The Project will be operated remotely and maintenance employees will access the site via maintenance trucks.
PS 8.8	Maintain existing facilities for public water recreation to ensure attractiveness and safety and make improvements as necessary. Ensure adequate funding on an ongoing basis.	<u>Not Applicable</u>
PS 8.9	Provide new facilities for public water recreation in appropriate areas.	<u>Not Applicable</u>

**Noise (per AVAP, same policies as GP)
See Table 1**

In addition, the Project is consistent with the AVAP Land Use Element, including: (a) the statement on Page LU-7 that commercial and industrial designations in rural town areas acknowledge existing commercial or industrial uses or identify appropriate location for future commercial and industrial uses to serve local residents; (b) the statement on Page COMM-4 that some areas within the community have been designated as Light Industrial (IL) to acknowledge existing uses and to provide additional local employment opportunities; and (c) the statement on Page I-3 that land use decisions will be made to benefit the needs of the community as a whole and not individual interests. The industrial designation on the Project site recognized the existing industrial use. The Project, designated as IL by both the Countywide General Plan and the AVAP and M-1 by the County Zoning Ordinance, consists of a series of small-scale equipment on approximately 12 acres within an industrial zone and adjacent to other existing public utilities, industrial uses, and railroad infrastructure. The Project will require periodic maintenance visits and a remote operational workforce. The Hecate-employed and contracted operational workforce would consist of locally contracted staff. The Project would help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby assisting the State and the County to reach greenhouse gas emissions reduction targets and improving the overall health of the State including Acton. As stated above, the Project will meet all fire code requirements, which have been formulated specifically for BESS facilities, and the Project will implement continuous monitoring and coordination with first responders in the event of a fire.

CEQA Guidelines §15183 Exemption Checklist

Overview

This checklist provides an analysis of potential environmental impacts resulting from the Project. Following the format of CEQA Guidelines Appendix G, environmental effects are evaluated to determine if the Project would result in a potentially significant impact triggering additional review under Guidelines section 15183.

- Items checked “No Impact Peculiar to the Project or Project Site” indicates that there are no impacts peculiar to the project or the parcel on which it would be located.
- Items checked “Impact not identified by GPU EIR” would indicate the Project would result in a Project specific significant impact (peculiar off-site or cumulative that was not identified in either the GPU or AVAP EIR).
- Items checked “Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIR” would indicate that there are potentially significant off-site impacts and cumulative impacts that were not discussed in either the GPU or AVAP EIR.
- Items checked “Substantial New Information” would indicate that there is new information which leads to a determination that a Project impact is more severe than what had been anticipated by either the GPU or AVAP EIR.

A Project does not qualify for a §15183 exemption if it is determined that it would result in: 1) a peculiar impact that was not identified as a significant impact under the GPU EIR; 2) a significant impact that was not identified in either the GPU or AVAP EIR; 3) a potentially significant off-site impact or cumulative impact not discussed in the GPU EIR; or 4) a more severe adverse impact that discussed in either the GPU or AVAP EIR.

A summary of each potential environmental effect is provided below for each subject area. A list of references, significance guidelines, and technical studies used to support the analysis is attached in Appendix A.

1. Aesthetics

<p style="text-align: center;">AESTHETICS Would the Project:</p>	<p style="text-align: center;">No Impact Peculiar to the Project or Project Site</p>	<p style="text-align: center;">Impact Not Identified by GPU and AVAP EIRs</p>	<p style="text-align: center;">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p style="text-align: center;">Substantial New Information</p>
<p>a) Have a substantial adverse effect on a scenic vista?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) In non-urbanized areas, substantially degrade the existing visual character or quality of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with zoning and other regulations governing scenic quality?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following studies has been prepared for the Project in relation to Aesthetics and incorporated into the below discussion:

- Conceptual Landscape Plan prepared by Stantec Consulting Services, Inc., dated July 2023
- Visual Simulations prepared by Stantec Consulting Services Inc., dated May 2023

Discussion

AE-1 Have a substantial adverse effect on a scenic vista.

The GPU and AVAP EIRs both concluded this impact to be less than significant. The GPU EIR discussed that scenic highways and corridors (or routes), hillsides, and ridgelines are valuable scenic resources and the GPU would have the potential to impact scenic vistas in the County. However, existing and proposed regulatory processes, such as the update to the Hillside Management Ordinance, would minimize these potential impacts. The AVAP EIR discussed that the Antelope Valley has an assortment of long-range views toward distant mountains and long-range views of vacant desert and grassland that can be considered scenic vistas. Flora also creates distinctive scenic views in the Antelope Valley. In the San Gabriel Mountains, pine forests create short-range views of hillsides and canyons. In the western Antelope Valley, the seasonal blooms of poppies at the Antelope Valley California Poppy Preserve are well known regionally as a scenic resource. In the eastern Antelope Valley, Joshua trees embody the Mojave Desert. Buildout of the AVAP would involve the construction of 81,411 new dwelling units, 118 million square feet of commercial and industrial land uses, and numerous transportation and infrastructure projects. Although the AVAP EIR found that growth would result in adverse impacts to existing scenic views, potential impacts would be minimized by the AVAP’s planned expansion of conservation areas, its emphasis on focusing growth in established communities, implementation of the County Code, implementation of AVAP goals and policies, and the programmatic nature of AVAP.

The Project is not located within a Hillside Management Area or on a significant ridgeline, nor is the Project located within an area identified as a scenic viewshed. The Project site is currently developed with commercial land uses, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard and is surrounded by commercial land uses and electrical infrastructure. Therefore, no impact would result from the Project. There is nothing about the Project or the Project site that would result in a peculiar impact. The Project site is within an industrial zone and electrical infrastructure is a common sight throughout California and near the SCE Vincent substation specifically. Battery energy storage systems have also become commonplace. From 2018 to 2023, battery storage capacity in California increased from 500 megawatts to more than 6,600 megawatts, with approximately 1,900 megawatts still planned to come online by the end of 2023. The state projects 52,000 megawatts of battery energy storage will be needed by 2045. (CEC, 2023). The Project would not result in any off-site impacts related to scenic vistas. Because the Project would result in no impact, it would not have a cumulatively considerable impact to scenic resources and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to scenic vistas beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on scenic vistas to be less than significant. The Project would have no impact to scenic vistas for the reasons detailed above. The Project would not increase impacts identified within the GPU and AVAP EIRs and therefore would be consistent with the analysis provided within the GPU and AVAP EIRs.

AE-2 Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

The GPU and AVAP EIRs both concluded this impact to be less than significant. State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic (Caltrans - California Scenic Highway Program). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway. The GPU EIR described that three adopted state scenic highways exist in Los Angeles County, with the closest to the Project site being the Angeles Crest Highway (SR-2) from 2.7 miles north of I-210 to the San Bernardino County line. The AVAP EIR described that the Angeles Crest Highway is a scenic highway within the Antelope Valley and SR-39 between I-210 and the Angeles Crest Highway was eligible as a scenic highway.

There are no designated state scenic highways located near the Project site based on review of Caltrans list of scenic highways. The Antelope Valley Freeway, which is located northwest of the Project site, is considered a "scenic drive" according to the AVAP. However, the view of the Project site from the Antelope Valley Freeway is obstructed by existing development (e.g., businesses, railway). There is nothing about the Project or the Project site that would result in a peculiar impact. The Project site is zoned industrial and there is no unobstructed view of the site from a scenic highway. Other electrical infrastructure with similar impact profiles is common in the area, which is near SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to scenic highways. Because the Project would have no impact to scenic highways, and it would not combine with any other past, present or reasonably foreseeable projects to impact view from a scenic highway, it would not have a cumulatively considerable impact to scenic highways. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to scenic highways beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on scenic highways to be less than significant. The Project would have no impact to scenic highways for the reasons

detailed above. The Project would not increase impacts identified within the GPU and AVAP EIRs and therefore would be consistent with the analysis provided within the GPU and AVAP EIRs.

AE-3 Substantially degrade the existing visual character or quality of the site and its surroundings.

The GPU and AVAP EIRs both concluded this impact to be less than significant. The GPU EIR found that growth anticipated under the GPU would have the potential to affect the visual character and quality of the County and its surroundings. Buildout under the GPU is anticipated to increase the number of units from 300,478 to 668,910, an increase of 368,432 units. Additionally, some of the guiding principles in the GPU advocate use of smart growth development strategies to create compact, walkable, and transit-oriented communities. Moving toward a more compact development style in certain areas, as opposed to suburban-style sprawl on the urban fringes, would result in less modification to the visual character of Los Angeles County as a whole. The GPU EIR described that the majority of the Planning Areas within the County are already built out, but a substantial amount of growth is planned in the Santa Clarita Valley and Antelope Valley Planning Areas. Although land use changes were not proposed for the Antelope Valley and Santa Clarita Valley Planning Areas, these areas are anticipated to experience substantial growth and would likely experience the most substantial changes in visual character and appearance. However, the County Code and relevant goals and policies of the GPU would reduce these impacts to a less than significant level. The AVAP EIR described that the AVAP primarily targets growth within Rural Town Areas and Rural Town Centers, include established communities such as Acton, Antelope Acres, Lake Los Angeles, Littlerock, and Pearblossom. However, even in these areas, new development would be low scale and of rural character, as required by policies in the AVAP. Implementation of the AVAP would have the potential to result in changes to the visual character, primarily related to the overall magnitude of growth anticipated. However, at a programmatic level, the land use patterns and development types allowed by the AVAP are designed to maintain the region's rural character. Furthermore, the goals, policies, and implementation programs contained in the AVAP would lessen or mitigate potential impacts. Therefore, while changes to the region's visual appearance and character would occur, the AVAP EIR concluded that these would not be inherently adverse changes and impacts related to visual character and quality would be less than significant.

There is nothing about the Project or the Project site that would result in a peculiar impact to visual quality. The Project site is zoned industrial and is adjacent to commercial development and other electrical infrastructure. BESS facilities are increasingly becoming common within California. (CEC, 2023.) The majority of the Project site has been previously developed and is presently occupied by commercial developments, including a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/ equipment yard. The Project site is also enclosed by three highways and a railroad. The Project would replace these existing uses with a relatively low-profile BESS facility that has been designed in accordance with the County's development standards and landscaping requirements to provide additional screening. As shown in the visual simulation provided in Appendix A, the Project, with incorporated landscaping to provide screening, would be consistent with the current development of the site and the surrounding area and would not substantially degrade the existing visual character or quality of public views of the site and its surroundings; therefore, impacts would be less than significant. The Project would not result in any off-site impacts related to impacts to scenic highways. Because the Project would have no impact to visual quality, it would not combine with any other past, present or reasonably foreseeable projects to have a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to visual quality beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on visual quality to be less than significant. The Project would have no impact to visual quality for the reasons detailed above. The Project would not increase impacts identified within the GPU and AVAP EIRs and

therefore would be consistent with the analysis provided within the GPU and AVAP EIRs.

AE-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The GPU and AVAP EIRs both concluded this impact to be less than significant. The GPU EIR acknowledged that light and glare impacts in the Antelope Valley would be unique within the County because development is anticipated to occur in areas that are not already urbanized. Although no land use changes were proposed for the Antelope Valley Planning Area under the GPU, the Planning Area was anticipated to experience substantial growth. Some of these areas provided nighttime views of stars that would be diminished by light generated from new land uses. However, such impacts would be reduced by existing regulations and proposed GPU policies. The AVAP EIR described that the AVAP would allow for additional development, which would introduce new or additional sources of light with the potential to affect day and nighttime views. In addition to residential and nonresidential land uses, new sources of light and glare would include energy and utility projects, such as solar facilities. However, such impacts would be reduced upon implementation of existing regulations and policies in the AVAP.

The Project would result in new and increased sources of nighttime lighting and illumination including signage and security lighting. Section 22.80.050 (General Development Standards) of the County's Zoning Code pertaining to outdoor lighting establishes limits on the types of fixtures and size of bulbs used in all aspects of development. In addition, the Project site is located within and will comply with the County's Rural Outdoor Lighting District, which includes additional requirements for project development in rural areas to promote and maintain dark skies (Los Angeles County Code of Ordinances 2019). The Project is required to comply with this ordinance, which is verified as part of the building permit application process and again during building and site inspections of the site to ensure that the Project's lighting would not create significant impacts.

The Project would include perimeter landscaping, which would reduce impacts of lights in the surrounding area. The Project would not adversely affect day or nighttime views in the area, and the Project would not contribute to night sky pollution. Therefore, this impact is less than significant. There is nothing about the Project or the Project site that would result in a peculiar impact to light and glare. The Project site is zoned industrial and is adjacent to commercial development and other electrical infrastructure. The AVAP EIR described energy projects and there is nothing peculiar about a BESS facility with respect to light and glare as opposed to any commercial, industrial, or energy project. The Project would result in a less than significant impact and would not combine with other any other past, present or reasonably foreseeable projects so as to create a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to light and glare beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from light or glare to be less than significant. The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Aesthetics, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.

5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with all applicable laws and regulations pertaining to protection of aesthetic resources and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Scenic Resources as detailed in Goal C/NR 13, and the AVAP Goals and Policies for Scenic Resources as detailed in Goal COS 5 and for Dark Night Skies as detailed in Goal COS 15.

2. Agricultural and Forestry Resources

<p align="center">AGRICULTURAL AND FORESTRY RESOURCES Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).n?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Result in the loss of forest land, conversion of forest land to non-forest use?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

AG-1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use.

The GPU and AVAP EIRs both concluded that the conversion of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland to non-agricultural uses due to buildout of the projects under the GPU and AVAP would be a significant impact in the Antelope Valley Planning Area. The GPU EIR found that, if development capacity were fully utilized, 20,773 acres of Important Farmland in the Antelope Valley Planning Area would be developed with nonagricultural uses. This would represent a substantial conversion of resource agency–designated farmland to non-agricultural land uses. Conversion of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland to non-agricultural uses due to buildout of the AVAP would be a significant impact in the Antelope Valley Planning Area. The AVAP EIR assumed that all of the mapped Important Farmland in designations incompatible with continued agricultural use would be converted to non-agricultural uses by buildout of the AVAP. Such mapped farmland consists of 5,968 acres of Prime Farmland, 133 acres of Farmland of Statewide Importance, and 68 acres of Unique Farmland, totaling 6,169 acres and such loss of mapped important farmland would be a significant impact.

There is nothing about the Project or the Project site that would result in a peculiar impact to farmland. The Project site is classified as Not Prime Farmland; therefore, the Project would not impact Prime Farmland, Farmland of Statewide Importance, and Unique Farmland lands, including any Williamson Act contract, nor would it impact any forest land or timberland. The Project would not result in the conversion of farmland to non-agricultural uses or forest land to non-forest use. Therefore, no impact would occur. BESS facilities are increasingly becoming common within California (CEC, 2023) and nothing about the BESS facility on industrially zoned land would result in a peculiar impact to farmland. The Project would not result in any off-site impacts related to impacts to farmland or agriculture. Because the Project would have no impact to conversion of farmland, and it would not combine with any other past, present or reasonably foreseeable projects to convert farmland, it would not have a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to farmland or agriculture beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from direct and indirect conversion of agricultural resources to be significant impact in the Antelope Valley Planning Area. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

AG-2 Conflict with existing zoning for agricultural use, or a Williamson Act contract.

The GPU and AVAP EIRs concluded this impact to be less than significant. The GPU EIR found that none of the proposed zoning changes would involve rezoning of farmland and impacts regarding conversion of mapped farmland to non-agricultural uses would be less than significant. In addition, the only Williamson Act contracts in effect in Los Angeles County are for land on Santa Catalina Island and the GPU did not propose changes to land use designations or zoning on Santa Catalina Island. No impact to Williamson Act contracts would occur. The AVAP EIR found that buildout of the AVAP would convert land within the proposed C-RU and MXD-RU s to non-agricultural uses. The total conversion of 141 acres of mapped Important Farmland to non-agricultural use would be less than significant in comparison to the total acreage of Important Farmland in the Project Area. No Williamson Act contracts are in effect in the Antelope Valley and therefore no impact to Williamson Act contracts would occur.

The Project site is not zoned for agricultural use and does not have a Williamson Act contract. Therefore, no impact would occur. There is nothing about the Project or the Project site that would result in a peculiar impact to land zoned for agricultural use or encumbered by a Williamson Act contract. The Project site is zoned industrial and is not classified as farmland or used for agricultural purposes. BESS facilities are increasingly becoming common within California (CEC, 2023) and nothing about the BESS facility on industrially zoned land would result in a peculiar impact to agriculture. The Project would not result in any off-site impacts related to impacts to agriculture. Because the Project would not impact agricultural zoning or Williamson Act contracts, and it would not combine with any other past, present or reasonably foreseeable projects to significantly impact existing zoning for agricultural use or a Williamson Act contract, it would not have a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to agriculture beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from land use conflicts with agricultural zoning and Williamson Act contracts to be less than significant or to have no impact. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

AG-3 Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526

The GPU and AVAP EIRs both concluded this impact to be less than significant. The GPU and AVAP EIRs both described that the County has no existing zoning specifically designating forest use and therefore the GPU would not conflict with existing zoning for forest land or timberland.

The Project is not located within a zone for forest land and no forestland occurs on the Project site. There is nothing about the Project or the Project site that would result in a peculiar impact to forest land. The Project site is zoned industrial and is not classified as forest land or used for forest land purposes. BESS facilities are increasingly becoming common within California (CEC, 2023) and nothing about the BESS facility on industrially zoned land would result in a peculiar impact to forests. The Project would not result in any off-site impacts related to impacts to forest land. Because the Project would no impact to forest land, and it would not combine with any other past, present or reasonably foreseeable projects to significantly impact zoning for forest land, it would not have a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to forest land beyond what was disclosed in the GPU and AVAP EIRs. The County has no existing zoning specifically designating forest land or timberland. Therefore, the Project would not conflict with existing zoning for forest land or timberland and no impact would result from the Project.

As previously discussed, the GPU and AVAP EIRs determined impacts from land use conflicts to be no impact. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

AG-4 Result in the loss of forest land or conversion of forest land to nonforest use.

The GPU and AVAP EIRs concluded this impact to be less than significant. The GPU and AVAP EIRs determined that forest land within the County is protected through the County's Significant Ecological Area (SEA) Ordinance and compliance with the SEA Ordinance will reduce potential impacts to forest land to a less than significant level.

The Project site does not include forest land and is not located within a SEA; therefore, no impact would result from the Project. As described above, there is nothing about the Project or the Project site that would result in a peculiar impact to forest land. The Project would not result in any off-site impacts related to impacts to forest land. Because the Project would no impact to forest land, it would not combine with any other past, present or reasonably foreseeable projects to result in a significant impact and thus would not have a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to forest land beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on conversion of forest land to nonforest use to be less than significant. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

AG-5 Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to nonforest use.

The GPU and AVAP EIRs both concluded buildout of the GPU and AVAP in the Antelope Valley Planning Area would have a significant indirect impact on conversion of mapped Important Farmland to non-agricultural use due to pressure to convert farmland to non-agricultural uses and related incompatibilities between agricultural and urban uses.

The Project site is classified as Not Prime Farmland. One of the Project parcels (APN 3056004044) is split zoned M-1 and Heavy Agricultural (A2); however, the Project will be wholly contained within the M-1 zone; therefore, the Project would not result in the conversion of Farmland to non-agricultural use or conversion of forest land to nonforest use and there would be no impact. As described above, there is nothing about the Project or the Project site that would result in a peculiar impact to agriculture or forest land. The Project would not result in any off-site impacts related to impacts to agriculture or forest land. Because the Project would no impact to agriculture or forest land, and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant impact, it would not have a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to agriculture or forest land beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from direct and indirect conversion of agricultural resources to be significant. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Agricultural/Forestry Resources, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because no Project-specific impacts to agricultural and forest resources would occur. Further, the Project is consistent with the County's General Plan Goals and Policies for Agricultural Resources as detailed in Goal C/NR 8 and Goal C/NR 9, and the AVAP Goals and Policies for Agricultural Resources detailed in Goal COS 6 and Goal COS 7.

3. Air Quality

<p style="text-align: center;">AIR QUALITY Would the Project:</p>	<p style="text-align: center;">No Impact Peculiar to the Project or Project Site</p>	<p style="text-align: center;">Impact Not Identified by GPU and AVAP EIRs</p>	<p style="text-align: center;">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p style="text-align: center;">Substantial New Information</p>
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Expose sensitive receptors to substantial pollutant concentrations?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

AQ-1 Conflict with or obstruct implementation of the applicable air quality plan.

The GPU and AVAP EIRs both concluded this impact to be significant and unavoidable due to inconsistencies with the South Coast Air Quality Management District’s (SCAQMD’s) and Antelope Valley Air Quality Management District’s (AVAQMD’s) air quality management plans. AVAQMD and SCAQMD consider a Project consistent with the air quality management plan if it is consistent with the existing land use plan. Zoning changes, specific plans, general plan amendments, and similar land use plan changes that do not increase dwelling unit density, vehicle trips, or vehicle miles traveled are deemed to not exceed this threshold (SCAQMD 1993 and AVAQMD 2011).

The Project is for the development of a BESS, which will not result in an increase to dwelling unit density, will result in minimal vehicle trips for short-term construction activities, and is under the threshold of 110 average vehicle trips per day for increasing vehicle miles traveled (VMT) during operations. Additionally, the Project would not exceed project-level thresholds established by SCAQMD and AVAQMD, as described below. Therefore, the Project would not conflict with an air quality plan and the impact would be less than significant. There is nothing about the Project or the Project site that would result in a peculiar impact to air quality. The Project site is zoned industrial and is currently developed with commercial and industrial uses. The BESS facility is designed to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting state and local goals to reduce greenhouse gas emissions. The Project would not result in any off-site impacts related to impacts to air quality. The Project would have a less-than-significant impact to air quality and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to air quality beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU EIR and AVAP EIR determined impacts on air quality plans to be significant and unavoidable. As the Project would have a less than significant impact for the

reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

AQ-2 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

The GPU and AVAP EIRs both concluded impacts to be significant and unavoidable due to a substantial increase in short-term criteria air pollutant emissions that exceed the threshold criteria and would cumulatively contribute to the nonattainment designations of the SCAB and Antelope Valley portion of the MDAB. The SCAQMD is the air district with jurisdiction over the SCAB and is in nonattainment for state PM_{10} , federal $PM_{2.5}$, and state and federal ozone standards. The AVAQMD is the air district with jurisdiction over the Antelope Valley portion of the MDAB and is in nonattainment for state PM_{10} , state ozone, and federal ozone standards. Emissions of VOC and NO_x are precursors to the formation of O_3 . In addition, NO_x are a precursor to the formation of particulate matter (PM_{10} and $PM_{2.5}$).

In general, air quality emissions from land use projects are the result of emissions from area sources, energy, transportation, and short-term construction activities. Air quality emissions associated with the Project would include temporary and localized emissions of Particulate Matter, 10 micrometers or less (PM_{10}), NO_x and VOCs from construction and grading activities. The Project proposes to construct a 400 MW battery energy storage system and a 3,400-foot interconnection to an existing substation over approximately 19 acres. Earthwork activities for the Project would require 54,129 cubic yards of cut, 36,566 cubic yards of fill which result in 17,563 cubic yards of export. Construction would be subject to SCAQMD and AVAQMD Rule 403 to reduce fugitive dust during construction activities and off-road travel. Construction emissions were quantified within the California Emissions Estimator Model (CalEEMod) based on the land use type, Project size, and grading information. As shown in Table 3, daily maximum and annual construction emissions fall below SCAQMD and AVAQMD thresholds. Therefore, Project construction would not result in a significant impact.

Table 3. Project Construction Emissions

	ROG	NOx	CO	SOx	PM₁₀	PM_{2.5}
Maximum Daily Construction Emissions (lbs/day)	3.75	39.4	34.8	0.09	9.49	5.47
SCAQMD Daily Thresholds (lbs/day)	75	100	550	150	150	55
AVAQMD Daily Thresholds (lbs/day)	137	137	548	137	82	65
Exceed?	No	No	No	No	No	No
Annual Emissions (tons/year)	0.24	1.57	3.12	<0.005	0.39	0.13
AVAQMD Annual Thresholds (tons/year)	25	25	100	25	15	12
Exceed?	No	No	No	No	No	No

Notes:

SCAQMD does not have annual thresholds.

Construction emissions assume compliance with SCAQMD and AVAQMD Rule 403.

The Project would be operated remotely with periodic visits by maintenance staff and an emergency generator that would only be operated for routine maintenance, operational emissions would be insignificant and would fall below applicable thresholds.

Additionally, the Project would comply with the following goals from the Air Quality Element of the GPU:

- Goal AQ 1: Protection from exposure to harmful air pollutants.
- Goal AQ 2: The reduction of air pollution and mobile source emissions through coordinated land use, transportation and air quality planning.
- Goal AQ 3: Implementation of plans and programs to address the impacts of climate change.

The Project would also be subject to the following air quality goal from the AVAP:

- Goal COS 9: Improve air quality in the Antelope Valley.

The Project would generate criteria air pollutant emissions during short-term construction. Therefore, the Project would cumulatively contribute to the existing nonattainment designations of SCAB and Antelope Valley portion of the MDAB; however, the incremental increase would not exceed established SCAQMD or AVAQMD thresholds, as described above.

The Project would contribute PM₁₀, PM_{2.5}, NO_x, and VOC emissions from construction/grading activities; however, the incremental increase would not exceed established SCAQMD or AVAQMD thresholds, as described above.

The Project would be operated remotely with periodic visits by maintenance staff and an emergency generator that would only be operated for routine maintenance, operational emissions

would be insignificant and would fall below applicable thresholds.

Additionally, the Project would comply with all GPU and AVAP goals for air quality, as described above. Therefore, the Project would not result in a cumulatively considerable net increase in any criteria air pollutants and the impact is less than significant. There is nothing about the Project or the Project site that would result in a peculiar impact to air quality. The Project site is zoned industrial and is currently developed with commercial and industrial uses. The BESS facility is designed to help integrate renewable energy to the electric grid and support grid reliability and resilience. The Project would not result in any off-site impacts related to impacts to air quality. The Project would have a less-than-significant impact to air quality and it would not combine with past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to air quality beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU EIR and AVAP EIR determined significant and unavoidable impacts to non-attainment criteria pollutants. However, the Project would fall below SCAQMD and AVAQMD thresholds; therefore, would not result in a cumulatively considerable net increase in any criteria air pollutants and the impact is less than significant. Therefore, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR.

AQ-3 Expose sensitive receptors to substantial pollutant concentrations.

The GPU EIR concluded this impact to be significant and unavoidable due to new source sources of criteria air pollutant emissions and/or toxic air contaminants proximate to existing or planned sensitive receptors. Similarly, the AVAP EIR concluded this impact to be significant and unavoidable as the potential risks from high emitting land uses could not be determined at the time. However, the AVAP EIR determined less than significant impacts on placement of new sensitive receptors near major sources of toxic air contaminants exposing people to substantial pollutant concentrations.

The nearest sensitive receptors to the Project site are residential homes located approximately 100 feet to the east and immediately adjacent to the Angeles Forest Highway.

During construction, toxic air contaminants of concern include fugitive dust and diesel particulate matter (DPM). The Project would be subject to SCAQMD and AVAQMD Rule 403 to reduce fugitive dust emissions from construction activities which would prevent the travel of fugitive dust to nearby receptors. Risks from DPM is a function of the duration and concentration of exposure. Construction activities that emit DPM include off-road construction equipment and any diesel-powered vehicle trips to the site. The exposure from DPM would be relatively short-term, lasting only as long as the construction period. The Project also falls below SCAQMD and AVAQMD thresholds for criteria air pollutants, as described above.

The Project would be operated remotely with periodic visits by maintenance staff and an emergency generator that would be operated for routine maintenance, operational emissions would be insignificant and would not contribute to a health risk to nearby receptors. Lithium-ion batteries do not vent during normal operations and, therefore, would present no hazard risk to air or water during normal operations. During potential fire events, UL9540A testing has shown that gases produced by a BESS fire are considered to be similar to other fire scenarios, such as a plastics fire, and can be treated with the same precautions as something like a sofa, mattress, or office fire in terms of toxicity so long as precautions are taken during the most intense moments of the fire. (DET NORSE VERITAS (U.S.A., INC., Considerations for ESS Fire Safety, 2017, pp. 9-10.) In other words, while testing is ongoing, the potential toxicity of emissions from the Project during potential fire events is considered to be similar to that of other uses allowed at the site. Moreover, ventilation is the standard and primary means of reducing the toxicity and flammability of gases emitted during a battery fire. (Id., p. 48.) Unlike other utility-scale energy storage facilities,

the Project would not be enclosed and would be outdoors. Therefore, any gases emitted during a fire event would have reduced toxicity and flammability as compared to high-density, closed environments (e.g., apartment buildings, enclosed buildings). Further, in accordance with UL 9540A and LA County Fire Code 1207.1.5, large-scale fire testing must be conducted on a representative stationary storage battery system before a construction permit can be issued for the Project. The testing must be conducted or witnessed and reported by an approved testing laboratory, and the test report must be provided to the Fire Code Official for review and approval in accordance with Section 104.8.2 of the LA County Fire Code. There is nothing about the Project or the Project site that would result in a peculiar impact to air quality. The Project site is zoned industrial and is currently developed with commercial and industrial uses. The BESS facility is designed to help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby supporting state and local goals to reduce greenhouse gas emissions. The Project would not result in any off-site impacts related to impacts to air quality. The Project would have a less-than-significant impact to air quality and it would not combine with past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to air quality beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU EIR and AVAP EIR determined significant and unavoidable impacts to exposing sensitive receptors to substantial pollutant concentrations. However, the Project would have a less than significant impact to sensitive receptors. Therefore, the Project would be consistent with the analysis provided within the GPU EIR and AVAP EIR because it would not increase impacts identified within the GPU EIR or the AVAP EIR.

AQ-4 Result in other emissions (such as those leading to odors) affecting a substantial number of people.

The GPU EIR concluded this impact to be less than significant. The AVAP EIR concluded that certain industrial uses (e.g., wastewater treatment facilities, composting/greenwaste facilities, chemical manufacturing facilities) may result in a significant odor impact.

Odors within the Antelope Valley portion of the MDAB are regulated under AVAQMD Rule 402, Nuisance and odors within SCAB are regulated by SCAQMD Rule 402 Nuisance. Major sources of odors include wastewater treatment plants, chemical manufacturing facilities, food processing facilities, agricultural operations, and waste facilities (e.g., landfills, transfer stations, compost facilities). There are two types of odor impacts: 1) siting sensitive receptors near nuisance odors, and 2) siting new sources of nuisance odors near sensitive receptors.

The Project could produce objectionable odors during construction; however, these substances, if present at all, would be temporary. Operational odors would not be expected with the Project. Therefore, the Project would not create emissions leading to odors affecting a substantial number of people. There is nothing about the Project or the Project site that would result in a peculiar impact with respect to air emissions and odors. The Project site is zoned industrial and is currently developed with commercial and industrial uses. The BESS facility is not expected to produce emissions or odors. The Project would have a less-than-significant impact to emissions and odors and it would not combine with past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to emissions and odors beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU EIR determined less than significant impacts from objectionable odors. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR because it would not increase impacts identified within the GPU EIR or the AVAP EIR.

Conclusion

With regards to the issue area of Air Quality, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with standard best management practices and all applicable laws and regulations pertaining to air quality and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Air Quality as detailed in Goal AQ 1, AQ 2, and AQ 3, and the AVAP Goals and Policies for Air Quality in Goal COS 9.

4. Biological Resources

<p align="center">BIOLOGICAL RESOURCES Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) 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 regulated by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Have a substantial adverse effect (result in loss) on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following studies have been prepared for the Project in relation to Biological Resources and incorporated into the below discussion:

- A Biological Resources Technical Report (BRTR) was prepared by Stantec Consulting Services Inc., dated April 2, 2022, and updated November 13, 2023.

Discussion

B-1 Development of the Project would impact, either directly or through habitat modifications, species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The GPU and AVAP EIRs both concluded this impact to be significant and unavoidable due to impacts to various habitat types, resulting in the loss of special-status species via direct mortality

or indirect effects such as habitat loss and edge effects at the urban-wildland interface.

Per the BRTR, the Project area consists of disturbed/developed areas and native habitats. None of the native habitats mapped within the Project area are considered special-status natural communities. The Project area does not overlap any United States Fish and Wildlife Service (USFWS) designated critical habitat and no potentially jurisdictional aquatic resources were observed within the Project area. Two special-status plant species, the Mt. Gleason paintbrush (*Castilleja gleasoni*) and short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), and six special-status wildlife species, the northern California legless lizard (*Anniella pulchra*), California legless lizard (*Anniella* spp.), coast horned lizard (*Phrynosoma blainvillii*), Cooper's hawk (*Accipiter cooperii*; foraging), tricolored blackbird (*Agelaius tricolor*; foraging), and loggerhead shrike (*Lanius ludovicianus*), were determined to have moderate potential to occur within the Project area based on the presence of potentially suitable habitat and known occurrences within five miles. While these species have moderate potential for occurrence, none were observed during surveys of the site. Therefore, while they meet the criteria for the moderate potential of occurrence, these species are not expected to occur within Project area. If Project construction occurs during the bird breeding season (February 15 through September 15; January 1 through August 15 for raptors), the Project will conduct pre-construction nesting bird surveys as recommended in the BRTR as an applicant-proposed measure and best management practice. All other special-status plant and wildlife species were determined to have low or no potential for occurrence within the Project area. The Project would result in a less than significant impact regarding candidate, sensitive, or special status species.

The Project is consistent with the County's General Plan Goals and Policies for Biological Resources as detailed in Goal C/NR 3 and Goal C/NR 4, and the AVAP Goals and Policies for Biological Resources detailed in Goal COS 4. There is nothing about the Project or the Project site that would result in a peculiar impact to special-status species. The Project site is zoned industrial, is currently developed with commercial and industrial uses, and special-status species are not expected to occur. There is nothing unusual about the BESS facility that would be expected to impact special-status species. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to special-status species and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to special-status species beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts to special status species as significant and unavoidable. However, the Project would have a less than significant impact. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase identified impacts.

B-2 Development of the Project would result in the loss of riparian habitat or sensitive natural community(es) identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The GPU and AVAP EIRs both concluded this impact to be significant and unavoidable due to impacts to various habitat types, including riparian habitat and other sensitive plant communities. While both EIRs incorporate Significant Ecological Areas (SEAs) designed to protect the most sensitive biological resources, they note the SEAs do not guarantee preservation or protect all sensitive plant communities and are intended instead to provide a higher level of scrutiny for those areas.

Most of the Project area consists of disturbed/developed areas and native habitats. The most prominent vegetation type within the Project area is California Juniper Woodland. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed within the

Project area, and the Project area is not within USFWS designated critical habitat. Additionally, there were no special-status plant species observed within the Project area during site surveys. The Los Angeles County Santa Clara River SEA occurs to the east of the Project site; however, none of the Project components would be located within the SEA boundaries. Because results of the reconnaissance-level surveys identified no riparian habitat, special-status plant species, or sensitive natural communities within the Project area, the Project would result in a less than significant impact. There is nothing about the Project or the Project site that would result in a peculiar impact to riparian habitat or sensitive natural communities. The Project site is zoned industrial, is currently developed with commercial and industrial uses, and these resources do not exist on the Project site. There is nothing unusual about the BESS facility that would be expected to impact riparian habitat or sensitive natural communities. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts riparian habitat or sensitive natural communities beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts to riparian habitat and other sensitive natural communities as significant and unavoidable. However, the Project was determined to have a less than significant impact. Therefore, the Project would be consistent with the analysis within the EIRs because it would not increase impacts identified.

B-3 The Project would impact federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

The GPU EIR and the AVAP EIR concluded this impact to be less than significant with mitigation. Both EIRs described that buildout under the GPU and AVAP may impact wetland areas and these impacts may have a significant adverse effect on wetlands through hydromodification, filling, diversion or change in water quality. Project-level surveys and assessments, compliance with the SEA program, and compliance with United States Army Corps of Engineers, California Department of Fish and Wildlife, and/or Regional Water Quality Control Board regulations would mitigate impacts to less than significant.

No aquatic resources potentially under the jurisdiction of the United States Army Corps of Engineers, California Department of Fish and Wildlife, or Regional Water Quality Control Board were observed during biological surveys within the Project area and therefore a formal aquatic resources assessment and wetland delineation were not prepared. According to National Wetlands Inventory Data and California Natural Resources Agency data, the Santa Clara River historically flowed through the southern end of the Project area on the north side of the Vincent Substation; no evidence of this historic feature was observed in the Project area. The Project would have no impact to federal or state waters/wetlands. There is nothing about the Project or the Project site that would result in a peculiar impact to wetlands. The Project site is zoned industrial, is currently developed with commercial and industrial uses, and wetland resources do not occur on the Project site. There is nothing unusual about the BESS facility that would be expected to impact wetlands. Other similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to wetlands beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts to federally protected wetlands as less than significant with mitigation. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within either EIR.

B-4 The Project would affect wildlife movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

The GPU EIR and AVAP EIR concluded this impact to be significant and unavoidable. According to the GPU EIR, Los Angeles County supports seven regional wildlife linkages, all of which are at least partially within one or more SEA. Per the AVAP EIR, the Plan Area supports four regional wildlife linkages, which are also at least partially within one or more SEA.

There is nothing about the Project or the Project site that would result in a peculiar impact to wildlife movement. Wildlife corridors within or surrounding the Project area were not identified during biological surveys within the Project area. Based on the location of the Project area, which is surrounded by development and a highway, it does not function as a wildlife movement corridor. The Project area does not occur within any known wildlife movement corridor or habitat linkage as identified by California Department of Fish and Wildlife Biogeographic Information and Observation System Habitat Connectivity Viewer. The Los Angeles County Santa Clara River SEA occurs to the east of the Project site; however, none of the Project components would be located within the SEA boundaries. The Project is consistent with the County's General Plan Goals and Policies for Biological Resources as detailed in Table 1, specifically Goal C/NR 3 and Goal C/NR 4, and the AVAP Goals and Policies for Biological Resources as detailed in Table 2, specifically Goal COS 4. Therefore, impacts to movement of any native resident or migratory fish or wildlife species would be less than significant. There is nothing unusual about the BESS facility that would be expected to impact wildlife movement. Other similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to wildlife movement beyond what was disclosed in the GPU and AVAP EIRs.

As previously stated, the GPU and AVAP EIRs determined impacts to wildlife movement corridors as significant and unavoidable. As the Project would have less than significant impact for the reasons detailed above, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within either EIR.

B-5 The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The GPU EIR and AVAP EIR concluded this impact to be less than significant. The GPU EIR determined implementation would incorporate proposed SEAs, would not conflict with the County Oak Tree Ordinance, County Oak Woodlands Conservation Management Plan (OWCMP), or Community Climate Action Plan. The GPU EIR notes the County Hillside Management Area Ordinance is applied on a project-specific level and consistency with these plans will be determined on a project-by-project basis. The AVAP EIR concluded implementation would be consistent with the County SEA Program and Ordinance, County Oak Tree Ordinance, and OWCMP.

There is nothing peculiar about the Project or the Project site that would result in a impact to plans or policies protecting biological resources. Most of the Project area consists of disturbed/developed areas and native habitats. The Los Angeles County Santa Clara River SEA occurs to the east of the Project site; however, none of the Project components would be located within the SEA boundaries. There were no oak trees located on the Project site and so the Project would not be subject to the County Oak Tree Ordinance or OWCMP. There is nothing unusual

about the BESS facility that would be expected to impact biological resources. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation, and is common throughout the State. The Project would not result in any off-site impacts related to impacts to biological resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to biological resources beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on local policies and ordinances as less than significant. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within either EIR.

B-6 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.

The GPU EIR and AVAP EIR concluded this impact to be less than significant. The GPU EIR determined implementation would incorporate proposed SEAs, would not conflict with the County Oak Tree Ordinance, County Oak Woodlands Conservation Management Plan (OWCMP), or Community Climate Action Plan, and that the West Mojave Plan (WEMO) and Desert Renewable Energy Conservation Plan (DRECP) would not be applicable. The GPU EIR notes the County Hillside Management Area Ordinance is applied on a project-specific level and consistency with these plans will be determined on a project-by-project basis. The AVAP EIR concluded implementation would be consistent with the County SEA Program and Ordinance, County Oak Tree Ordinance, and OWCMP, and that the WEMO and DRECP would not be applicable.

There is nothing peculiar about the Project or the Project site that would result in a impact to plans or policies protecting biological resources. Most of the Project area consists of disturbed/developed areas and native habitats. The Los Angeles County Santa Clara River SEA occurs to the east of the Project site; however, none of the Project components would be located within the SEA boundaries. There were no oak trees located on the Project site and so the Project would not be subject to the County Oak Tree Ordinance or OWCMP. The Project site is located outside of the County's adopted HCP; therefore, no impact would result from the Project. There is nothing unusual about the BESS facility that would be expected to impact biological resources. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to biological resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to biological resources beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on local policies and ordinances as well as habitat conservation plans and natural community conservation plans as less than significant. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within either EIR.

Conclusion

With regards to the issue area of Biological Resources, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU or AVAP EIRs.

4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU or AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with standard best management practices, applicant-proposed measures to protect nesting birds, and all applicable laws and regulations pertaining to protection of biological resources. Therefore, Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Biological Resources as detailed in Goal C/NR 3 and Goal C/NR 4, and the AVAP Goals and Policies for Water Resources as detailed in Goal COS 3 and for Biological Resources as detailed in Goal COS 4.

5. Cultural Resources

<p align="center">CULTURAL RESOURCES Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Disturb any human remains, including those interred outside of formal cemeteries</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following study has been prepared for the Project in relation to cultural resources and incorporated into the below discussion:

- A cultural resources report entitled, *Cultural Resource Assessment of 18.5 Acres of Land for the Proposed Hecate Humidor Battery Energy Storage System (BESS) Facility, Near Palmdale, Los Angeles County, California*, prepared by Hubert Switalski and Mitch Marken of Stantec Consulting Services Inc., dated March 2021.

Discussion

C-1 Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5.

The GPU EIR found that development under the GPU would result in a significant and unavoidable impact to historical resources. The AVAP EIR concluded implementation of the GPU and AVAP would not directly demolish or materially alter historic resources and impacts would be less than significant with mitigation. Compliance with the goals, policies, and implementation measures of the GPU and AVAP would reduce impacts to historical resources. Project-level environmental compliance procedures would identify historic resources that could be affected by a proposed project and to encourage the avoidance of known historic resources to the extent feasible through project siting and design. When historic resources cannot be avoided, use of the Secretary of the Interior’s Standards would be expected to mitigate impacts to a less than significant level. However, existing and proposed policies and regulations would not ultimately prevent the demolition of a historic structure if preservation is determined to be infeasible.

There is nothing peculiar about the Project or the Project site that would result in an impact to historical resources. Pursuant to the cultural resources report prepared for the Project, two previously recorded refuse deposits were identified and resulted in the recordation of one large, but very sparse refuse deposit. Based on previous research and data gathered during the study, the recordation of each refuse appears to exhaust its research potential and the overall lack of integrity does not qualify any three of the resources for inclusion to the California Register of Historical Resources (CRHR). The Project is consistent with the County’s General Plan Goals and Policies for Historic, Cultural, and Paleontological Resources as detailed in C/NR 14, as described in Table 1. There is nothing unusual about the BESS facility that would be expected to

impact historical resources. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact related to cultural resources. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to historical resources beyond what was disclosed in the GPU and AVAP EIRs. Therefore, the Project would result in a less than significant impact.

As previously discussed, the GPU EIR determined impacts on historical resources to be significant and unavoidable and the AVAP EIRs determined impacts on historic resources to be less than significant with mitigation. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

C-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

The GPU and AVAP EIRs concluded this impact to be less than significant with mitigation. Implementation of the GPU and AVAP have the potential to impact archeological resources. However, existing federal, state, and local regulations address: the provision of studies to identify archaeological and paleontological resources; application review for projects that would potentially involve land disturbance; project-level standard conditions of approval that address unanticipated archaeological discoveries; and requirements to develop specific mitigation measures if resources are encountered during any development activity.

There is nothing peculiar about the Project or the Project site that would result in an impact to archaeological resources. Pursuant to the cultural resources report prepared for the Project, two previously recorded refuse deposits were identified and resulted in the recordation of one large, but very sparse refuse deposit. Based on previous research and data gathered during the course of the study, it appears that recordation of each refuse appears to exhaust its research potential and the overall lack of integrity does not qualify any three of the resources for inclusion to the CRHR. The Project would implement standard best management practices and applicant-proposed measures, including pre-construction cultural resources inventory and data recovery, if necessary, and minimization or avoidance of impacts to any potentially significant cultural resources that might be discovered by implementing standard protocols that include ceasing all work within 50 feet of the discovery, protecting the discovery from further impacts, and contacting a Cultural Resources Specialist for recovery. The Project is consistent with the County's General Plan Goals and Policies for Historic, Cultural, and Paleontological Resources as detailed in C/NR 14, as described in Table 1. There is nothing unusual about the BESS facility that would be expected to impact archaeological resources. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to archaeological resources beyond what was disclosed in the GPU and AVAP EIRs. Therefore, the Project would result in a less than significant impact.

As previously discussed, the GPU and AVAP EIRs determined impacts on archaeological resources to be less than significant with mitigation. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

C-3 Disturb any human remains, including those interred outside of formal cemeteries.

The GPU and AVAP EIRs concluded this impact to be less than significant with compliance with the following regulations:

- California Public Resources Code – Section 5097, and 5097.98
- California Health and Safety Code – Sections 7050.5, 7051, and 7054

There is nothing peculiar about the Project site that would be expected to impact human remains. There is no indication that the Project site has ever been used for human burial purposes. However, in the event that human remains are discovered during construction, the Project would comply with all applicable laws and regulations and standard best management practices to ensure that any human remains encountered are appropriately addressed. There is nothing unusual about the BESS facility that would be expected to impact human remains. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to human remains, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to human remains beyond what was disclosed in the GPU and AVAP EIRs. Therefore, the Project would result in a less than significant impact.

As previously discussed, the GPU and AVAP EIRs resulting from disturbing human remains as less than significant with compliance to the regulations listed above. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of cultural/paleontological resources, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with standard best management practices all applicable laws and regulations pertaining to protection of cultural resources and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Historic, Cultural, and Paleontological Resources as detailed in C/NR 14.

6. Energy Resources

<p align="center">ENERGY RESOURCES Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>
<p>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>

Discussion

Energy use was not analyzed as a separate issue area under CEQA when the GPU and AVAP EIRs were certified. At the time, Energy Use was contained within Appendix F of the CEQA Guidelines and since then has been moved to the issue areas within Appendix G of the CEQA Guidelines. However, the issue of energy use was discussed within the GPU and AVAP and the GPU and AVAP EIRs. For example, within the Conservation and Natural Resource Element of the GPU, Goal C/NR 12 promotes sustainable management of renewable and non-renewable energy resources. Policies C/NR 12.1, C/NR 12.2, and C/NR 12.3 would support this goal by encouraging production and use, effective management, and encouraging use of existing infrastructure to reduce environmental impacts. Electrical consumption was also discussed within the Utilities chapters for both EIRs.

E-1 Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

As described above, energy use was analyzed within GPU and AVAP EIRs. Both EIRs found that impacts to electrical supplies would be less than significant.

There is nothing peculiar about the Project or the Project site that would be expected to negatively impacts energy resources. To the contrary, the Project would help integrate renewable energy to the electric grid and support grid reliability and resilience. The Project would increase demand for electricity and gasoline at the Project site during grading and construction, but usage would be minimal during Project operations. Natural gas is not expected to be needed during grading, construction, or operations.

Grading and Construction

The Project would require the grading of approximately 99,909 cubic yards of material total for cut and fill, including 43,497 cubic yards of import of material required. During the grading and construction phases of the Project, the primary energy source utilized would be petroleum from construction equipment and vehicle trips. To a lesser extent, electricity would also be consumed for the temporary electric power for as-necessary lighting and electronic equipment. Activities including electricity and gasoline would be temporary and negligible; therefore, electricity and gasoline use during grading and construction would not result in wasteful, inefficient, or unnecessary consumption of energy. Natural gas is not expected to be required during Project grading and construction.

The energy needs for the Project construction would be temporary and is not anticipated to require additional capacity or increase peak or base period demands for electricity or other forms of energy. Construction equipment use and associated energy consumptions would be typical of that associated with the construction projects of this size. Additionally, the Project is consistent with the development density established by the General Plan and Zoning Ordinance. Thus, the Project's energy consumption during the grading and construction phase would not be considered wasteful, inefficient, or unnecessary.

Operational

As stated above, the Project would not increase the demand for electricity or natural gas at the Project site during operations. The Project does not include any permanent components that would increase demand for existing sources of energy except for gasoline usage for maintenance visits. The Project development of a BESS would provide a secure and reliable electricity supply, improve community infrastructure, and support sustainable electricity generation. By building the Project, a clean, reliable resource would be gained to help integrate renewable energy sources, reduce dependence on gas-fired generation, eliminate ocean water for cooling, reduce freshwater consumption, and reduce GHG and criteria air pollutant emissions. The Project would improve the resiliency and reliability of the electrical grid and would not result in any off-site negative impacts on energy use. . Nor would it combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to human remains beyond what was disclosed in the GPU and AVAP EIRs. Therefore, no significant impact to energy resources would result.

As previously discussed, the GPU and AVAP EIRs did not analyze Energy as a separate issue area under CEQA. Energy was analyzed under the GPU and AVAP and GPU and AVAP EIRs and has been incorporated within General Plan Elements. The Project would not conflict with policies within the GPU related to energy use, nor would it result in the wasteful, inefficient, or unnecessary consumption of energy resources, as specified within Appendix G of the CEQA Guidelines.

E-2 Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Many of the regulations regarding energy efficiency are focused on increasing the energy efficiency of buildings and renewable energy generation, as well as reducing water consumption and reliance on fossil fuels. The Project, which comprises the building of a BESS, would be part of a sustainable solution to enable increasing amounts of renewable energy generating sources to be accessed. No conflicts with renewable energy or energy efficiency plans would occur and there would be no significant energy-related impacts from the Project. There is nothing peculiar about the Project or the Project site that would negatively impact energy resources. To the contrary, the BESS facility would enhance the resiliency of the electrical grid. The Project would not result in any off-site negative impacts on energy use, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to energy use beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs did not analyze Energy as a separate issue area under CEQA. Energy was analyzed under the GPU and AVAP and GPU and AVAP EIRs and has been incorporated within General Plan Elements. The Project would not conflict with policies within the GPU related to energy use or conflict with or obstruct a state or local plan for renewable energy or energy efficiency as specified within Appendix G of the CEQA Guidelines.

Conclusion

With regards to the issue area of Energy, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because no Project-specific impacts to energy would occur. Further, the Project is consistent with the County's General Plan Goals and Policies for Mineral and Energy Resources as detailed in C/NR 12 and the AVAP Goals and Policies for Energy as detailed in Goal COS 10 through Goal COS 14.

7. Geology and Soils

<p align="center">GEOLOGY AND SOILS Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p>				
<p>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (Refer to Division of Mines and Geology Special Publication 42)?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>ii. Strong seismic ground shaking?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>iii. Sesimic-related ground failure, including liquefaction?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>iv. Landslides?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Be located on strata 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?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>f) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>g) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following study has been prepared for the Project in relation to Geology and Soils

- A Geotechnical Investigation Report was prepared for the Project by Stantec Consulting Services Inc., dated March 15, 2021

Discussion

G-1 Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. (Refer to Division of Mines and Geology Special Publication 42.)**
- ii) **Strong seismic ground shaking.**
- iii) **Seismic-related ground failure, including liquefaction.**
- iv) **Landslides.**

The GPU and AVAP EIRs concluded this impact to be less than significant because compliance with existing state and county regulations, as well as goals and policies included as part of the GPU and AVAP would ensure that the impacts associated with exposure to landslides are reduced to a less than significant level.

There is nothing peculiar about the Project site or Project that would be expected to result in impacts to or from landslides. Pursuant to the Geotechnical Investigation Report prepared for the Project, the Project site is not located within a currently mapped Alquist-Priolo Special Studies Fault Zone. The nearest active fault is the San Andreas fault, located approximately 3.2 miles northeast of the Site. No active faults are known to underlie or project toward the Project site. In addition, the Project site is not located in a California Geological Survey Liquefaction Hazard Zone. All structures constructed as part of the Project would be required by state law to comply with applicable earthquake construction standards. With adherence to all applicable regulations including California and Los Angeles County Building Code requirements as well as the Project site characteristics, the Project would avoid potential impacts to structures resulting from seismic related ground failure. There is nothing unusual about the BESS facility that would be expected to impact landslides. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation, and is common throughout the State. The Project would not result in any off-site impacts related to impacts to landslides, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to landslides beyond what was disclosed in the GPU and AVAP EIRs. Therefore, the Project would have a less than significant impact.

As previously discussed, the GPU and AVAP EIRs determined less than significant impacts from exposure to seismic-related hazards and soil stability. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

G-2 Result in substantial soil erosion or the loss of topsoil.

The GPU and AVAP EIRs concluded this impact to be less than significant because compliance with existing state and county regulations, as well as goals and policies included as part of the GPU and AVAP would ensure that the impacts associated with exposure to soil erosion are reduced to a less than significant level.

There is nothing peculiar about the Project site or the Project that would negatively impact soil erosion. The Project would require the grading of approximately 99,909 cubic yards of material total for cut and fill, including 43,497 cubic yards of import of material required. There is nothing unusual about the BESS facility that would be expected to impact soil erosion. Other electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs

were certified that would increase impacts to soils beyond what was disclosed in the GPU and AVAP EIRs. This would not result in a substantial soil erosion or the loss of topsoil; therefore, resulting in a less than significant impact.

As previously discussed, the GPU and AVAP EIRs determined impacts from soil erosion and topsoil loss to be less than significant. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

G-3 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 GPU and AVAP EIRs concluded this impact to be less than significant because compliance with existing state and county regulations, as well as goals and policies included as part of the GPU and AVAP would ensure that the impacts associated with soil stability are reduced to a less than significant level.

There is nothing peculiar about the Project or Project site that would result in soil stability hazards. The Project site is not located in a California Geological Survey Liquefaction Hazard Zone. Liquefaction induced lateral spreading can occur in areas of sloping ground, or towards a free face. Given the relatively flat topography, distance to a free face, and depth to groundwater, the potential for liquefaction-induced lateral spreading is considered low; therefore, resulting in a less than significant impact. There is nothing unusual about the BESS facility that would be expected to impact soil stability. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to soil stability beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from soil stability to be less than significant. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

G-4 Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial risks to life or property.

The GPU and AVAP EIRs concluded this impact to be less than significant because compliance with existing state and county regulations, as well as goals and policies included as part of the GPU and AVAP would ensure that the impacts associated with exposure to geological hazards from expansive soils are reduced to a less than significant level.

There is nothing peculiar about the Project site or the Project that would result in hazards related to expansive soils. The near-surface soils (upper approximate 10 feet) of the Project site have a low expansion potential. The soil classifications and laboratory test results show that the near surface (upper 10 feet) samples tested are granular with low-plasticity fines; therefore, resulting in a less than significant impact. There is nothing unusual about the BESS facility that would be expected to impact expansive soils. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation, and throughout the State. The Project would not result in any off-site impacts related to impacts to expansive soils, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no

new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to expansive soils beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from expansive soils to be less than significant. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

G-5 Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

The GPU and AVAP EIRs concluded this impact to be less than significant because most new development would not use septic systems and those that would be installed would be regulated by the Health Department.

There is nothing peculiar about the Project or Project site that would result in impacts from septic systems. The Project does not propose any habitable structure that would require septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur. There is nothing unusual about the BESS facility that would be expected to result in impacts from septic tanks. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation, and the Project does not propose use of a septic system. The Project would not result in any off-site impacts related to impacts to septic tanks, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to expansive soils beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts to wastewater disposal systems to be less than significant. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

G-6 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

The GPU and AVAP EIRs concluded this impact to be less than significant with mitigation. Ground disturbance from development projects pursuant to the GPU and AVAP could damage fossils buried in soils. Abundant fossils occur in several rock within the County and the Antelope Valley. These formations have produced numerous important fossil specimens. Therefore, the County was found to contain significant, nonrenewable, paleontological resources and are considered to have high sensitivity.

There is nothing peculiar about the Project or the Project site that would be expected to impact paleontological resources. The Project is consistent with the County's General Plan Goals and Policies for Historic, Cultural, and Paleontological Resources as detailed in C/NR 14 and in Table 1. The Project would implement standard best management practices and applicant-proposed measures, including pre-construction cultural resources inventory and data recovery, if necessary, and minimization or avoidance of impacts to any potentially significant paleontological resources that might be discovered by implementing standard protocols that include ceasing all work within 50 feet of the discovery, protecting the discovery from further impacts, and contacting a Cultural Resources Specialist for recovery. There is nothing unusual about the BESS facility that would be expected to impact paleontological resources. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to paleontological resources beyond what was disclosed in the GPU and AVAP EIRs. Therefore, the Project would result in a less than significant impact.

As previously discussed, the GPU and AVAP EIRs determined impacts on historic resources to be less than significant with mitigation. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Geology and Soils, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with all applicable laws and regulations pertaining to geology and soils and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Mineral and Energy Resources as detailed in C/NR 10 and C/NR 11 and the AVAP Goals and Policies for Public Safety, Services and Facilities Resources as detailed in Goal PS 2.

8. Greenhouse Gas Emissions

<p align="center">GREENHOUSE GAS EMISSIONS Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>
<p>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>

Discussion

GHG-1 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

The GPU EIR and AVAP EIR concluded this impact to be significant and unavoidable. Development under the GPU would contribute to global climate change through direct and indirect emissions of GHG from land uses within the unincorporated areas. GHG emissions in the unincorporated areas would exceed 100,000 tons (90,718 MTCO 2e/year) by full buildout of the GPU. In addition, the County would not achieve the SCAQMD per capita efficiency target for post-2035 based on the goal of Executive Order S-03-05, which is to reduce GHG emissions to 80 percent below 1990 levels by 2050. Impacts would be significant for long-term growth anticipated under the GPU. Although the AVAP would result in a substantial increase in GHG emissions in the Antelope Valley, it would also result in a 19 percent decrease in GHG emissions per person. The GHG emissions per capita rate would decrease from 6.65 MTCO 2e/year/SP to 5.40 MTCO 2e/year/SP. However, although implementation of the AVAP would result in a slight decrease in GHG emissions per capita, it would not meet the SCAQMD Year 2035 Target efficiency metric of 4.0 MTCO 2e/year/SP or the target identified in Executive Order S-03-05, which would equate to 1.3 MTCO 2e/SP by 2050. Additional state and local actions are necessary to achieve the post-2020 GHG reduction goals for the State. Therefore, the AVAP's cumulative contribution to the long-term GHG emissions in the state would be considered substantial and potentially significant.

GHG Overview

GHG emissions are said to result in an increase in the earth's average surface temperature commonly referred to as global warming. This rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system, known as climate change. These changes are now broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

GHGs include carbon dioxide, methane, halocarbons, and nitrous oxide, among others. Human induced GHG emissions are a result of energy production and consumption, and personal vehicle use, among other sources. Climate changes resulting from GHG emissions could produce an array of adverse environmental impacts including water supply shortages, severe drought, increased flooding, sea level rise, air pollution from increased formation of ground level ozone and particulate matter, ecosystem changes, increased wildfire risk, agricultural impacts, ocean and terrestrial species impacts, among other adverse effects.

It should be noted that an individual project's GHG emissions would generally not result in direct impacts under CEQA, as the climate change issue is global in nature; however, an individual project could be found to contribute to a potentially significant cumulative impact. CEQA Guidelines Section 15130(f) states that an EIR shall analyze GHG emissions resulting from a Project when the incremental contribution of those emissions may be cumulatively considerable.

Project

There is nothing peculiar about the Project or the Project site that would be expected to result in negative impacts to GHGs and global climate change. To the contrary, the Project would help integrate renewable energy to the electric grid and support grid reliability and resilience, thereby assisting the state and the county to reach greenhouse gas emissions reduction goals. Construction emissions associated with the Project would result from preparing and grading the Project site, followed by facility construction activities, which is required for all development. Construction emissions would be temporary and cease once construction ended. SCAQMD does not have a construction GHG threshold. AVAQMD has an annual threshold of 100,000 tons CO₂e per year (90,700 metric tons [MT] CO₂e per year), as shown in Table 4, the Project would not exceed this threshold.

Table 4. Project Construction GHG Emissions

Year	Emissions (MT CO ₂ e/year)
2024	498
2025	721
AVAQMD Threshold	90,700
Exceed?	No

Operational-related emissions would result primarily from vehicle exhaust emissions associated with maintenance crews traveling to and from the Project site for maintenance site visits. The Project would be operated remotely with up to four staff visiting the site periodically and an emergency generator that would only be operated for routine maintenance. Indirect GHG uses would also be produced from offsite sources such as water conveyance and utilities. The Project would generate fewer emissions than allowed under the General Plan; therefore, a less than significant cumulatively considerable increase in GHG emissions would result.

BESS projects, such as this Project, assist the County in achieving goals within the General Plan to increase the uses of renewable energy sources and reduce non-renewable electrical and natural gas energy consumption. Applicable GUP and AVAP goal related to air quality are disclosed above and the Project's consistency with those goals is described in Table 1 and Table 2. Additionally, the Project would comply with the following AVAP energy goals that would lead to a reduction GHG emissions:

- Goal COS 10: Diverse energy systems that utilize existing renewable or waste resources to meet future energy demands.
- Goal COS 13: Utility-scale energy production facilities for offsite use that reduce consumption of non-renewable resources while minimizing potential impacts on natural resources and existing communities.

By adding battery energy storage to the utility grid, the utility can improve the electrical demand response within the County without using spinning reserve from a carbon burning power plant. The Project would not result in any off-site negative impacts on GHG emissions, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to GHG beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU EIR and AVAP EIR determined impacts to significant and unavoidable. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU EIR and AVAP EIR because it would not increase impacts identified within the GPU EIR or AVAP EIR.

GHG-2 Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

The GPU EIR concluded this impact to be significant and unavoidable, but only if the Climate Action Plan is not adopted. The AVAP EIR found the impact to be less than significant.

As described above, the Project would not result in a cumulatively considerable contribution to global climate change and there is nothing peculiar about the Project or Project site that would result in negative impacts to GHG emissions and global climate change. The Project would be consistent with County goals and policies included in the County General Plan that address greenhouse gas reductions. Therefore, the Project would be consistent with emissions reduction targets of Senate Bill 32 and Assembly Bill 1279. The Project would also be consistent with all applicable GUP and AVAP goals (see Table 1 and Table 2). Thus, the Project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gas emissions. The Project would not result in any off-site negative impacts on GHG emissions, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to GHG beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU EIR determined impacts to applicable regulation compliance to be significant and unavoidable and the AVAP EIR found impacts to be less than significant. As the Project would have a less than significant impact for the reasons detailed above and the Project would provide energy storage which further the state's emission reduction goals, the Project would be consistent with the analysis provided within the GPU EIR and AVAP EIR because it would not increase impacts identified within the GPU EIR or AVAP EIR.

Conclusion

With regards to the issue area of Global Climate Change, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with all applicable laws and regulations pertaining to greenhouse gas emissions and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Air Quality as detailed in Goal AQ 1, AQ 2, and AQ 3, and the AVAP Goals and Policies for Air Quality in Goal COS 9. Additionally, the Project is consistent with AVAP Energy Goals and Policies COS 10 and COS 13.

9. Hazards and Hazardous Materials

HAZARDS AND HAZARDOUS MATERIALS Would the Project:	No Impact Peculiar to the Project or Project Site	Impact Not Identified by GPU and AVAP EIRs	Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs	Substantial New Information
a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following studies have been prepared for the Project in relation to Hazards and Hazardous Materials and have been incorporated into the below discussion:

- Qualitative Fire Protection Assessment prepared by Stantec Consulting Services Inc., dated May 17, 2023.
- Phase I Environmental Site Assessment prepared by Stantec Consulting Services Inc., dated April 9, 2021

Discussion

H-1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

The GPU and AVAP EIRs concluded this impact to be less than significant. Implementation of the GPU and AVAP would involve an increase in the transport, use, and disposal of hazardous materials. However, any future development and use of land uses, as designated under the Proposed Project, would be required to comply with applicable federal, state and local regulations

related to hazardous materials. Required compliance with these regulations would ensure impacts related to transport, use and disposal of hazardous materials would be less than significant.

There is nothing peculiar about the Project or the Project site that would result in hazards related to transport, use, or disposal of hazardous materials. Implementation of the Project would involve an increase in the transport, use, and disposal of hazardous materials. Required compliance with applicable federal, state, and local regulations would ensure impacts related to transport, use and disposal of hazardous materials would be less than significant. Electrical infrastructure and industrial development exist within the Project surroundings, including SCE's Vincent substation. Project impacts with respect to hazardous materials would be similar to other electrical utility development. The Project would not result in any off-site impacts related to impacts to hazardous materials and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to hazardous materials beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from transport, use, and disposal of hazardous materials and accidental release of hazardous materials to be less than significant. The Project would have a less than significant impact through compliance with numerous federal, state and local regulations that require strict adherence to specific guidelines regarding the use, transportation, and disposal of hazardous materials. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

H-2 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.

The GPU and AVAP EIRs concluded this impact to be less than significant. Under implementation of the GPU and AVAP, land uses and development may be located on a site such as those pursuant to Government Code 65962.5, burn dump sites, active, abandoned or closed landfills, areas with historic or current agriculture, or areas with petroleum contamination. However, compliance with applicable existing regulations and processes would ensure that the GPU and AVAP would not result in a significant hazard to the public or the environment from future development on existing hazardous materials sites. Therefore, the Proposed Project would have a less than significant impact associated with existing hazardous materials sites.

There is nothing peculiar about the Project or the Project site that would result in hazards related to the release of hazardous materials. According to the Phase I Environmental Site Assessment (ESA) Report developed for the Project (Stantec 2021), there are no known hazardous materials sites registered on the Project site and there were no recognized environmental conditions identified on the Project site. Per review of the California Environmental Protection Agency's (CalEPA) Cortese List, the Project site is not on a list compiled pursuant to Section 65962.5 of the Government Code (CalEPA 2024). In addition, the Project would be required to comply with applicable federal, state and local regulations related to hazardous materials and also to fire risk as described below with respect to Wildfire. Required compliance with these regulations would ensure impacts related to potential accidental release of hazardous materials would be less than significant. There is nothing unusual about the BESS facility with respect to hazardous materials. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. Further, lithium-ion batteries do not vent during normal operations and, therefore, would present no hazard risk to air or water during normal operations. During potential fire events, UL9540A testing has shown that gases produced by a BESS fire are considered to be similar to other fire scenarios, such as a plastics fire, and can be treated with the same precautions as something like a sofa, mattress, or office fire in terms of toxicity so long as precautions are taken during the most intense moments of the fire. (DET NORSKE VERITAS (U.S.A., INC., Considerations for ESS Fire Safety, 2017, pp. 9-10.) In other words, while testing is ongoing, the

potential toxicity of emissions from the Project during potential fire events is considered to be similar to that of other uses allowed at the site. Moreover, ventilation is the standard and primary means of reducing the toxicity and flammability of gases emitted during a battery fire. (Id., p. 48.) Unlike other utility-scale energy storage facilities, the Project would not be enclosed and would be outdoors. Therefore, any gases emitted during a fire event would have reduced toxicity and flammability as compared to high-density, closed environments (e.g., apartment buildings, enclosed buildings). Further, in accordance with UL 9540A and LA County Fire Code 1207.1.5, large-scale fire testing must be conducted on a representative stationary storage battery system before a construction permit can be issued for the Project. The testing must be conducted or witnessed and reported by an approved testing laboratory, and the test report must be provided to the Fire Code Official for review and approval in accordance with Section 104.8.2 of the LA County Fire Code. The Project would not result in any off-site impacts related to impacts to hazardous materials, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to hazardous materials beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from the potential accidental release of hazardous materials to be less than significant. The Project would have a less than significant impact through compliance with numerous federal, state and local regulations that require strict adherence to specific guidelines regarding the use, transportation, and disposal of hazardous materials. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

H-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of an existing or proposed school.

There is nothing peculiar about the Project or the Project site that would be expected to result in impacts to schools from hazardous materials. The Project site is not located within 0.25 mile of an existing or proposed school. The nearest school, Desert Willow Intermediate, is located 3.5 miles from the Project site. Therefore, the Project would have no impact to proposed or existing schools. There is nothing unusual about the BESS facility with respect to hazardous materials. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to hazardous materials, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to hazardous materials beyond what was disclosed in the GPU and AVAP EIRs.

As the Project would have no significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

H-4 Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

The GPU EIR determined that some areas within the County are on a list of hazardous materials side, but the impact would be less than significant. Based on the Department of Toxic Substances Control's EnviroStor database and the State Water Resources Control Board's Geotracker database, there are no known hazardous material sites within 0.25 mile of the Project site. The closest hazardous material site is a closed case for a former Leaking Underground Storage Tank (LUST) located at a facility at 415 Sierra Highway, approximately 350 feet north of the Property, resulting in a less than significant impact. Therefore, there is nothing peculiar about the Project site or Project that would impact hazardous materials sites. In addition, there is nothing unusual

about the BESS facility with respect to hazardous materials. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation, and throughout the State. The Project would not result in any off-site impacts related to impacts to hazardous materials, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to hazardous materials beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from existing hazardous materials sites to be less than significant. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

H-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would result in a safety hazard for people residing or working in the Project Area.

The GPU and AVAP EIRs concluded this impact to be less than significant. Implementation of the GPU and AVAP may result in land use designations that allow development within two miles of a public airport, private airstrip, or heliport. However, existing FAA regulations, County policies and regulations, and GPU and AVAP goals and policies are intended to identify and properly address potential airport hazards prior to implementation of specific projects within the County and Antelope Valley. Therefore, potential impacts associated with public airports, private airstrips, and heliports are less than significant.

There is nothing peculiar about the Project or the Project site that would impact safety hazards near airports. The Project would have the same impact as other electrical utility infrastructure located within the area. The nearest airports to the Project site include the Los Angeles-Palmdale Regional Airport, approximately 9 miles north of the Project site. Therefore, the Project would not result in a safety hazard for people residing or working in the Project area, resulting in a less than significant impact and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact.

As previously discussed, the GPU and AVAP EIRs determined impacts on public airports to be less than significant. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

H-6 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The GPU and AVAP EIRs concluded this impact to be less than significant. Compliance with applicable regulations and implementation of the GPU and AVAP goals and policies would ensure the risk of impaired implementation or physical interference with an adopted emergency response plan or emergency evacuation plan is less than significant.

There is nothing peculiar about the Project or the Project site that would be expected to physically interfere with an adopted emergency response plan or evacuation plan. The Project site is zoned industrial and currently developed with a paintball facility and other industrial uses. Upon completion of Project construction, the Project would be primarily unmanned, requiring periodic maintenance by up to four workers. The Project would not have a significant effect on access, movement of vehicles or pedestrians, and would not introduce a substantial new population into the area. Therefore, the Project would result in a less than significant impact. There is nothing unusual about the BESS facility with respect to interference with emergency response and evacuation plans. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation, and impacts of the Project with respect to emergency response and

evacuation would be similar to other electrical infrastructure development. The Project would not result in any off-site impacts related to impacts to emergency response or evacuation, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to hazardous materials beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from emergency response and evacuation plans to be less than significant with mitigation. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

H-7 Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to the urbanized areas or where residences are intermixed with wildlands.

The GPU and AVAP EIRs concluded this impact to be less than significant. Although fires are a natural part of the wildland ecosystem, development in wildland areas increases the danger of wildfires to residents, property, and the environment. Although multiple regulations are in place to ensure that adequate infrastructure, such as peak load water supplies and necessary disaster routes are incorporated into new developments, older communities with aging and substandard infrastructure may face greater risks from wildland fires. In addition, current regulations cannot ensure that all developments that locate in Very High Fire Hazard Severity Zones are protected from wildland fire threats. GPU and AVAP policies and conditions of approval for future development projects within the County and Antelope Valley, in addition to compliance with applicable regulations, will minimize impacts related to wildland fires. Consequently, the overall associated impacts would be less than significant

There is nothing peculiar about the Project or the Project site that would result in a significant impact to fire hazards. There are no unique features on the Project site that would exacerbate fire hazards. The Project would be unmanned and would require periodic maintenance. The Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 *et seq.* has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located. The BESS equipment and design will undergo further design review with the County for conformance with the California Fire Code as part of securing building permits. The Applicant and Department of Regional Planning consulted with the Los Angeles County Fire Department on the development and County approval of the site plan to ensure the site meets or exceeds code requirements. The Fire Department reviewed the Project site plan and included 22 approval notes to reiterate code requirements applicable to the approval that must be met before a construction permit can issue, in addition to other fire related requirements of the Site Plan Review approval

Further, the Project site is zoned industrial and is surrounded by three highways and a railroad. It is used currently as a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/equipment yard. The BESS facility will minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system's response to thermal runaway event. To meet these performance criteria, the system's various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels) and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff remotely

operating the facility, local fire department, etc.). While operated remotely, the site will be monitored at all times and full-time staff will be alerted to address any maintenance and/or emergency issues and will work in direct coordination with local first responders.

The Applicant has consulted with the Los Angeles County Fire Department to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The enclosures are steel and have individual fire detection/suppression systems. Current industry best practice is to fight a BESS fire defensively (*i.e.*, using water as a cooling agent to target units or other structures to prevent the fire from spreading) and when appropriate, allowing the BESS fire to burn itself out inside the steel enclosure. These tactics will be planned and coordinated with the County Fire Department and incorporated into a site-specific Emergency Response Plan. Additionally, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and managed per County requirements outside the wall on the balance of the undeveloped site. The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements.

The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of California Public Utilities Code Section 761.3, which requires BESS 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 Applicant will work with first responders to develop these plans and to coordinate site-specific training for first responders.

For the foregoing reasons, the Project would not expose people or structures to a significant risk to wildland fires; therefore, resulting in a less than significant impact. The Project would not result in any off-site impacts related to impacts to fire hazards and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to fire hazards beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from wildland fires to be less than significant. The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Hazards and Hazardous Materials, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with all applicable laws and regulations pertaining to hazards and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Mineral and Energy Resources as detailed in C/NR 10 and C/NR 11 and the AVAP Goals and Policies for Public Safety, Services and Facilities Resources as detailed in Goal PS 1 through Goals PS 12.

10. Hydrology and Water Quality

<p align="center">HYDROLOGY AND WATER QUALITY Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) 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 which would:</p>				
<p>i) result in substantial erosion or siltation on- or off-site?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>iv) impede or redirect flood flows?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following technical studies were prepared for the Project related to hydrology and water quality and have been incorporated into the below discussion:

- A Preliminary Drainage Report prepared by Stantec, dated April 21, 2022.

Discussion

HYD-1 Violate any water-quality standards or waste-discharge requirements or otherwise substantially degrade surface or groundwater quality.

The GPU and AVAP EIRs concluded this impact to be less than significant. New development under the GPU and AVAP would involve soil disturbance, construction, and operation of land uses that could each generate pollutants affecting stormwater. Buildout under the GPU would involve a net increase of about 369,000 housing units, which is more than double the existing number, and would also double the total building area of non-residential land uses within the County. Buildout under the AVAP would result approximately 81,441 additional housing units compared to existing conditions and a 39 percent increase in non-residential (commercial and industrial)

space with an additional 37.1 million square feet. However, both the GPU and AVAP EIRs concluded that compliance with proposed policies and existing regulatory requirements would mitigate impacts to less than significant.

There is nothing peculiar about the Project or the Project site with respect to water quality. Development projects have the potential to generate pollutants during both the construction and operational phases. For the Project to avoid potential violations of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, storm water management plans are prepared for both phases of the development Project.

The Project would be required to obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction and Land Disturbance Activities. Compliance with the General Construction Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) which would eliminate or reduce non-stormwater discharge offsite into storm drainage systems or other water bodies and require the implementation of best management practices (BMPs) throughout the Project construction period. Stormwater BMPs would be required to limit erosion, minimize sedimentation, and control stormwater runoff water quality during Project construction activities.

Compliance with the SWPPP would ensure that construction activities would not degrade the surface water quality of receiving waters to levels that would exceed the standards considered acceptable by the SWRCB. The SWPPP would be prepared in accordance with Order No. 2009-009-DWQ, NPDES Order CAS000002 Construction General Permit (CGP) adopted by the SSWRCB on September 2, 2009.

The Project's conformance to the waste discharge requirements of the CGP ensures the Project would not create cumulatively considerable water quality impacts and addresses human health and water quality concerns. There is nothing unusual about the BESS facility with respect to water quality. Other similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. Further, lithium-ion batteries do not vent during normal operations and, therefore, would present no hazard risk to air or water during normal operations. During potential fire events, UL9540A testing has shown that gases produced by a BESS fire are considered to be similar to other fire scenarios, such as a plastics fire, and can be treated with the same precautions as something like a sofa, mattress, or office fire in terms of toxicity so long as precautions are taken during the most intense moments of the fire. (DET NORSKE VERITAS (U.S.A., INC., Considerations for ESS Fire Safety, 2017, pp. 9-10.) In other words, while testing is ongoing, the potential toxicity of emissions from the Project during potential fire events is considered to be similar to that of other uses allowed at the site. Moreover, ventilation is the standard and primary means of reducing the toxicity and flammability of gases emitted during a battery fire. (Id., p. 48.) Unlike other utility-scale energy storage facilities, the Project would not be enclosed and would be outdoors. Therefore, any gases emitted during a fire event would have reduced toxicity and flammability as compared to high-density, closed environments (e.g., apartment buildings, enclosed buildings). Further, in accordance with UL 9540A and LA County Fire Code 1207.1.5, large-scale fire testing must be conducted on a representative stationary storage battery system before a construction permit can be issued for the Project. The testing must be conducted or witnessed and reported by an approved testing laboratory, and the test report must be provided to the Fire Code Official for review and approval in accordance with Section 104.8.2 of the LA County Fire Code. The Project would not result in any off-site impacts related to impacts to water quality, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to water quality beyond what was disclosed in the GPU and AVAP EIRs. Therefore, the Project would not contribute to a cumulatively considerable impact to water quality, resulting in a less than significant impact.

As previously discussed, the GPU and AVAP EIRs determined less than significant impacts to water quality standards and requirements. However, the Project would have a less than significant impact to water quality standards with the implementation of a Project condition and compliance with local and state requirements as detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

HYD-2 Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin.

The GPU and AVAP EIRs concluded this impact to be less than significant. While impervious areas would be added to the Antelope Valley, the increase in impervious areas would still be a small fraction of area. About 97.6 percent of the AVAP area is designated for either Open Space or Rural uses; the maximum permitted density in the Rural designation is one residential unit per acre. Therefore, buildout of the AVAP would not substantially interfere with groundwater recharge due to an increase in impervious areas.

There is nothing peculiar about the Project or the Project site with respect to groundwater supply or recharge. The Project would use approximately 12.0 acre-feet of water for dust suppressant and concrete during construction. Because no habitable structures would be constructed as part of the Project, operational water required for the Project would only be required to establish and maintain landscaping. Approximately 0.9 acre-feet would be required during the first year of operations to support establishment of landscaping.³ Thereafter, water required to maintain landscaping is expected to decrease to 0.27 acre-feet per year during operations. The Project site has an existing water service connection from Los Angeles County Waterworks District 37. The County Department of Regional Planning confirmed with County Waterworks District 37 that it has sufficient water to service the Project. (Personal communication with Sam Dea, February 22, 2024.). Water to fight a fire is expected to be sourced from the existing hydrant on Carson Mesa Road and/or new hydrants installed by the project during construction. In the event of a battery fire, it is generally best to allow the fire to burn out while ensuring the fire remains contained to the BESS container of origin. Offensive firefighting tactics are not anticipated nor are they recommended for containerized BESS fires. As such, the application of water is anticipated to be used for exposure control (cooling nearby equipment, if necessary) and suppressing any small vegetation fires to help ensure the fire does not spread.

There is nothing unusual about the BESS facility with respect to groundwater recharge. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to groundwater recharge and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to groundwater recharge beyond what was disclosed in the GPU and AVAP EIRs. Project operation would not deplete groundwater supplies or interfere substantially with ground water recharge, resulting in a less than significant impact.

As previously discussed, the GPU and AVAP EIRs determined less than significant impacts to depletion of groundwater. The Project would have a less than significant impact to depletion of groundwater. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

³ This figure is significantly less than the estimated water use shown on the Project's Site Plan Review, which conservatively assumed a maximum applied water allowance that did not account for establishment versus maintenance of vegetation and assumed water would be delivered between the plants when it would actually be delivered only to each plant root system.

HYD-3 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 which would:

- i) result in substantial erosion or siltation on- or off-site;**
- ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;**
- iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**
- iv) impede or redirect flood flows?**

The GPU and AVAP EIRs concluded this impact to be less than significant. Buildout of the AVAP has the potential to result in an increase in impervious surfaces by adding 81,441 housing units and 37.1 million square feet of commercial/industrial space, thus creating an increase in stormwater runoff, higher peak discharges to drainage channels, and the potential to cause erosion or sedimentation in drainage swales and streams. Increased runoff volumes and velocities could create nuisance flooding in areas without adequate drainage facilities. However, projects developed under the GPU and AVAP would comply with existing regulations for avoiding or minimizing erosion and sedimentation, and impacts would be less than significant.

Flooding in the Antelope Valley is caused largely by runoff from the San Gabriel and Sierra Pelona Mountains to the south, with heavy discharges prevalent along Big Rock Creek, Little Rock Creek, and Anaverde Creek. Proposed zoning by the GPU and AVAP in the areas susceptible to flooding will be primarily open land, agricultural land, or rural residential, which should not result in a substantial increase in surface runoff or contribute to additional flooding due to the limited increase in impervious surfaces. In summary, development as part of the GPU and AVAP would not substantially increase runoff rates or volumes or contribute to increases in flooding. Therefore, the GPU and AVAP EIRs determined that impacts would be less than significant.

Approximately 73,927 acres out of 1,130,544 acres, or about 6.5 percent of land within the AVAP area are located within a 100-year flood zone. About 5,879 acres, or 8 percent of areas in the 100-year flood zones, are designated as open space. The remainder of the 100-year flood zones is designated for development, mostly residential development at maximum densities of 0.5 units per acre or higher. Although portions of the AVAP area within the current 100-year floodplain are proposed for development, the County has an ongoing Floodplain Management program, which includes mapping of flood hazard areas, adopting new and/or updated ordinances, and regulating and enforcing safe building practices. Future development within 100-year flood zones would require submittal of a Letter of Map Revision (LOMR) application to FEMA for review and approval. LOMR application submittals also must be coordinated with the Los Angeles County Department of Public Works. All new development would be required to meet federal floodplain regulations, including that the lowest floor of the structure be raised above the 100-year base flood elevation.

There is nothing peculiar about the Project or the Project site with respect to drainage. The Project site is currently developed and there are no unique features that would exacerbate drainage hazards. As previously discussed, the Project would implement erosion control BMPs during grading and construction, as well as site design, source control, and structural BMPs during operations, to ensure water standards quality standards and requirements are met. In addition, the Project would construct drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site, resulting in a less than significant impact.

The Preliminary Drainage Report identifies that drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site. The development site would be graded to be two-tiers with the site generally sloping at 1% to 2% to the west and south. The runoff would ultimately be conveyed to the low point at the existing culvert at Vincent View Road. There is nothing unusual about the BESS facility with respect to drainage. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation, and a BESS facility does not present any unique issues with respect to drainage. The Project would not result in any off-site impacts related to impacts to drainage, nor would it combine with other projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to drainage patterns beyond what was disclosed in the GPU and AVAP EIRs. Therefore, the Project would not expose people or structures to a significant risk, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes, resulting in a less than significant impact.

There is nothing unusual about the BESS facility with respect to drainage. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to drainage, nor would it combine with other projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to drainage patterns beyond what was disclosed in the GPU and AVAP EIRs.

There is nothing peculiar about the Project or the Project site with respect to flooding. There is nothing unusual about the BESS facility with respect to flooding. The Project is not within a 100-year flood hazard area as mapped on flood hazard delineation maps; therefore, no structures would impede or redirect flows. The Project would construct drainage channels along the perimeter of the Project site to capture and convey off-site flows around the Project site, resulting in a less than significant impact. There is nothing peculiar about the Project with respect to flooding. Other electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to flooding, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to flooding beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined this impact to be less than significant. The Project would result in a less than significant impact because it would not place structures within a 100-year flood hazard area, would not increase run-off, would not result in substantial erosion or siltation off-site, and would not impede or redirect flows. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

HYD-10 In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site with respect to inundation by seiche, tsunami, or flood hazard. The Project site is not within an area that would be affected by a seiche, tsunami, or flood hazard, resulting in no impact. Similar electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation. The Project would not result in any off-site impacts related to impacts to inundation by seiche, tsunami, or flood hazard, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to inundation by seiche, tsunami, or flood hazard beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from inundation by seiche, tsunami, or flood hazard areas as less than significant. However, the Project would result in no impact. The Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Hydrology and Water Quality, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with all applicable laws and regulations pertaining to hydrology and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Mineral and Water Resources as detailed in Goal C/NR 5 through Goal C/NR 7 and the AVAP Goals and Policies for Water Resources as detailed in Goal COS 1 through Goal COS 3.

11. Land Use and Planning

<p style="text-align: center;">LAND USE AND PLANNING Would the Project:</p>	<p style="text-align: center;">No Impact Peculiar to the Project or Project Site</p>	<p style="text-align: center;">Impact Not Identified by GPU and AVAP EIRs</p>	<p style="text-align: center;">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p style="text-align: center;">Substantial New Information</p>
<p>a) Physically divide an established community?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) 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?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

LU-1 Physically divide an established community.

The GPU and AVAP EIRs concluded this impact to be less than significant. Although policy maps included in the Land Use and Mobility Elements of the Proposed GPU identify locations for Transit Oriented Districts, highways, and transit projects, these changes and improvements are not anticipated to divide established neighborhoods. New land uses allowed under the AVAP would generally follow existing land use patterns and are not anticipated to divide existing communities. Although the AVAP discusses expansion of the existing street, highway, and transit networks in the County, the AVAP did not involve approval of any specific transportation projects.

There is nothing peculiar about the Project or the Project site with respect to physically dividing an established community. The Project is located near the Antelope Valley Freeway 14 and Mountain Springs Road. The Project site boundary runs along Carson Mesa Road to the west and Angeles Forest Highway to the east within an unincorporated area of Antelope Valley of Los Angeles County. The Project consists of a series of small-scale equipment (e.g., battery cabinets approximate in size to commercial freezers) on approximately 12 acres within an industrial zone and adjacent to other existing public utilities, industrial uses, and railroad infrastructure. The Project site is currently developed with paved, gravel areas, and a paintball facility and truck parking and staging. The Project site is not used as a connection between two established communities. Instead, connectivity in the surrounding Project area is facilitated via local roadways and railway. The Project would not physically divide an established community and there would be no impact. The Project would not result in any off-site impacts related to impacts to physically dividing an established community, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to the physical division of established communities beyond what was disclosed in the GPU and AVAP EIRs.

Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

LU-2 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.

The GPU and AVAP EIRs concluded that the GPU and AVAP would not conflict with goals contained within SCAG's 2012–2035 RTP/SCS and other land use plans. Therefore, impacts related to compatibility between the GPU and applicable plans adopted for the purpose of avoiding or mitigating environmental effects would be less than significant.

There is nothing peculiar about the Project or the Project site with respect to compatibility with land use plans. The Project is consistent with the Countywide General Plan and Antelope Valley Area Plan, as described in Table 1 and Table 2. The Project is authorized within the applicable M-1 zone. The Project proposes a BESS facility and interconnection that would provide important electrical reliability services to the local area. In accordance with Zoning Interpretation Ordinance No. 2021-03, the Project (BESS facility) is similar to an Electrical Distribution Substation for purposes of characterizing BESS as a land use under the Zoning Code. An Electrical Distribution Substation is a permitted use in the M-1 zone which requires Site Plan Review and is considered a ministerial permit (Section 22.22.030 of County Code). The County Department of Regional Planning has approved a Site Plan Review for the Project. The Project meets the County's development standards, as well as the Acton Community District development standards, for industrial uses in the M-1 zoning, including setbacks, height, landscaping, and other standards. Therefore, the Project is consistent with the land use characteristics and development standards established by the County's GPU and zoning, as analyzed by the GPU and AVAP EIRs. The Project would not result in any off-site impacts related to impacts to compatibility with land use plans, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to land use plan compatibility beyond what was disclosed in the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Land Use and Planning, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because Project-specific impacts to land use would be less than significant. Because the Project is a "by right" permitted use and consistent with the County's M-1 use regulations, as well as the County's and Acton Community District development standards, it is consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

12. Mineral Resources

<p align="center">MINERAL RESOURCES Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

M-1 Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

The GPU and AVAP EIRs determined that impacts to mineral resources would be significant and unavoidable within the Antelope Valley. Buildout of the AVAP would change land use designations in areas that are identified as MRZ-2, mineral resource sectors, or active mines. Active aggregate mines are owned and/or controlled by aggregate producers, and are permitted by the cities or the County. Thus, changes in land use designations for active mines pursuant to the AVAP would not block continued mining at those sites. Buildout of the AVAP would also result in the development of approximately 2,319 acres with land uses considered incompatible with mining, such as commercial, residential, and public uses. This acreage represents about 15 percent of the total MRZ-2 area in the AVAP. Nearly all of the incompatible designations are in the Little Rock Wash area. Availability of those resources would be lost at buildout. Therefore, this impact would be potentially significant.

There is nothing peculiar about the Project or the Project site that would result in the loss of availability of a known mineral resource. The closest mineral resource area is located southeast of the Project site, but the Project site itself is not located within mapped mineral resources within the AVAP Area. Therefore, implementation of the Project would not result in the loss of availability of a known mineral resource, resulting in no impact. The Project would not result in any off-site impacts related to mineral resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to mineral resources beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts to mineral resources to be significant and unavoidable. As the Project would have no significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

M-2 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.

The GPU and AVAP EIRs concluded this impact to be significant and unavoidable within the Antelope Valley due to incompatible land use designations in the Little Rock Wash Area.

As discussed above, the Project site is not located within a mineral extraction area. Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recover (extraction) site delineated on a local general plan, specific plan, or other land use plan would occur as a result of the Project, resulting in no impact. There is nothing peculiar about the Project site or the BESS facility that would impact mineral resource extraction. The Project would not result in any off-site impacts related to impacts to compatibility with land use plans, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to land use plan compatibility beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts to mineral resources to be significant and unavoidable. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Mineral Resources, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because Project-specific impacts to mineral resources would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Mineral and Energy Resources as detailed in C/NR 10 and C/NR 11 and the AVAP Goals and Policies for Energy as detailed in Goal COS 8.

13. Noise

<p align="center">NOISE Would the Project result in:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance.</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>
<p>b) Generation of excessive groundborne vibration or groundborne noise levels.</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>
<p>c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the Project Area to excessive noise levels.</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>

Discussion

N-1 Generation of a substantial temporary or permanent increase in 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.

- **For noise compatibility, noise levels at noise-sensitive exterior areas exceed 65 dBA CNEL.**
- **For noise compatibility, interior noise levels in habitable noise-sensitive areas exceed 45 dBA CNEL.**

The GPU EIR concluded this impact to be significant and unavoidable with respect to increases in traffic noise, temporary construction noise increases, and land use noise compatibility. The AVAP EIR concluded this impact to be significant and unavoidable with respect to increases in traffic noise and less than significant with respect to temporary construction noise increases.

Neither the Project nor the Project site have any peculiar qualities that would result in noise impacts. The Project site is zoned industrial and currently developed with a paintball facility and other industrial uses. Project operations would not generate noise in excess levels of the standards established in the GPU or AVAP EIRs or the Los Angeles County noise ordinance. Operational activities would not substantially change the existing noise conditions at the Project site. The BESS would be operated remotely, with maintenance vehicles periodically accessing the site. Typical maintenance intervals for major Project components would include:

- Fire protection system – twice a year
- HVAC and chiller units – twice a year
- Battery enclosure – twice a year
- Relay protection – once a year
- Project performance testing – once a year
- Project HV substation – once a year

Operational noise levels would fall below the noise compatibility levels of 65 dBA for exterior areas and 45 dBA for interior spaces, as defined in the County noise ordinance.

Construction operations can generate varying degrees of noise levels, depending on the construction procedures and equipment. The County’s noise ordinance and GPU EIR identifies the following construction noise level thresholds for semi residential/commercial receptors:

- Mobile Equipment (Maximum noise levels for nonscheduled, intermittent, short-term operation [less than 10 days] of mobile equipment)
 - Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.: 85 dBA
 - Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays: 70 dBA
- Stationary Equipment (Maximum noise level for repetitively scheduled and relatively long-term operation [periods of 10 days or more] of stationary equipment):
 - Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.: 70 dBA
 - Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays: 60 dBA

Since construction equipment would move throughout the site during each of the construction phases, the mobile equipment threshold of 85 dBA would be used. Construction would occur between 7:00 a.m. and 8:00 p.m., except Sundays and legal holidays.

Short-term impacts related to noise generated during construction include site preparation, grading, building construction for the BESS, and paving. Each construction stage has its own mix of equipment and, consequently, its own noise characteristics. These various construction operations would change the character of the noise generated at the Project site; therefore, the ambient noise level as construction progresses. The loudest construction equipment is earthmoving and grading equipment. Table 5 below lists the equipment to be used during each phase of the Project and the maximum and average construction noise level as measured at 650-feet from the operating equipment. The 650-foot distance represents the closest distance from the Project site, where construction activities will occur, to the nearest receptor. A worst-case condition for construction activity would assume all noise-generating equipment were operating at the same time and at the same distance away from the closest noise-sensitive receiver. Using this assumption, the Federal Highway Administration Roadway Construction Noise Model (RCNM) program calculated the following combined Leq and Lmax noise levels from each phase and stage of construction as shown in Table 5.

Table 5. Calculated Noise Levels for Each Construction Phase

Construction Phase	Distance to Closest Noise Sensitive Receptor (feet)	Construction Equipment	Calculated Leq (dBA)	Calculated Lmax (dBA)
Site Preparation	650	Excavator	54.5	58.4
		Dozer	55.4	59.4
		Front End Loader	52.9	56.8
		Backhoe	51.3	55.3
Site Preparation Total Noise Levels			59.8	63.8
Grading	650	Excavator	54.5	58.4
		Dozer	55.4	59.4
		Grader	58.7	62.7
		Scraper	57.3	61.3
		Front End Loader	52.9	56.8
		Backhoe	51.3	55.3

Construction Phase	Distance to Closest Noise Sensitive Receptor (feet)	Construction Equipment	Calculated Leq (dBA)	Calculated Lmax (dBA)
Grading Total Noise Levels			63.5	67.5
Building Construction	650	Excavator	54.5	55.3
		Front End Loader	52.9	58.3
		Backhoe	51.3	51.7
		Crane	50.3	58.4
		Welder / Torch	47.7	62.7
		Generator	55.3	55.3
		Forklift	59.7	58.3
Building Construction Total Noise Levels			63.1	66.8
Paving	650	Paver	51.9	54.9
		Roller	50.7	57.7
		Paving Equipment	59.7	62.7
Paving Total Noise Levels			60.8	64.4

As shown in Table 5, construction noise levels for each phase would fall below both the County noise ordinance thresholds for both mobile and stationary equipment. The GPU and AVAP EIRs found that construction noise impacts would be significant and unavoidable for operational noise due to increases in traffic and less than significant for construction noise; the Project would fall below the County noise level threshold; therefore, would have a less than significant impact. Because the Project would comply with applicable noise standards, the Project would not result in off-site noise impacts. There are no other past, present or reasonably foreseeable projects located near enough to the Project site to combine with the Project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to noise beyond what was disclosed in the GPU and AVAP EIRs.

Therefore, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

N-2 Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

The GPU EIR concluded that vibration impacts may occur from construction equipment associated with development in accordance with the GPU, and this would be a significant impact. The AVAP EIR found that vibration generated by construction equipment has the potential to be substantial because it has the potential to exceed the FTA Criteria for human annoyance and structural damage. However, groundborne vibration is almost never annoying to people who are outdoors, so it is usually evaluated in terms of indoor receivers. Vibration impacts may occur from construction equipment associated with development in accordance with the AVAP. However, compliance with Section 12.08.560 (Vibration) of the County Code will reduce any potential vibration impacts to a less than significant level.

There is nothing peculiar about the Project or the Project site that would impact vibration. During operations, the Project would not expose sensitive receptors to excessive groundborne vibration and groundborne noise levels because the Project site would be operated remotely and would employ up to four employees for periodic maintenance visits. The Project would develop a BESS, which is not considered a County sensitive receptor to low ambient vibration. In addition, the Project would not involve any major expansions of roadways or any other activities that would expose existing or foreseeable noise sensitive land uses to vibration noise that would exceed the County noise standards, resulting in a less than significant impact.

Regarding groundborne construction noise, as discussed in Impact N-2, above, the noise levels generated from the Project would comply County ordinance for construction noise; therefore, impacts would be less than significant. There is potential for generation of groundborne vibration during construction from equipment such as bulldozers and rollers. Table 6 provides Federal Transit Administration (FTA) estimated vibration levels for specific equipment, as well as vibration thresholds at which human annoyance could occur.

Table 6. Vibration Source Levels for Construction Equipment

Type of Equipment	Peak Particle Velocity at 100 Feet	Threshold at which Human Annoyance Could Occur	Potential for Proposed Project to Exceed Threshold
Large Bulldozer	0.011	0.10	None
Small Bulldozer	0.000	0.10	None
Vibratory Roller	0.026	0.10	None
Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006			

As shown in Table 6, potential vibration levels generated from the site during construction activities would be well below the threshold at which human annoyance could occur since the nearest receptor would be located 650 feet from construction activities.

As previously discussed, the GPU EIR found this impact to be significant and unavoidable and AVAP EIRs determined impacts from excessive groundborne vibration to be less than significant with mitigation. However, the Project would have a less than significant impact for the reasons detailed above. Because the Project would comply with applicable vibration standards, the Project would not result in off-site vibration impacts. There are no other past, present or reasonably foreseeable projects located near enough to the Project site to combine with the Project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to vibration beyond what was disclosed in the GPU and AVAP EIRs.

Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

N-3 For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the Project Area to excessive noise levels.

The GPU and AVAP EIRs concluded this impact to be less than significant because future development in the vicinity of airports would be required to comply with applicable General Plan noise policies and would be reviewed by the Los Angeles County Airport Land Use Commission, as applicable.

There is nothing peculiar about the Project site or the Project that would impact noise levels near airports. The Project is not located within an Airport Land Use Compatibility Plan (ALUCP) or within two miles of a public airport or public use airport, resulting in no impact. The Project is not located within a one-mile vicinity of a private airstrip, resulting in no impact. The Project would not result in off-site impacts related to noise near airports, nor would the Project combine with other projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to vibration beyond what was disclosed in the GPU and AVAP EIRs.

Therefore, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Noise, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with all applicable laws and regulations pertaining to noise and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Land Use as detailed in LU 1 and Noise as detailed in N 1. In addition, the Project is consistent with the AVAP Goals and Policies for Land Use as detailed in COS 13.

14. Population and Housing

<p align="center">POPULATION AND HOUSING Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

P-1 Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that would induce substantial population growth. The Project site is currently developed with industrial uses and the Project proposes no housing. The Project is a BESS facility and interconnect to an existing substation; therefore, it does not involve development of residential units. This physical change would not induce substantial population growth in the area because there would be no extension of new major infrastructure such as public roadways or other infrastructure into previously unserved areas, and no regulatory changes are proposed that would allow increased population growth. Therefore, there would be no impact. The Project would not result in off-site population and housing impacts, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to population and housing beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from population growth to be less than significant. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

P-2 Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that would displace substantial housing. The Project site is developed with industrial uses and includes no existing housing. Therefore, the Project would not displace any housing. Therefore, no impact would occur. The

Project would not result in off-site population and housing impacts, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to population and housing beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from displacement of housing to be less than significant. As the Project would have no impact, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Population and Housing, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because no Project-specific impacts to population and housing would occur. Further, the Project is consistent with the County's General Plan Goals and Policies for Housing as detailed in the Housing Element Goals 1 through 12. C/NR 10 and C/NR 11 and the AVAP Goals and Policies for Economic Development as detailed in Goal ED 1.14 and ED 1.15.

15. Public Services

<p>PUBLIC SERVICES Would the Project:</p>	<p>No Impact Peculiar to the Project or Project Site</p>	<p>Impact Not Identified by GPU and AVAP EIRs</p>	<p>Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p>Substantial New Information</p>
<p>a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:</p>				
<p>i) Fire protection?</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>ii) Police protection?</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>iii) Schools?</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>iv) Parks?</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>v) Other Public Facilities?</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>

Discussion

FP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

The GPU and AVAP EIRs concluded this impact to be less than significant through compliance with the County Fire Code.

There is nothing peculiar about the Project or the Project site that would significantly impact fire protection services. The Project would be operated remotely and would introduce minimal new workers to the area. Maintenance crews of two to four would periodically visit the site for routine inspection and maintenance of the facilities and site. The County’s Fire Department has adequate service availability for the Project.

Further, the Project site is enclosed by three highways and a railroad. It is used currently as a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/equipment yard. The BESS facility will minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system’s response to thermal runaway event. To meet these performance criteria, the system’s various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels) and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff, local fire department, etc.). The Project would be monitored remotely 24/7 and would immediately be in a position to address any maintenance and/or emergency issues and will work in direct coordination with local first responders.

The Applicant has consulted with the Los Angeles County Fire Department to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The enclosures are steel and have individual fire detection/suppression systems. Additionally, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and managed per County requirements outside the wall on the balance of the undeveloped site. The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements.

The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.

The Project does not require the construction of new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance service ratios or objectives for any public services. This impact would be less than significant. The Project would not result in off-site fire protection service impacts, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to fire protection services beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impact to fire protection service to be less than significant. As the Project would have less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

PP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for law enforcement services.

The GPU and AVAP EIRs concluded this impact to be less than significant with mitigation.

There is nothing peculiar about the Project or the Project site that would significantly impact police protection services. The Project would be operated remotely and would introduce minimal new workers to the area that would require police protection. Maintenance crews of two to four would periodically visit the site for routine inspection and maintenance of the facilities and site. The Project would include security fencing and would be monitored 24/7, in contract to the current uses. The County's Sheriff's Department has adequate service availability for the Project and the Project does not require the construction of new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance service ratios or objectives for any public services. This impact would be less than significant impact. This impact would be less than significant. The Project would not result in off-site police protection service impacts, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to police protection services beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impact to law enforcement service to be less than significant with mitigation. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

SS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for school services.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that would significantly impact schools. The Project site is not improved with housing and the Project proposes no housing that would introduce a new student population. The Project would not require the construction of new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance service ratios or objectives for any public services. Therefore, the Project would not result in an impact to school services. The Project would not result in off-site impacts to schools, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to schools beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impact to school services to be less than significant. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

PS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks services.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that would significantly impact parks. The Project site is not improved with housing and the Project proposes no housing that would introduce a new resident population that would utilize local park facilities. The Project would be operated remotely and would introduce minimal new workers to the area that would use local parks. Maintenance crews of two to four would periodically visit the site for routine inspection and maintenance of the facilities and site. The Project would not require the construction of new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance service ratios or objectives for parks. Therefore, the Project would not result in an impact to park services. The Project would not result in off-site impacts to parks, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to parks beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impact to school services to be less than significant. As the Project would have no impact, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

LS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for library services.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that would significantly impact libraries. The Project site is not improved with housing and the Project proposes no housing that would introduce a new resident population that would utilize local library facilities. The Project would be operated remotely and would introduce minimal new workers to the area that would use local libraries. Maintenance crews of two to four would periodically visit the site for routine inspection and maintenance of the facilities and site. The Project would not require the construction of new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance service ratios or objectives for libraries. Therefore, the Project would not result in an impact to library services. The Project would not result in off-site impacts to libraries, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to libraries beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impact to school services to be less than significant. As the Project would have no impact, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Public Services, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because Project specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Safety as detailed in Goal S7 and Public Services as detailed in Goal PS/F 7, PS/F 8. In addition, the Project is consistent with the AVAP Goals and Policies for Public Safety, Services and Facilities Resources as detailed in Goal PS 1 through Goals PS 12.

16. Recreation

<p align="center">RECREATION Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>
<p>b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>

Discussion

R-1 Would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that would significantly impact neighborhood parks or other recreational facilities. The Project site is not improved with housing and the Project proposes no housing that would introduce a new resident population that would utilize parks or other recreational facilities. The Project would be operated remotely and would introduce minimal new workers to the area that would use parks or other recreational facilities. Maintenance crews of two to four would periodically visit the site for routine inspection and maintenance of the facilities and site. Therefore, the Project would not result in an impact to parks or other recreational facilities. The Project would not result in off-site impacts to recreational facilities, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to parks and other recreational facilities beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts related to deterioration of parks and recreational facilities to be less than significant. As the Project would have no impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

R-2 Includes recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that require the expansion of recreational facilities. The Project does not include recreational facilities. The Project site is not improved with public recreational facilities or housing and the Project proposes no housing that

would introduce a new resident population that would utilize recreational facilities. The Project would be operated remotely and would introduce minimal new workers to the area that would use recreational facilities. Maintenance crews of two to four would periodically visit the site for routine inspection and maintenance of the facilities and site. Therefore, the Project would not result in an impact to recreational facilities that would require expansion of such facilities. The Project would not result in off-site impacts to recreational facilities, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to recreational facilities beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts related to construction of new recreational facilities to be less than significant. As the Project would have no impact, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Recreation, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because no Project-specific impacts to recreation would occur. Further, the Project is consistent with the County's General Plan Goals and Policies for Land Use as detailed in Goal LU 11 and the AVAP Goals and Policies for Public Safety, Services and Facilities Resources as detailed in Goal PS 8 and PS 9.

17. Transportation

<p align="center">TRANSPORTATION Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Result in inadequate emergency access?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

At the time the GPU and AVAP EIRs were certified, CEQA required analysis of transportation and traffic impacts based on whether the project is likely to cause automobile delay at intersections and congestion on nearby individual highway segments, and whether this delay will exceed a certain amount (known as a Level of Service (LOS) Analysis). Senate Bill 743, which was signed into law in 2013, initiated an update to the CEQA Guidelines to change how lead agencies evaluate transportation impacts under CEQA, with the goal of better measuring the actual transportation-related environmental impacts of any given project. Starting on July 1, 2020, agencies analyzing the transportation impacts of new projects must now look at a metric known as vehicle miles traveled (VMT) instead of LOS. VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

The following studies has been prepared for the Project in relation to Transportation and incorporated into the below discussion:

- A Preliminary Traffic Management Plan was prepared for the Project by Stantec Consulting Services Inc., dated July 27, 2022

Discussion

T-1 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The GPU and AVAP EIRs determined that the GPU and AVAP would not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). The GPU and AVAP EIRs determined significant and unavoidable impacts to traffic based on an exceedance of LOS standards. The EIRs found that the GPU and AVAP support alternative modes of transportation, including walking and bicycling, to reduce total VMT. Additionally, the GPU and AVAP established several policies to ensure the safety and mobility of pedestrians and bicyclists. The County will provide safe and convenient access to safe transit, bikeways, and walkways, consider the safety and convenience of pedestrians and cyclists in the design and

development of transportation systems, provide safe pedestrian connections across barriers, such as major traffic corridors, drainage and flood control facilities, and grade separations, adopt consistent standards for implementation of Americans with Disabilities Act requirements and in the development review process prioritize direct pedestrian access between building entrances, sidewalks and transit stops. The Bicycle Plan also contains many programs and policies that would mitigate potential hazards or barriers for bicyclists

Neither the Project nor the Project site have any peculiar attributes that would significantly impact traffic and transportation or conflict with any program, plan, ordinance, or policy addressing the circulation system. Construction traffic would be temporary, and the Project would comply with the standards and best management practices identified in the Project's Traffic Management Plan thereby minimizing impacts to applicable transportation-related policies, plans or ordinances (Stantec, 2022).

The Office of Planning and Research and the California Natural Resources Agency adopted new CEQA Guidelines that went into effect July 1, 2020, requiring all lead agencies to analyze a Project's transportation impacts using VMT. VMT measures the per capita number of car trips generated by a Project and the distance that cars will travel to and from a Project. The Project would be operated remotely and would introduce minimal new workers. Maintenance crews of two to four would periodically visit the site for routine inspection and maintenance of the facilities and site. Operational vehicle trips generated by the Project would be negligible. Construction would be temporary and when combined with operational vehicle trips and amortized over the life the Project would be well below an average of 110 daily trips.

Therefore, the Project would not trigger a VMT analysis as it would be below the 110 average daily trips threshold in accordance with Los Angeles County Public Works Transportation Impact Guidelines (July 23, 2020). Consistent with development pursuant to the GPU and AVAP, the Project would not conflict with any policies, plans, or programs regarding public transit, roadway, bicycle, or pedestrian facilities or the performance or safety of those facilities. Impacts would be less than significant. The Project would not result in off-site impacts to traffic or transportation, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to traffic and transportation beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined significant and unavoidable impacts to unincorporated County traffic and LOS standards. The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

T-2 Conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

The GPU and AVAP EIRs determined significant and unavoidable impacts to traffic based on an exceedance of LOS standards. The Office of Planning and Research and the California Natural Resources Agency adopted new CEQA Guidelines that went into effect July 1, 2020, requiring all lead agencies to analyze a Project's transportation impacts using VMT. VMT measures the per capita number of car trips generated by a Project and the distance that cars will travel to and from a Project.

There is nothing peculiar about the Project or the Project site that would significantly impact VMT impacts. As stated above, construction traffic would be temporary, and the Project would comply with the standards and best management practices identified in the Project's Traffic Management Plan. Operations and maintenance vehicle trips generated because of the Project would be negligible and would be substantially less than 110 average daily trips per day; therefore, a VMT analysis is not required. The Project would not result in off-site impacts to traffic or transportation, nor would it combine with any related project to result in a cumulatively considerable impact.

There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to traffic and transportation beyond what was disclosed in the GPU and AVAP EIRs.

As stated above, the GPU and AVAP EIRs determined significant and unavoidable impacts to traffic based on an exceedance of LOS standards. The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

T-3 Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

The GPU and AVAP EIRs concluded this impact to be less than significant. New highways and upgrades will be planned, designed and built to County standards. The County periodically monitors levels of service, traffic accident patterns, and physical conditions of the existing street system, and upgrades roadways as needed. Additionally, the County applies consistent standards throughout the Highway Plan for street design to promote travel safety. Where possible, local street patterns would be designed to create logical and understandable travel paths for users and discourage cut-through traffic.

The Project site has no unique features that would require an unsafe geometric design feature to access the site. Further, there is nothing peculiar about the Project that would impact traffic safety. The Project would not substantially alter traffic patterns, roadway design, place incompatible uses (e.g., farm equipment) on existing roadways, or create curves, slopes or walls which would impede adequate sight distance on a road. The facilities currently located on the Project site, including a commercial trucking parking lot, paintball facility, and staging/equipment yard, are accessed via driveway entrances located off the private W. Carson Mesa Road, which is accessed from Vincent View Road, a 22-foot-wide local unstriped road that extends westerly from Angeles Forest Highway. Access to the Project site will be provided via two driveways with gated entrances to be located off W. Carson Mesa Road, similar to that of the existing facilities. Once inside the gated entrances to the Project site, compacted access roads would provide maintenance staff access within the Project site. Because access to the Project site will be similar to existing conditions, it would not result in an increase in hazards such as sharp curve or line of sight. The Project would not substantially increase driving hazards as the roads used to access the site would be similar to current site access and onsite private roads would only be used by maintenance staff and for emergency responders in the event of an emergency, resulting in a less than significant impact. The Project would not result in off-site impacts to traffic safety, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to traffic safety beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on design features to be less than significant. The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

T-4 Result in inadequate emergency access.

The GPU and AVAP EIRs concluded this impact to be less than significant. Buildout of the GPU and AVAP will enhance the capacity of the roadway system by upgrading roadways and intersections when necessary, ensure that the future dedication and acquisitions of roadways are based on projected demand, and implement the construction of paved crossover points through medians for emergency vehicles. Additionally, the GPU and AVAP will facilitate the consideration of the needs for emergency access in transportation planning. The County will maintain a current evacuation plan, ensure that new development is provided with adequate emergency and/or secondary access, including two points of ingress and egress for most subdivisions, require

visible street name signage, and provide directional signage to freeways at key intersections to assist in emergency evacuation operations

There is nothing peculiar about the Project or the Project site that would impact emergency access. The Project would not generate traffic volumes during construction or operation that would impede emergency access. The Project is provided with adequate access, meeting County standards. The Project would result in a less than significant impact. The Project would not result in off-site impacts to emergency access, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to emergency access beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on emergency access as less than significant impact. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Transportation and Traffic, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because Project-specific impacts to transportation would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Mobility as detailed in M-1 through M-7 and the AVAP Goals and Policies for Mobility as detailed in Goal M-1 through M-10.

18. Tribal Cultural Resources

<p align="center">TRIBAL CULTURAL RESOURCES Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) 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 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, and that is:</p> <p>i) Listed or eligible for listing in the California Register or Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k), or</p> <p>ii) 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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

TCR-1 Cause a substantial adverse change in the significance of a tribal cultural resource.

At the time the GPU and AVAP EIRs were certified, CEQA did not require analysis of tribal cultural resources separate from the analysis of cultural resources. The GPU and AVAP EIRs concluded impacts to archaeological resources to be less than significant with mitigation. Implementation of the GPU and AVAP have the potential to impact archeological resources, which would include tribal cultural resources. However, existing federal, state, and local regulations address: the provision of studies to identify archaeological and paleontological resources; application review for projects that would potentially involve land disturbance; project-level standard conditions of approval that address unanticipated archaeological discoveries; and requirements to develop specific mitigation measures if resources are encountered during any development activity.

There is nothing peculiar about the Project or the Project site that would result in an impact to tribal cultural resources. The Project site is zoned industrial and currently developed with a paintball facility and other industrial uses. Pursuant to the cultural resources report prepared for the Project, two previously recorded refuse deposits were identified and resulted in the recordation of one large, but very sparse refuse deposit. Based on previous research and data gathered during the course of the study, it appears that recordation of each refuse appears to exhaust its research potential and the overall lack of integrity does not qualify any three of the resources for inclusion to the CRHR. The Project would implement standard best management

practices and applicant-proposed measures, including pre-construction cultural resources inventory and data recovery, if necessary, and minimization or avoidance of impacts to any potentially significant cultural resources that might be discovered by implementing standard protocols that include ceasing all work within 50 feet of the discovery, protecting the discovery from further impacts, and contacting a Cultural Resources Specialist for recovery. The Project is consistent with the County's General Plan Goals and Policies for Historic, Cultural, and Paleontological Resources as detailed in C/NR 14, as described in Table 1. There is nothing unusual about the BESS facility that would be expected to impact tribal cultural resources. Electrical infrastructure exists within the Project surroundings, including SCE's Vincent substation, and throughout the State. The Project would not result in any off-site impacts related to impacts to these resources, nor would it combine with other past, present or reasonably foreseeable projects to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to tribal cultural resources beyond what was disclosed in the GPU and AVAP EIRs. Therefore, the Project would result in a less than significant impact.

As previously discussed, the GPU and AVAP EIRs determined impacts on archaeological resources to be less than significant with mitigation. As the Project would have a less than significant impact to tribal cultural resources for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

19. Utilities and Service Systems

<p align="center">UTILITIES AND SERVICE SYSTEMS Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) 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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

U-1 Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

The GPU and AVAP EIRs concluded this impact to be less than significant for all utilities with the exception of water supply in the Antelope Valley and Santa Clarita Valley beyond 2035.

There is nothing peculiar about the Project site that would require new or expanded utility services. The Project site is zoned industrial, is currently developed with industrial land uses, and is currently connected to utility services.

Water

Construction of the Project would include use of water as a dust suppressant during grading and earthmoving activities and as an ingredient for proposed concrete foundations. Estimates of construction water use are summarized below in Table 7.

Table 7. Construction - Temporary Water Use Estimates

Construction Activity	Size Metric	Use of Water	Water Use Metric	Total Estimated Water Use
Grading	67.5 acres ¹	Dust Suppressant	10,000 gallons/acre ⁴	2.1 acre-feet
Other Earthwork	90,695 cubic yards ²	Dust Suppressant	30 gallons/cubic yard ⁴	8.3 acre-feet
Concrete Foundations	12,802,233 pounds ³		0.5 water/cement ratio	1.6 acre-feet
			Total:	12.0 acre-foot

Notes:

1. From CalEEMod output. 67.5 acres graded during site preparation and grading construction phases. Grading estimates include multiple passes across the 12.036 acre site disturbance.
2. Cumulative totals for earthwork from Grading Plan.
3. Weight of concrete assumes 10-inch deep concrete across 98,435 square feet under 440 containers and 110 inverted skids. (<https://www.civilconcept.com/concrete-weight-calculator/>)
4. Water use estimates for dust suppressant during grading and earthwork activities (https://www.epa.gov/sites/default/files/2019-04/documents/mr_guidanceforapplicationfordustcontrolpermit.pdf)

As shown in Table 7 above, the Project would use approximately 12.0 acre-feet of water for dust suppressant and concrete during construction. Because no habitable structures would be constructed as part of the Project, operational water required for the Project would only be required to establish and maintain landscaping. Approximately 0.9 acre-feet would be required during the first year of operations to support establishment of landscaping.⁴ Thereafter, water required to maintain landscaping is expected to decrease to 0.27 acre-feet per year during operations. The Project site has an existing water service connection from Los Angeles County Waterworks District 37 and no new facilities would be required. The County Department of Regional Planning confirmed with County Waterworks District 37 that it has sufficient water to service the Project. (Personal communication with Sam Dea, February 22, 2024.) Water to fight a fire is expected to be sourced from the existing hydrant on Carson Mesa Road and/or new hydrants installed by the project during construction. In the event of a battery fire, it is generally best to allow the fire to burn out while ensuring the fire remains contained to the BESS container of origin. Offensive firefighting tactics are not anticipated nor are they recommended for containerized BESS fires. As such, the application of water is anticipated to be used for exposure control (cooling nearby equipment, if necessary) and suppressing any small vegetation fires to help ensure the fire does not spread.

Wastewater/Stormwater Drainage

The Project would not require any wastewater services at the site. Therefore, the Project would not impact any wastewater treatment provider.

⁴ This figure is significantly less than the estimated water use shown on the Project’s Site Plan Review, which conservatively assumed a maximum applied water allowance that did not account for establishment versus maintenance of vegetation and assumed water would be delivered between the plants when it would actually be delivered only to each plant root system.

Electric Power Facilities

The Project includes development of a 400-megawatt (MW) BESS Project. The Project would interconnect to the existing SCE Vincent Substation, located approximately 3,400 feet to the south of Vincent View Road and W. Carson Mesa Road. The construction of the interconnection has been incorporated within the Project description and analyzed as part of this document. Therefore, this extension would not result in additional adverse physical effects beyond those already identified in other sections of this environmental analysis.

Natural Gas

Because the Project site would be unmanned and no residences are proposed as part of this Project, no new or expanded natural gas facilities are required.

Telecommunications Facilities

Because the Project site would be unmanned, and daily operations would be monitored remotely, the Project would not require the construction of new or expanded telecommunications facilities.

The Project would not result in negative off-site impacts to utilities, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to utilities beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts on utilities to be less than significant with mitigation, except for water supply in the Antelope Valley after 2035, which is significant and unavoidable. As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

U-2 Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.

The GPU and AVAP EIRs concluded this impact in the Antelope Valley and Santa Clarita Valley to be significant and unavoidable after 2035.

As previously discussed, the Project would require minimal water usage during construction and operation. The Project would use approximately 12.0 acre-feet of water for dust suppressant and concrete during construction. Because no habitable structures would be constructed as part of the Project, operational water required for the Project would only be needed to establish and maintain landscaping. Approximately 0.9 acre-feet would be required during the first year of operations to support establishment of landscaping.⁵ Thereafter, water required to maintain landscaping is expected to decrease to 0.27 acre-feet per year during operations. The Project site has an existing water service connection from Los Angeles County Waterworks District 37 and no new facilities would be required. The County Department of Regional Planning confirmed with County Waterworks District 37 that it has sufficient water to service the Project. (Personal communication with Sam Dea, February 22, 2024.) The Project would result in a less than significant impact. The Project would not result in a significant off-site impact to water supply and it would not combine with any other past, present or reasonably foreseeable projects to result in a significant cumulative impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to water supply beyond what was disclosed in the GPU and AVAP EIRs.

⁵ This figure is significantly less than the estimated water use shown on the Project's Site Plan Review, which conservatively assumed a maximum applied water allowance that did not account for establishment versus maintenance of vegetation and assumed water would be delivered between the plants when it would actually be delivered only to each plant root system.

As previously discussed, the GPU and AVAPEIRs determined impacts to adequate water supplies be significant and unavoidable within the Antelope Valley beyond 2035. However, the Project would have a less than significant impact with no required mitigation for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

U-3 Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

The GPU and AVAP EIRs concluded this impact to be less than significant.

As previously discussed, the Project would not require any wastewater services at the site. Therefore, the Project would not impact any wastewater treatment provider. There is nothing peculiar about the Project or Project site that would impact wastewater treatment. The Project would not result in off-site impacts to wastewater treatment, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to wastewater treatment beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts to adequate wastewater facilities be less than significant. However, the Project would have no impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

U-4 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.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or Project site that would impact solid waste. The Project site is currently developed with industrial land uses. The Project would be operated remotely and is expected to generate minimal solid waste. In addition, as a Project design feature, the Project would recycle, reduce, and reuse construction materials. In addition, all solid waste facilities, including landfills require solid waste facility permits to operate, resulting in a less than significant impact. The Project would not result in negative off-site impacts to solid waste, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to solid waste beyond what was disclosed in the GPU and AVAP EIRs.

As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

U-5 Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or Project site that would impact solid waste. The Project site is currently developed with industrial land uses. The Project would be operated remotely and is expected to generate minimal solid waste. The Project would deposit all solid waste at a permitted solid waste facility, resulting in a less than significant impact. The Project would not result in negative off-site impacts to solid waste, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to solid waste beyond what was disclosed in the GPU and AVAP EIRs.

As the Project would have a less than significant impact for the reasons detailed above, the Project would be consistent with the analysis provided within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Utilities and Service Systems, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because Project-specific impacts to utilities would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Public Services and Facilities as detailed in PS/F-3 through PS/F-6, and the AVAP Goals and Policies for Water Resources as detailed in Goal COS-1 through COS-3.

20. Wildfire

<p align="center">WILDFIRE Would the Project:</p>	<p align="center">No Impact Peculiar to the Project or Project Site</p>	<p align="center">Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Potentially Significant Off-Site Impact and/or Cumulative Impact Not Identified by GPU and AVAP EIRs</p>	<p align="center">Substantial New Information</p>
<p>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones;</p>				
<p>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>
<p>b) 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?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>
<p>c) 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?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>
<p>d) 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?</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>

Wildfire was analyzed within the GPU and AVAP EIRs within Section 5.8, Hazards and Hazardous Materials and Section 5.14, Public Services. In 2019, the issue of wildfire was separated into its own section within Appendix G of the CEQA. While the GPU and AVAP EIRs addressed wildfire within the analysis, it was not included within its own independent chapter. Within the GPU and AVAP EIRs, wildfire impacts were determined to be less than significant.

Discussion

WILD-1 Substantially impair an adopted emergency response plan or emergency evacuation plan?

The GPU and AVAP EIRs concluded this impact to be less than significant. The GPU and AVAP EIRs discussed that Los Angeles County faces major wildland fire threats due to its hilly terrain, dry weather conditions, and the nature of its plant coverage and identified the at-risk areas as Fire Hazard Severity Zones. The Los Angeles County Fire Department has instituted a variety of regulatory programs and standards for vegetation management, pre-fire management and planning, fuel modification, and brush clearance. In addition, the County Fire Department and Department of Public Works enforce fire and building codes related to development within Very High Fire Hazard Severity Zones, which require preparation of fuel modification plans. In addition, the State Board of Forestry and the California Department of Forestry and Fire Protection had drafted a comprehensive document for wildland fire protection in California. Further, the County's Strategic Fire Plan, which is updated annually, identifies and prioritizes pre- and post-fire management strategies and tactics to reduce loss of life, property, and natural resources. Although fires are a natural part of the wildland ecosystem, the GPU and AVAP EIRs found that development in wildland areas increases the danger of wildfires to residents, property, and the environment. Although multiple regulations are in place to ensure that adequate infrastructure, such as peak load water supplies and necessary disaster routes are

incorporated into new developments, older communities with aging and substandard infrastructure may face greater risks from wildland fires. In addition, current regulations cannot ensure that all developments that locate in Very High Fire Hazard Severity Zones are protected from wildland fire threats. The GPU included policies related to wildfires:

- **Policy S 3.1:** Discourage high density and intensity development in VHFHSZs.
- **Policy S 3.4:** Reduce the risk of wildland fire hazards through the use of regulations and performance standards, such as fire-resistant building materials and vegetation.
- **Policy S 3.5:** Encourage the use of fire-resistant vegetation that is compatible with the area's natural vegetative habitats in fuel modification activities.
- **Policy S 3.6:** Ensure adequate infrastructure, including ingress, egress, and peak load water supply availability for all projects located in FHSZs.
- **Policy S 3.7:** Consider siting and design for developments located within FHSZs, particularly in areas located near ridgelines and on hilltops, to reduce the wildfire risk.

The AVAP included goals and policies related to wildfire:

- **Goal PS 1:** Protection of the public through fire hazard planning and mitigation.
- **Policy PS 1.1:** Limit the amount of potential master-planned development in Very High Fire Hazard Severity Zones through appropriate land use designations with very low residential densities as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan.
- **Policy PS 1.2:** Require that all new developments provide sufficient access for emergency vehicles and sufficient evacuation routes for residents and animals.
- **Policy PS 1.3:** Promote fire prevention measures, such as brush clearance and the creation of defensible space, to reduce fire protection costs.
- **Policy PS 1.4:** Provide strict enforcement of the Fire Code and all Fire Department policies and regulations.

The GPU and AVAP EIRs found that these policies and conditions of approval for future development projects, in addition to compliance with applicable regulations, will minimize impacts related to wildland fires. The AVAP EIR also described a new radio system program to connect first responders in the Antelope Valley more efficiently. Consequently, the overall associated impacts were determined to be less than significant.

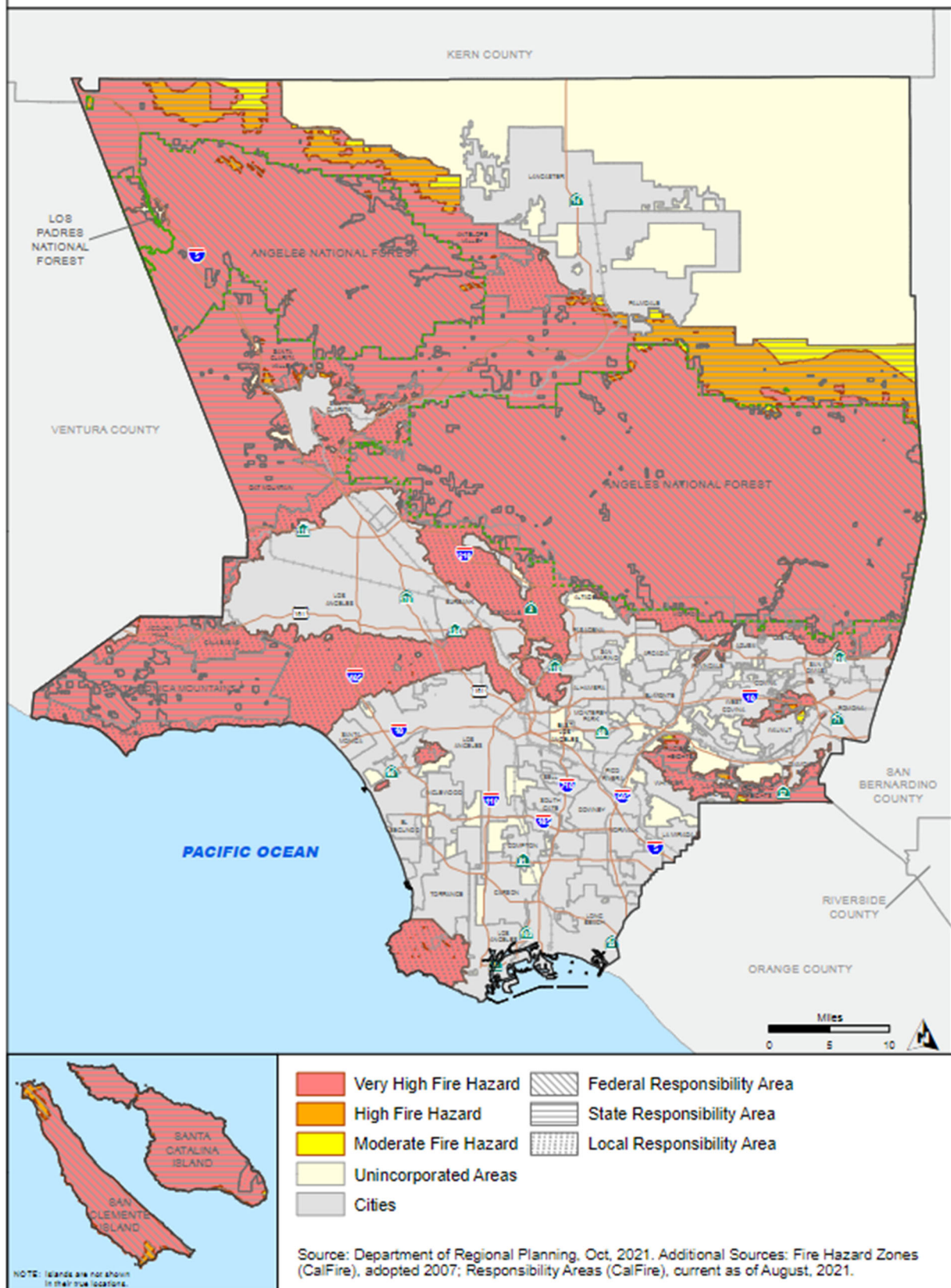
The General Plan Safety Element was updated in 2022 and included new policies related to Wildfire.

The Project is consistent with goals and policies of the General Plan, including the updated Safety Element, and AVAP related to wildfire and fire safety, as described in Table 1 and Table 2. There is nothing peculiar about the Project site that would substantially impair and adopted emergency response plan or emergency evacuation plan. Most of the Project area has been previously developed and is presently occupied by commercial developments, including an adjacent Metrolink station and its large parking lot, Paintball USA facility, a utility electrical subcontractor and commercial trucking staging/parking area as well as a residential single-family residence.

The Project site is within a Very High Fire Hazard Severity Zone in the California Department of Forestry and Fire Protection's (CALFIRE) Fire Hazard Severity Zone (CALFIRE 2022). As described in Figure 12.5 of the Countywide General Plan Safety Element, below, much of the County is also located within a Very High Fire Hazard Severity Zone. It is not unusual for development to be located within a Very High Fire Hazard Severity Zone.

Fire Hazard Severity Zones Policy Map

Figure 12.5



Los Angeles County Fire Department is the responding fire department for the Project site. The Los Angeles County Fire Department contains hazardous materials firefighters. Their Haz-Mat program addresses chemical, biological, radiological, nuclear, and explosive threats. There is a location for the department in Lancaster, located approximately 12 miles away from the Project site. Los Angeles County Fire Department Station 80 is located approximately 4 miles away from the Project site.

There is nothing peculiar about the Project that would substantially impair an adopted emergency response plan or emergency evacuation plan. The Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 *et seq.* has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located. The BESS equipment and design will undergo further design review with the County for conformance with the California Fire Code as part of securing building permits. The Project will comply with the requirements of California Public Utilities Code Section 761.3, which requires BESS 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 battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system's response to thermal runaway event. To meet these performance criteria, the system's various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels) and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff, local fire department, etc.). The site will have full-time staff to address any maintenance and/or emergency issues and will work in direct coordination with local first responders.

The Applicant and Department of Regional Planning has consulted with the Los Angeles County Fire Department to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The Fire Department reviewed the Project site plan and included 22 approval notes, listed below, to reiterate code requirements applicable to the approval that must be met before a construction permit can issue, in addition to other fire related requirements of the Site Plan Review approval.

1. Portable fire extinguishers shall be installed and maintained all occupancy groups and at such location as required by Fire Code 906 and California Code of Regulations, Title 19, Division 1, Chapter 3. The final number and location of all extinguishers shall be determined by the local fire inspector.
2. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of any battery system, combustible walls, openings or combustible roof eaves, unless areas contain dumpsters or containers or containers are protected by an approved automatic fire sprinkler system. Fire Code 304.3.3.
3. Stationary storage battery systems located outdoors shall be separated from any means of egress as required by the Fire Code Official to ensure safe egress under fire conditions, but not less than 10 feet. Fire Code 1206.2.8.7.2.⁶

⁶ The Fire Code has since been revised and design requirements for stationary electrical energy storage systems are now codified at Chapter 12, Section 1207.

4. Where a stationary source battery system includes an outer enclosure, the unit shall only be entered for inspection, maintenance and repair of batteries and electronics, and shall not be for other occupied purposes. Fire Code 1206.2.8.7.4.
5. Where stationary storage battery systems are subject to impact by a motor vehicle, including forklifts, vehicle impact protection shall be provided in accordance with Section 213. Fire Code 1206.2.6.
6. Storage batteries and associated equipment and systems shall be tested and maintained in accordance with the manufacturer's instructions. Introducing other types of storage batteries into the stationary storage battery system shall be treated as a new installation and require approval by the Code Official before the replacements are introduced into service. Fire Code 1206.2.7.
7. Permits shall be obtained for the installation of stationary storage battery systems with a capacity of more than 3 KWh in accordance with Section 105.7.
8. Large-scale fire testing shall be conducted on a representative stationary storage battery system in accordance with UL 9540A. The testing shall be conducted or witnessed and reported by an approved testing laboratory. The test report shall be provided to the Fire Code Official for review and approval in accordance with Section 104.7.2. Fire Code 1206.2.1.
9. Permits shall be obtained for the operation of stationary storage battery systems in accordance with Section 105.6. Fire Code 1206.2.1.
10. Battery chargers shall be listed and labeled in accordance with UL 1564 or provided as part of a listed pre-engineered or prepackaged stationary storage battery system. Fire Code 1206.2.10.4.
11. Vented batteries shall be provided with flame-arresting safety caps. Fire Code 1206.2.10.6.
12. Installations in outdoor enclosures or containers that can be occupied for servicing, testing, maintenance and other functions shall be treated as batter storage rooms. Fire Code 1206.2.8.7.
13. Where required by Table 1206.2.10, storage batteries shall be provided with a listed device or other approved method to prevent, detect, and control thermal runaway. Fire Code 1206.2.10.7.
14. An approved means must be provided to safely release stored energy from the batteries in an emergency situation. Fire Code 1206.2.11.7.
15. Plans showing underground piping for private on-site fire hydrants shall be submitted to the sprinkler plan check unit for review and approval prior to installation. Fire Code 901.2, County of Los Angeles Fire Department Regulation 7.
16. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
17. An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector.
18. Outdoor areas in which stationary storage battery systems are located shall be secured against unauthorized entry and safeguarded in an approved matter. Fire Code 1206.2.8.7.3.
19. Traffic bollards, underground piping, extinguishers, and hydrants will be integrated into final design in coordination with and as approved by the County Fire Department.

20. Storage batteries and battery storage systems shall be listed in accordance with UL 1973. Prepackaged and pre-engineered stationary storage battery systems shall be listed in accordance with UL 9450. Fire Code 1206.2.10.1.
21. Fire hydrant location(s) and fire flow compliance will be determined to the satisfaction of LA County Fire prior to construction permit issuance.
22. Provide proof of service from Waterworks District No. 37 prior to construction permit issuance.

Additional fire related requirements on the Site Plan Review approval include the following:

- Site is to be constructed per current California Fire Code (2022), National Fire Protection Agency 855 (NFPA-2020), and LA County Fire Code (2023).
- All containers are to be constructed in accordance with UL 9540A.
- All roads to be all-weather access and conform to LA County Fire Code (2023) 503 and 501.4. Interior radius to be 19', center radius 45', and exterior radius 45'. Width to be 26'.
- Proposed landscaping vegetation to be compliance with LA County Fire Department fuel modification requirements.
- Final landscape plan subject to fuel modification review and other applicable Fire Code requirements prior to building permit approval.
- Local native seed mix consisting of native non-woody perennials and low shrubs that conform to the Los Angeles County Fire Modification Plant List for Zones A & B.

The battery enclosures are steel and have individual fire detection/suppression systems. Current industry best practice is to fight a BESS fire defensively (i.e., using water as a cooling agent to target units or other structures to prevent the fire from spreading) and when appropriate, allowing the BESS fire to burn itself out inside the steel enclosure. These tactics will be planned and coordinated with the County Fire Department and incorporated into a site-specific Emergency Response Plan. Additionally, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and managed per County requirements outside the wall on the balance of the undeveloped site. The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements.

The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.

Water to fight a fire is expected to be sourced from the existing hydrant on Carson Mesa Road and/or new hydrants installed by the project during construction. In the event of a battery fire, it is generally best to allow the fire to burn out while ensuring the fire remains contained to the BESS container of origin. Offensive firefighting tactics are not anticipated nor are they recommended for containerized BESS fires. As such, the application of water is anticipated to be used for exposure control (cooling nearby equipment, if necessary) and suppressing any small vegetation fires to help ensure the fire does not spread.

Therefore, the Project would not substantially impair an adopted emergency response plan or emergency evacuation plan, resulting in a less than significant impact. The Project would result in a less than significant impact. The Project would not result in a significant off-site impact related to emergency response and evacuation plans, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time

the GPU and AVAP EIRs were certified that would increase impacts to emergency response and evacuation plans beyond what was disclosed in the GPU and AVAP EIRs.

The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

WILD-2 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?

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that would exacerbate wildfire risks. The Project site is within a Very High Fire Hazard Zone. As described above, much of the County is within a Very High Fire Hazard Severity Zone and development within the zone is not unusual. The Project would not develop any steep slopes; the Project site is gently sloping and it does not contain any significant geological features that would influence wildland fire behavior. The Project site is currently developed with industrial land uses and is surrounded by commercial development. As described above, the Project will be developed in compliance with all applicable Fire Code requirements, which have been specifically formulated for BESS projects throughout California and the County. The Project would not exacerbate wildfire risks and expose Project occupants to pollutant concentration from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors, resulting in a less than significant impact. The Project would not result in a significant off-site impact related to wildfire risk, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to emergency response and evacuation plans beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from Wildfire to be less than significant. The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

WILD-3 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?

The GPU and AVAP EIRs concluded this impact to be less than significant

There is nothing peculiar about the Project or the Project site that would exacerbate fire risk. The Project would be unmanned and would require minimal maintenance. A portion of the Project site is generally undeveloped with paved parking areas and storage containers. Most of the Project area has been previously developed and is presently occupied by commercial developments, including an adjacent Metrolink station and its large parking lot, Paintball USA facility, a utility electrical subcontractor and commercial trucking staging/parking area as well as a residential single-family residence. The Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 *et seq.* has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located. The BESS equipment and design will undergo further design review with the County for conformance with the California Fire Code as part of securing building permits.

Further, the Project site is enclosed by three highways and a railroad. It is used currently as a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/equipment

yard. The BESS facility will minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24/7, in contrast to the current site uses. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system's response to thermal runaway event. To meet these performance criteria, the system's various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels) and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff, local fire department, etc.). The site will have full-time staff to address any maintenance and/or emergency issues and will work in direct coordination with local first responders.

The Applicant has consulted with the Los Angeles County Fire Department to ensure the site meets or exceeds code requirements and will work with first responders to make sure site-specific training is conducted. The enclosures are steel and have individual fire detection/suppression systems. Additionally, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and managed per County requirements outside the wall on the balance of the undeveloped site. The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements.

The Project will be designed to comply with Chapter 12 of the California Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS. The Project will also comply with the requirements of SB 38, requiring the preparation and submission of a battery-specific emergency response plan to Los Angeles County prior to operations.

The Project would not result in a significant off-site impact related to wildfire risk, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to emergency response and evacuation plans beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from Wildfire to be less than significant. The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

WILD-4 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?

The GPU and AVAP EIRs concluded this impact to be less than significant.

There is nothing peculiar about the Project or the Project site that would expose people or structures to significant risks associated with post-fire instability, runoff, or slope instability. As previously discussed, drainage channels are proposed along the perimeter of the Project site to capture and convey off-site flows around the Project site. The development site would be graded to be two-tiers with the site generally sloping at 1% to 2% to the west and south. The runoff would ultimately be conveyed to the low point at the existing culvert at Vincent View Road. Therefore, the Project would not expose people or structures to a significant risk, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes, resulting in a less than significant impact. The Project would not result in a significant off-site impact related to wildfire risk, nor would it combine with any related project to result in a cumulatively considerable impact. There is no new information not known at the time the GPU and AVAP EIRs were certified that would increase impacts to emergency response and evacuation plans beyond what was disclosed in the GPU and AVAP EIRs.

As previously discussed, the GPU and AVAP EIRs determined impacts from Wildfire to be less than significant. The Project would have a less than significant impact for the reasons detailed above. Therefore, the Project would be consistent with the analysis within the GPU and AVAP EIRs because it would not increase impacts identified within the GPU and AVAP EIRs.

Conclusion

With regards to the issue area of Wildfire, the following findings can be made:

1. No peculiar impacts from the Project or its site have been identified.
2. There are no impacts from the Project that were not analyzed in the GPU and AVAP EIRs.
3. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the GPU and AVAP EIRs.
4. No substantial new information has been identified which results in an impact which is more severe than anticipated by the GPU and AVAP EIRs.
5. No mitigation measures contained within the GPU and AVAP EIRs would be required because the Project will comply with all applicable laws and regulations pertaining to wildfire and Project-specific impacts would be less than significant. Further, the Project is consistent with the County's General Plan Goals and Policies for Fire Hazards as detailed in Goal S 4, and Emergency Response as detailed in Goal S 7. The Project is also consistent with the AVAP Goals and Policies for Fire Hazards as detailed in Goal PS 1, and Disaster Preparedness and Emergency Response as detailed in Goal PS 7.

Appendices

Appendix A – References

Appendix A

The following is the list of Project specific technical studies used to support the Project's environmental analysis.

Stantec Consulting Services Inc.

Biological Resources Technical Report. April 2, 2022.

Cultural Resource Assessment of 18.5 Acres of Land for the for the Proposed Hecate Humidor Battery Energy Storage System (BESS) Facility, Near Palmdale, Los Angeles County, California, prepared by Hubert Switaslki and Mitch Marken. March 2021.

Conceptual Landscape Plan. July 2023.

Geotechnical Investigation Report. March 15, 2021.

Phase I Environmental Site Assessment. April 9, 2022.

Preliminary Drainage Report. April 21, 2022.

Preliminary Traffic Management Plan. July 27, 2022.

Qualitative Fire Protection Assessment. May 17, 2023.

Visual Simulations. May 2023.

Traffic Management Plan. July 2022.

References

For a complete list of technical studies, references, and significance guidelines used to support the analysis of the General Plan Update Final Certified Program EIR, please visit the County's website at:

<https://planning.lacounty.gov/long-range-planning/general-plan/>

For a complete list of technical studies, references, and significance guidelines used to support the analysis of the Antelope Valley Area Plan Final EIR, please visit the County's website at:

<https://planning.lacounty.gov/long-range-planning/antelope-valley-area-plan/>

Los Angeles County Public Works Transportation Impact Guidelines (July 23, 2020). Accessed February 9, 2024: Transportation-Impact-Analysis-Guidelines-July-2020-v1.1.pdf (lacounty.gov)

To:	Greg Even, County of Los Angeles Department of Public Works	From:	Lindsay Anshen (McDonough), Principal Environmental Planner Stantec Consulting Services Inc. 200 E Carrillo St Suite 101, Santa Barbara, CA 93101
File:	185805032	Date:	August 14, 2024

Reference: Hecate Grid Humidor Storage 1 LLC Battery Energy Storage System Project, California Environmental Quality Act (CEQA) Compliance

PURPOSE AND BACKGROUND

Stantec Consulting Services Inc. (Stantec) submits this California Environmental Quality Act (CEQA) evaluation on behalf of Hecate Grid Humidor Storage 1 LLC (Hecate). Hecate proposes to construct an up to 400-megawatt (MW) battery energy storage facility (BESS) and approximately one-mile interconnection line on approximately 12 acres within an industrial zone and adjacent to other existing public utilities light industrial uses, and railroad infrastructure. The interconnection line would be constructed primarily underground along Angeles Forest Highway to the existing Southern California Edison (SCE) 230-kV Vincent Substation, located approximately 3,400 feet to the south of Vincent View Road and W. Carson Mesa Road (the "Project"). The Project is designed to help integrate renewable energy to the electric grid and support grid reliability and resilience. The Project site is currently developed with paved, gravel areas, and a paintball facility and truck parking and staging. The Project would redevelop this site to include small-scale equipment (e.g., battery cabinets approximate in size to commercial freezers). Other equipment would include bi-directional inverters, battery chiller units, switchgear or medium-voltage outdoor circuit breakers, transformers, gas detection, fire detection/suppression, computer, and telecommunications, perimeter walls and fencing, security lighting, and signage.

Department of Regional Planning Site Plan Approval

The Department of Regional Planning on August 1, 2023 approved a Site Plan Review authorizing development of the Project in the M-1 zone. The Site Plan Review approval is final and not subject to appeal. A local opposition group appealed to the Board of Supervisors, the Department of Regional Planning's determination that the Site Plan Review is a ministerial approval exempt from review under CEQA. On December 19, 2023, the Board of Supervisors unanimously rejected the appeal and upheld the Department of Regional Planning's determination that the Site Plan Approval for the Project is statutorily exempt from CEQA because the approval is ministerial. This is based on a zoning interpretation under Los Angeles County Code section 22.04.060, where the Director determined that a BESS facility is similar to an electric distribution substation expressly allowed as a by-right use in the M-1 zone. In addition, an electric transformer substation is also allowed by right in the M-1 zone.

County of Los Angeles Franchise Agreement Approval

The Project would place in the County right-of-way an approximately one-mile-long interconnection tie line to connect the Project BESS to Southern California Edison's (SCE) existing Vincent substation. This interconnection—primarily buried electrical lines—would be installed by trenching in an existing roadway and

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would be located adjacent to other utility uses such as water, sewer, and communication lines. To install privately-owned facilities such as electrical lines in the public right-of-way, an applicant must enter into Franchise Agreement with the County and pay use fees pursuant to Los Angeles County Code Section 16 (“Highways”). Hecate has applied for a Franchise Agreement for the Project. While the issuance of a Franchise Agreement is discretionary, and thus subject to CEQA, it is essentially a real estate right to locate, operate, and maintain private facilities in public rights-of-way rather than a zoning approval.

CEQA EVALUATION FOR THE PROJECT FRANCHISE AGREEMENT

1. Categorical Exemptions Applicable to Interconnection Line

The Board of Supervisor’s decision whether to grant a right a right to place privately owned utilities in a public right of way under Section 16 of the Los Angeles County Code is discretionary. As explained below, the placement of the interconnection line in a trench in the public right-of-way has been determined not to have a significant effect on the environment because the activity meets the criteria set forth in Sections 15301, 15303, 15304, 15305, and 15311 of the CEQA Guidelines and Classes, 1, 3, 4, 5, and 11 of the County’s Environmental Document Reporting Procedures and County Guidelines, Appendix G, as described below.

- **Class 1 Categorical Exemption (Existing Facilities).** State CEQA Guidelines Section 15301 and County CEQA Guidelines Appendix G provide a categorical exemption for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former uses. CEQA Guidelines Section 15301 provides examples of projects that qualify for the Class 1 exemption, including: (a) interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances; (b) existing facilities of both investor and publicly-owned utilities to provide electric power, natural gas, sewerage, or other public utilities; (c) existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities; and (d) additions to existing structures that will not include more than 50 percent of the floor area or 2,500 square feet, whichever is less, or 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area is not environmentally sensitive. These examples are not minimum requirements, just illustrative examples. Similarly, the County CEQA Guidelines Appendix G also provides examples of projects that qualify for the Class 1 exemption, including but not limited to:
 - Individual water service meter installation;
 - Installation of fire hydrants on existing water mains;
 - Interior and exterior alterations of buildings involving such things as interior partitions, exterior parapets, placement of wall veneer facings, installation of false drop ceiling, plumbing and electrical conveyances, and heating and refrigeration systems;
 - Existing facilities or both investor and publicly-owned utilities used to provide electric power, natural gas, water, sewage, flood control, or other public services;
 - Existing bicycle, pedestrian, and equestrian trails within already established rights-of-way except where the activity will involve removal of a scenic resource including, but not limited to, a stand of trees, a rock outcropping, or a historic building;

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- Additions to existing structures that will not include more than 50 percent of the floor area or 2,500 square feet, whichever is less, or 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area is not environmentally sensitive;
- The following projects involving existing highway and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities except where the activity will involve removal of a scenic resources, including but not limited to a stand of trees, a rock outcropping, or a historic building:
 - Sealing roadway pavement;
 - Resurfacing roadway pavement;
 - Gutter construction adjacent to existing curbs;
 - Modification of existing traffic signal;
 - Installation of new traffic signal system;
 - Parkway tree planting;
 - Median beautification;
 - Repairs and maintenance of bridge structures;
 - Slope planting;
 - Installation of sprinkler systems;
 - Reconstruction of existing roadway pavement, curbs, gutters, sidewalk, drive aprons, and drainage structures in place, including removal of trees causing the damage requiring reconstruction and up to five other trees within any 500 foot long road segment provides they are not considered to be rare plants;
 - Pavement widening to join curb and gutter provided by the adjacent property owner; sidewalk construction within existing road right-of-way where no rare plant nor more than five mature trees will be removed within any 500 foot long road segment;
 - Installation of guard rails;
 - New street drainage facilities that do not discharge onto private property;
 - New highway channelization including raised islands;
 - Undergrounding of existing above-ground utility facilities;
 - Maintenance of existing roadway facilities;

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- Construction of bicycle paths or lanes within existing road right-of-way with pavement widening of six feet or less, contiguous with existing pavement provided that no rare plant nor more than five mature trees will be removed within any 500 foot long road segment;
- Issuance of permits for excavating or filling on public highway by adjacent property owner;
- Issuance of permits for various encroachments on public property, such as fencing, at top or bottom of slope, walls, posts, steps, porches, garage, extensions and building overhang extensions; and
- Issuance of permits for underground tunnels connecting private property used for equestrians, pedestrians, and conveying of materials.

The ordinance granting a Franchise Agreement would allow for the placement, operation, and maintenance of an electrical line(s) under a public roadway within an existing utility corridor, adjacent to existing utility lines. The public road and utility corridor is an existing facility. The Project would place new electrical lines within the existing utility corridor and within a public road right-of-way that already hosts utilities. The placement of additional utilities in an existing utility corridor in any existing right-of-way represents a "minor alteration" of an existing "facility" involving "negligible or no expansion of the existing" right of way and corridor. The dimensions and characteristics of the existing right-of-way would remain unchanged by the undergrounding of additional cables in the shoulder of the roadway.

- **Class 3 Categorical Exemption (New Construction or Conversion of Small Structures)**. State CEQA Guidelines Section 15303 and County CEQA Guidelines Appendix G provide a categorical exemption for construction and location of limited numbers of new, small facilities or structures and installation of small new equipment and facilities in small structures. CEQA Guideline Section 15303 provides examples of Class 3 exemptions, including: utility extensions including street improvements of reasonable length to serve construction of small structure and accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. Similarly, the County CEQA Guidelines Appendix G also provides examples of projects that qualify for the Class 3 exemption, including but not limited to:
 - Water main, sewer, and storm drain extensions of reasonable length to serve new construction such as single-family residences, duplexes, or motels and apartments designed for not more than four dwelling units, all when not in conjunction with the building of two or more such units;
 - Accessory (appurtenant) structures such as garages, carports, patios, cabanas, swimming pools, screens, windbreaks, fences, parking attendant and golf starter structures, and comfort stations;
 - Locally funded sanitary sewers, water, and telephone system facilities located entirely within existing travelled ways in already urbanized areas for protection of health and safety and convenience where such areas are deficient in these facilities;
 - Office buildings, community centers, garages, storage sheds, work rooms, and similar structures at existing facilities;

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- Construction of retaining walls within existing right-of-way wherein the height of the wall does not exceed five feet;
- Stores, motels, offices, and restaurants and similar small commercial structures not involving the use of significant amounts of hazardous substances, if designed for an occupant load of 30 persons or less, if not in conjunction with the building of two or more such structures. In urbanized areas, the exemption also applies to commercial buildings on sites zoned for such use, if designed for an occupant load of 30 persons or less, if not constructed in conjunction with the building of 4 or more structures and if not involving the use of significant amounts of hazardous substances;
- Facilities required by the County to be constructed for public use pursuant to the provisions of an existing lease on County-owned real property; and
- Storm drain construction to alleviate local drainage problems in developed urban areas provided the construction will not adversely affect a natural watercourse, wetland, or environmentally sensitive area, nor involve the removal of a scenic resource (stand of trees, rock outcropping, or historic building), a rare plant, or more than five mature trees within any 500-foot long segment of the drain.

The proposed interconnection facilities would extend electrical utility infrastructure underground, in the public right-of-way, and would avoid environmentally sensitive land areas. Once complete, the underground improvements would not be visible and would exist within previously disturbed public road right-of-way and within an existing utility corridor.

- **Class 4 Categorical Exemption (Minor Alterations to Land).** CEQA Guidelines Section 15304 and County CEQA Guidelines Appendix G provide a categorical exemption for minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes CEQA Guidelines Section 15301 provides examples of projects that qualify for the Class 4 exemption, including: (a) grading with a slope of less than 10 percent not including waterways, wetlands, seismic hazard zones, or scenic areas; (b) minor trenching and backfilling where the surface is restored; and (c) the creation of bicycle lanes on existing rights-of-way. Similarly, the County CEQA Guidelines Appendix G also provides examples of projects that qualify for the Class 4 exemption, including but not limited to:
 - Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in any officially designated (by Federal, State or local governmental action) scenic area, or in officially mapped areas of severe geologic hazard;
 - Grading projects on lands of 10 percent or greater slope which are involved with one single-family residence and accessory use, or which involved 5,000 cubic yards or less of earth movement for other uses, except that grading projects shall not be exempt in a water way, in any wetland, in an officially designated (by Federal, State, or local governmental action) as an archaeologically sensitive areas, a scenic area or in an officially mapped areas of severe geologic hazard;
 - Permits for slopes, borrow pits, fills, storage and miscellaneous entries;
 - Permits, licenses, and leases on County-owned property;

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- Trenching or backfilling where the surface is restored;
- Creation of bicycle lanes on existing rights-of-way

The ordinance would allow for placement, operation, and maintenance of interconnection facilities underground, within the already improved and relatively flat public right-of-way, and would not involve the removal of any trees.

- **Class 5 Categorical Exemption (Minor Alterations in Land Use Limitations).** CEQA Guidelines Section 15305 and County CEQA Guidelines Appendix G provide a categorical exemption for minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density. CEQA Guidelines Section 15305(b) lists issuance of minor encroachment permits as an example of this exemption. County CEQA Guidelines Appendix G provides examples of projects that qualify for a Class 5 exemption, including but not limited to the granting of an easement or entering into agreements with other local agencies, utilities, or private citizens to accomplish activities that are categorically exempt such as underground utility crossings, landscaping, and temporary use of District rights-of-way. The ordinance would allow for the placement of electrical utility lines under an improved public road, adjacent to other existing utilities. This would not result in any changes in land use or density nor would land with an average slope of more than 20 percent be affected.
- **Class 11 Categorical Exemption (Accessory Structures).** CEQA Guidelines Section 15311 and County CEQA Guidelines Appendix G provide a categorical exemption for construction or replacement of minor structures accessory or appurtenant to existing commercial, industrial, or institutional facilities. Examples in the CEQA Guidelines include signs, parking lots, and seasonal displays. County CEQA Guidelines Appendix G includes examples of projects that qualify for a Class 11 exemption, including but not limited to construction of small parking lots to serve existing facilities and erection or placement of small storage or work sheds accessory to existing County facilities. The ordinance would allow for the placement of electrical utility lines under an existing public road and within an already disturbed, improved public road right-of-way, adjacent to other existing utilities within an existing utility corridor. The road, public right-of-way, and utility corridor are existing public facilities. The new electrical lines would be a minor addition to the existing facilities and would involve the use of facilities for the purpose for which they were constructed.

As discussed further below, the ordinance granting a Franchise Agreement would comply with all applicable regulations and there are no cumulative impacts, unusual circumstances, damage to scenic highways, or listing on hazardous waste site lists compiled pursuant to Government Code Section 65962.5, or indications that the project may cause a substantial adverse effect on the significance of a historical resource that would make the exemption inapplicable under CEQA Guidelines Section 15300.2. The discussion of these six exceptions to categorical exemptions for the Project as a whole, provided below, provides further information on the inapplicability of any of the exception criteria to the ordinance granting the Franchise Agreement.

2. Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 Statutory Exemption (Projects Consistent with a Community Plan, General Plan, or Zoning)

In addition to the categorical exemptions applicable to the Franchise Agreement, the Project as a whole qualifies for a statutory exemption under Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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CEQA mandates that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Stantec has prepared a separate analysis under Public Resources Section 21083.3 and CEQA Guidelines Section 15183, which demonstrates that the Project is consistent with the applicable development density and would not result in any peculiar impacts that were not analyzed previously in the Environmental Impact Reports (EIRs) the County prepared for the General Plan and the Antelope Valley Area Plan and that cannot be mitigated through uniformly applied development standards. The Court of Appeal recently upheld use of this exemption for adoption of zoning overlay districts in the City of Pomona that would allow various cannabis uses because the City found that the cannabis uses were similar to other uses allowed in the various zones and analyzed in the City's EIR supporting adoption of its General Plan. (*Lucas v. City of Pomona* (2023) 92 Cal.App.5th 508.) Another Court of Appeal recently held that the statutory exemption applied to a proposed recycling facility in San Diego County and rejected the San Diego Board of Supervisors' determination that an EIR was required. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890.)

3. Categorical Exemptions Applicable to the Project as a Whole

Lastly, the Project as a whole, which includes the previously approved site plan improvements and operation and maintenance of a BESS facility, qualifies for categorical exemptions from environmental review under CEQA.

- **Class 3 Categorical Exemption (New Construction or Conversion of Small Structures).** State CEQA Guidelines Section 15303 and County CEQA Guidelines Appendix G provide a categorical exemption for construction and location of limited numbers of new, small facilities or structures and installation of small new equipment and facilities in small structures. CEQA Guideline Section 15303 and County CEQA Guidelines Appendix G provide examples of projects that qualify for Class 3 exemptions, some of which are listed above under Part 1 of this memorandum. These examples are not minimum requirements, just illustrative examples.

The Project consists of a series of small-scale equipment (e.g., battery cabinets approximate in size to commercial freezers) on approximately 12 acres within an industrial zone and adjacent to other existing public utilities light industrial uses, and railroad infrastructure. The Project site is currently developed with paved, gravel areas, and a paintball facility and truck parking and staging. Other equipment would include bi-directional inverters, battery chiller units, switchgear or medium-voltage outdoor circuit breakers, transformers, gas detection, fire detection/suppression, computer, and telecommunications, perimeter walls and fencing, security lighting, and signage. The proposed 230 kV interconnection from the transformer substation to the existing Vincent substation would be constructed primarily underground with part of it located on M-1 zoned private property and the remainder of it within County right-of-way thereby avoiding sensitive land areas, including avoidance of the Santa Clara River Significant Ecological Area.

- **Class 4 Categorical Exemption (Minor Alterations to Land).** State CEQA Guidelines Section 15304 and County CEQA Guidelines Appendix G provide a categorical exemption for minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. CEQA Guidelines Section

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15304 and County CEQA Guidelines Appendix G provide illustrative examples of this exemption, some of which are listed above in Part 1 of this memorandum.

The Project site is currently developed with paved, gravel areas and a paintball facility and truck parking and staging. The project involves only minor alterations in the condition of land and vegetation, as described further below, and does not involve the removal of any trees. The proposed 230 kV interconnection from the transformer substation to the existing Vincent substation would be constructed primarily underground with part of it located on M-1 zoned private property and the remainder of it within County right-of-way, thereby avoiding sensitive land areas. Based on the topographic survey of the Project site, the southerly portion of the Project site is relatively flat and the northerly portion of the Project site has slopes with an average gradient of less than 20 percent. The County right-of-way where the interconnection facilities would be located is graded and improved with a public roadway, which is relatively flat. Proposed ground disturbance activities for the interconnection facilities would be limited to trenching/grading and resurfacing/restoring to existing grade and conditions primarily along the existing road right-of-way.

Project development would not remove any trees. According to the Biological Resources Technical Report (Stantec, April 2022 – Updated November 2023), habitats observed on the Project site during reconnaissance-level surveys, where vegetated, were comprised primarily of common plant species and vegetation communities found in the inland areas of Southern California. The Project would remove 2.51 acres of vegetation, including *Chrysothamnus viscidiflorus* Shrubland Alliance, *Ephedra nevadensis* – *Lycium andersonii* – *Grayia spinosa* Shrubland Alliance, *Juniperus californica* Woodland Alliance, and *Juniperus californica* Woodland Alliance – Disturbed. These vegetation alliances include shrubs and not trees. The most prominent vegetation type on the Project site, *Juniperus californica* Woodland Alliance, is defined by Calflora as a “shrub.” It is also not designated as a scenic tree by Los Angeles County or protected outside of a designated significant ecological area.

The Project site is also not located within a scenic area or visible from a scenic highway. There are no designated state scenic highways located near the Project site based on review of Caltrans list of scenic highways. The Antelope Valley Freeway, which is located northwest of the Project site, is considered a “scenic drive” according to the Antelope Valley Area Plan. However, views of the Project site from the Antelope Valley Freeway are obstructed by existing development (e.g., businesses, railway). Furthermore, there are no designated “scenic resources” identified on the Project site. The Project site is also not located within an earthquake fault zone, liquefaction zone, or landslide zone. (California Department of Conservation “EQ Z app: California Earthquake Hazards Zone Application”.) It also would not impact any waterway or wetland. As described in the Biological Resources Technical Report, the Project area surveyed has no natural bodies of water that would require alteration for the Project to be built and contains no aquatic features that would be classified as wetlands or jurisdictional waters.

- 4. Class 5 Categorical Exemption (Minor Alterations in Land Use Limitations).** CEQA Guidelines Section 15305 and County CEQA Guidelines Appendix G provide a categorical exemption for minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density. CEQA Guidelines Section 15305 and County CEQA Guidelines Appendix G provide illustrative examples of projects that qualify for this exemption, which are listed in Part 1 of this memorandum. The BESS facility is similar to an electrical distribution

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substation and transformer substation for purposes of characterizing BESS as a land use under the Zoning Code. Electrical distribution substations and transformer substations are permitted by right in the M-1 zone, subject to approval of a Site Plan Review to confirm Project development will comply with all applicable standards. A Site Plan Review has been approved for the Project. Based on the topographic survey of the Project site, the southerly portion of the Project site is relatively flat and the northerly portion of the Project site has slopes with an average gradient of less than 20 percent. The ordinance approving a Franchise Agreement would allow for the placement of electrical utility lines under an improved public road, adjacent to other utilities. This would be a minor alteration in land use limitations within an improved, generally flat roadway and would not result in any changes in land use or density.

Exceptions to Categorical Exemptions Under CEQA Guidelines Section 15300.2

State CEQA Guidelines Section 15300.2 identifies certain exceptions to CEQA's Categorical Exemptions. As discussed below, the Project does not trigger any of these exceptions.

- a. **Particularly Sensitive Environments.** Under CEQA Guidelines Section 15300.2(a), Class 1, 3, 4, 5, and 11 Categorical Exemptions do not apply if the Project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. "A 'resource' is a 'natural source of wealth or revenue,' or a 'natural feature or phenomenon that enhances the quality of human life.'" (*Berkeley Hills Watershed Coalition v. City of Berkeley* (2019) 31 Cal.App.5th 880, 891, quoting Merriam-Webster's Collegiate Dict. (11th ed. 2014) p. 1061.) Here, most of the Project area has been previously developed and is presently occupied by commercial developments, including an adjacent Metrolink station and its large parking lot, Paintball USA facility, a utility electrical subcontractor and commercial trucking staging/parking area as well as a residential single-family residence. There are no designated, mapped, or adopted environmental resources of hazardous or critical concern in the Project area. According to the Biological Resources Technical Report (Stantec, April 2022, Updated November 2023), habitats observed on the Project site during reconnaissance-level surveys, where vegetated, were comprised primarily of common plant species and vegetation communities found in the inland areas of Southern California. No sensitive habitat communities or potentially jurisdictional aquatic resources were observed on the Project site. None of the mapped habitat communities are considered special-status natural communities. The Project site is not within designated critical habitat. Special-status plant species such as Mt. Gleason paintbrush and short-joint beavertail were determined to have a moderate potential of occurrence within the Project site; all other species had a low or no potential to occur. Special-status wildlife species such as northern California legless lizard, California legless lizard, coast horned lizard, and loggerhead shrike were determined to have a moderate potential of occurrence within the Project site; all other species had a low or no potential of occurrence. The Project site does not function as a wildlife movement corridor or habitat linkage identified by California Department of Fish and Wildlife Biogeographic Information and Observation System Habitat Connectivity Viewer. Therefore, this exception does not apply.
- b. **Cumulative Impact.** Under CEQA Guidelines Section 15300.2(b), the Categorical Exemptions do not apply if the cumulative impact of successive projects of the same type in the same place over time is significant. At this time, although applications for BESS facilities have been filed with the California Independent System Operator (CAISO), none of the potential proposals have commenced any formal discussions or filed permit applications and thus cannot be considered reasonably foreseeable for

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purposes of assessing cumulative impacts, as further discussed below. Further, there is no evidence that such potential future projects, even if each is proposed and approved, would result in significant cumulative impacts.

Applications to CAISO for interconnection positions cannot be used to reliably determine whether a particular energy generation project at a particular location is reasonably foreseeable or probable. Applications to CAISO for queue positions are made to interconnect some requested number of megawatts at an identified substation but do not predict exactly where a generation or storage project would be located in relation to the substation or what its characteristics would be. Specifically, after an application is submitted, CAISO will first subject it to a multi-phase study process to determine what system-wide and/or project specific upgrades will be required to allow the project to interconnect. The multi-phase study process can take years and may end up determining that there is insufficient existing grid capacity for the project, and the interconnection request will require millions of dollars in upgrades, often making a project economically unfeasible. Even in cases where the upgrades evaluated by the applicant have been determined to be economically feasible, the location of a generation or storage project could be anywhere in a fairly large radius around that substation because multi-mile generation tie lines can be used to connect an energy generation or storage facility to a substation. Finally, developers lose or choose not to maintain queue positions for a variety of reasons, including the network upgrade costs, interconnection facility costs, construction timelines, and queue position security postings. Per CAISO, approximately 60 percent of interconnection customers withdraw from the queue after receiving their phase 1 studies. (<https://www.caiso.com/Documents/Feb8-2024-TariffAmendment-Postpone-2024-Interconnection-Request-Window-ER24-1213.pdf>.) Of all the projects in Queue Clusters 11, 12, and 13, 130 projects remain in the queue or are operational, 247 projects have been withdrawn, only 34.4 percent of projects are still in the queue, and less than 1 percent are operational. (Hecate, 2024.) A Queue Cluster refers to the CAISO's bundling of applications for assessment. So, the fact that a developer has filed an application to CAISO for interconnection at a substation does not mean that a particular energy generation project will be approved at a foreseeable location within a foreseeable timeframe with foreseeable characteristics such that it can be said to be reasonably foreseeable or probable.

- c. **Unusual Circumstances.** Under CEQA Guidelines Section 15300.2(c), the Categorical Exemptions do not apply if there is a reasonable probability that the activity will have a significant effect on the environment due to unusual circumstances. The California Supreme Court has explained that whether a particular project presents circumstances that are unusual for projects in an exempt class is an essentially factual inquiry for agencies to decide based on substantial evidence. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1114.) Here, there is nothing unusual about the Project that distinguishes it from others in the classes of categorical exemptions cited above. The Project would be a small industrial/utility facility and utility line in a developed industrial area close to a 230 kV electrical substation. It is consistent with the General Plan, Area Plan, and M-1 zoning and similar in size and nature to many of the illustrative examples of projects that qualify for categorical exemptions included in the CEQA Guidelines.

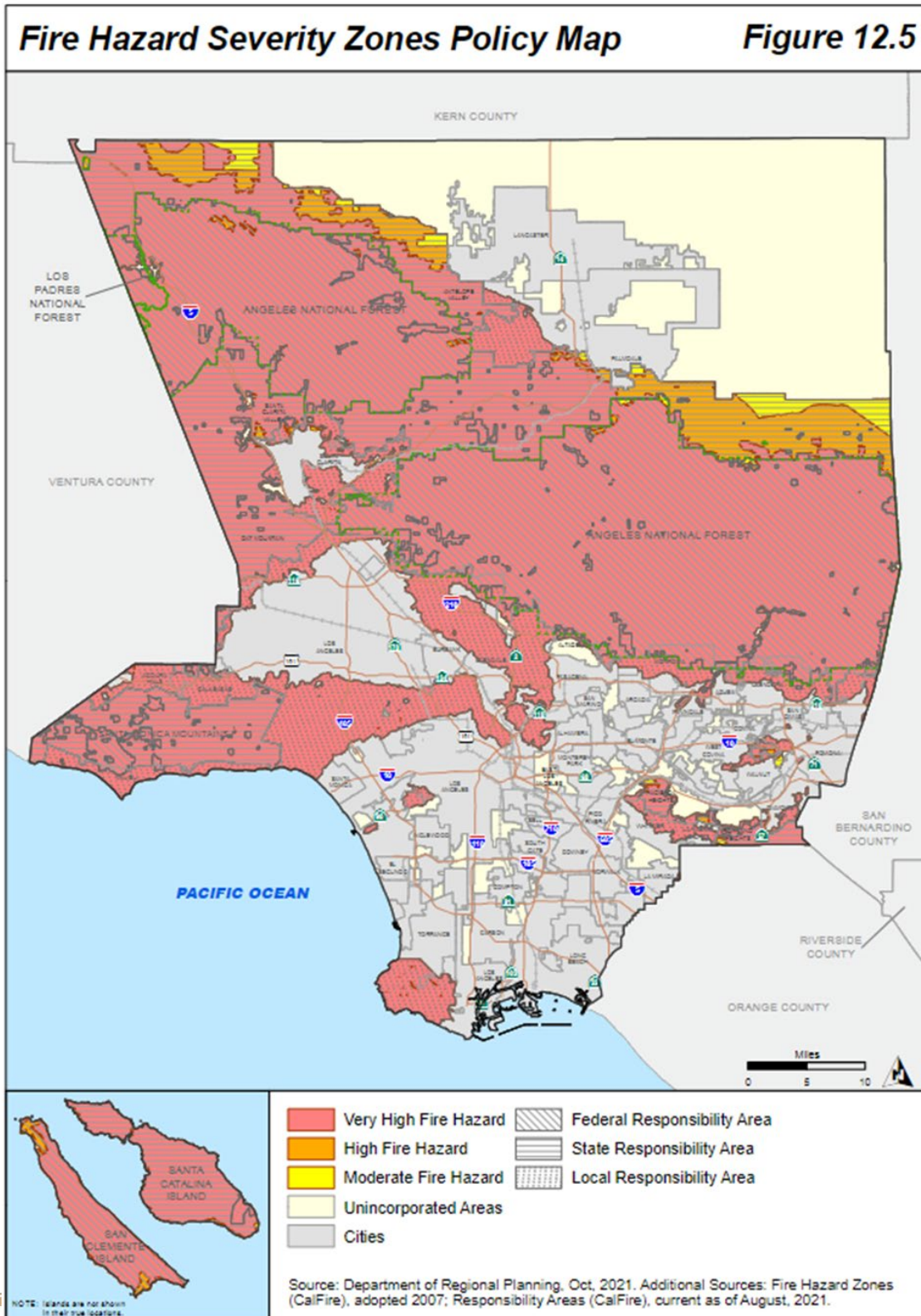
The location of the Project also does not constitute an unusual circumstance. Although the Project site is located in a very high fire hazard severity zone, many project sites are so located and thus this is not an unusual circumstance. As described in Figure 12.5 of the Countywide General Plan Safety Element, below, much of the County is also located within a very high fire hazard severity zone. It is not unusual for development to be located within a very high fire hazard severity zone.

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Furthermore, the Project site plan was designed in compliance with the County Fire Code, which in turn refers to and incorporates by reference the California Fire Code. The California Fire Code, Chapter 12, Section 1207 *et seq.* has specific, detailed design requirements for stationary electrical energy storage systems such as the Project to ensure fire safe construction, operation, and decommissioning regardless of where they are located. The Project will comply with the County Fire Code and applicable NFPA standards, as they may be amended, which contain strict fire safety requirements for stationary electrical energy storage facilities like the Humidor BESS.

The Applicant and Department of Regional Planning consulted with the Los Angeles County Fire Department on the development and County approval of the site plan to ensure the site meets or exceeds code requirements. The Fire Department reviewed the Project site plan and included 22 approval notes, listed below, to reiterate code requirements applicable to the approval that must be met before a construction permit can issue, in addition to other fire related requirements of the Site Plan Review approval.

1. Portable fire extinguishers shall be installed and maintained all occupancy groups and at such location as required by Fire Code 906 and California Code of Regulations, Title 19, Division 1, Chapter 3. The final number and location of all extinguishers shall be determined by the local fire inspector.
2. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of any battery system, combustible walls, openings or combustible roof eaves, unless areas contain dumpsters or containers or containers are protected by an approved automatic fire sprinkler system. Fire Code 304.3.3.
3. Stationary storage battery systems located outdoors shall be separated from any means of egress as required by the Fire Code Official to ensure safe egress under fire conditions, but not less than 10 feet. Fire Code 1206.2.8.7.2.¹
4. Where a stationary source battery system includes an outer enclosure, the unit shall only be entered for inspection, maintenance and repair of batteries and electronics, and shall not be for other occupied purposes. Fire Code 1206.2.8.7.4.
5. Where stationary storage battery systems are subject to impact by a motor vehicle, including forklifts, vehicle impact protection shall be provided in accordance with Section 213. Fire Code 1206.2.6.
6. Storage batteries and associated equipment and systems shall be tested and maintained in accordance with the manufacturer's instructions. Introducing other types of storage batteries into the stationary storage battery system shall be treated as a new installation and require approval by the Code Official before the replacements are introduced into service. Fire Code 1206.2.7.
7. Permits shall be obtained for the installation of stationary storage battery systems with a capacity of more than 3 KWh in accordance with Section 105.7.
8. Large-scale fire testing shall be conducted on a representative stationary storage battery system in accordance with UL 9540A. The testing shall be conducted or

¹ The Fire Code has since been revised and design requirements for stationary electrical energy storage systems are now codified at Chapter 12, Section 1207.

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witnessed and reported by an approved testing laboratory. The test report shall be provided to the Fire Code Official for review and approval in accordance with Section 104.7.2. Fire Code 1206.2.1.

9. Permits shall be obtained for the operation of stationary storage battery systems in accordance with Section 105.6. Fire Code 1206.2.1.
10. Battery chargers shall be listed and labeled in accordance with UL 1564 or provided as part of a listed pre-engineered or prepackaged stationary storage battery system. Fire Code 1206.2.10.4.
11. Vented batteries shall be provided with flame-arresting safety caps. Fire Code 1206.2.10.6.
12. Installations in outdoor enclosures or containers that can be occupied for servicing, testing, maintenance and other functions shall be treated as batter storage rooms. Fire Code 1206.2.8.7.
13. Where required by Table 1206.2.10, storage batteries shall be provided with a listed device or other approved method to prevent, detect, and control thermal runaway. Fire Code 1206.2.10.7.
14. An approved means must be provided to safely release stored energy from the batteries in an emergency situation. Fire Code 1206.2.11.7.
15. Plans showing underground piping for private on-site fire hydrants shall be submitted to the sprinkler plan check unit for review and approval prior to installation. Fire Code 901.2, County of Los Angeles Fire Department Regulation 7.
16. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4.
17. An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector.
18. Outdoor areas in which stationary storage battery systems are located shall be secured against unauthorized entry and safeguarded in an approved matter. Fire Code 1206.2.8.7.3.
19. Traffic bollards, underground piping, extinguishers, and hydrants will be integrated into final design in coordination with and as approved by the County Fire Department.
20. Storage batteries and battery storage systems shall be listed in accordance with UL 1973. Prepackaged and pre-engineered stationary storage batter systems shall be listed in accordance with UL 9450. Fire Code 1206.2.10.1.
21. Fire hydrant location(s) and fire flow compliance will be determined to the satisfaction of LA County Fire prior to construction permit issuance.
22. Provide proof of service from Waterworks District No. 37 prior to construction permit issuance.

Additional fire related requirements on the Site Plan Review approval include the following:

- Site is to be constructed per current California Fire Code (2022), National Fire

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Protection Agency 855 (NFPA-2020), and LA County Fire Code (2023).

- All containers are to be constructed in accordance with UL 9540A.
- All roads to be all-weather access and conform to LA County Fire Code (2023) 503 and 501.4. Interior radius to be 19', center radius 45', and exterior radius 45'. Width to be 26'.
- Proposed landscaping vegetation to be compliance with LA County Fire Department fuel modification requirements.
- Final landscape plan subject to fuel modification review and other applicable Fire Code requirements prior to building permit approval.
- Local native seed mix consisting of native non-woody perennials and low shrubs that conform to the Los Angeles County Fire Modification Plant List for Zones A & B.

The BESS equipment and design will undergo further design review with the County Fire Department for conformance with the California Fire Code as part of securing building permits and in compliance with Title 32, Section 1206.2.10 – Storage Batteries and Equipment.

The Project will also comply with the requirements of California Public Utilities Code Section 761.3, which requires BESS 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 Applicant will work with first responders to develop these plans and to coordinate site-specific training for first responders.

Next, the Project site is an appropriate location for the Project. The Project site is depicted within the M-1 zone, where industrial and utility land uses are permitted. The Project site is adjacent to three highways and a railroad. It is used currently as a commercial trucking parking lot, a paintball facility, and an electrical contractor staging/equipment yard. With respect to fire risk, the BESS facility would minimize fire risk in the area compared to the current site uses because it is designed to prevent and mitigate any fire risk from the overall project design down to the battery technology utilized and will be monitored 24 hours a day, 7 days a week, in contrast to the current site uses.

Lastly, the Project BESS is itself designed to minimize fire risk. The Project batteries will use modern technology, tested and meeting standards set by Underwriter's Laboratories (UL)—a third-party certification company founded in 1894 that certifies products for safety for workers and consumers. The Project batteries will be isolated within steel enclosures with individual fire detection/suppression systems. The battery technology will be UL 9540 compliant (achieves UL 1741 + UL 1973) and have passed UL 9540A testing. In its simplest form, UL 9540A tests a battery system's response to thermal runaway event. To meet these performance criteria, the system's various levels must satisfactorily limit runaway (cell level) and propagation (module and unit levels) and induce suppression (installation level). In a real-world situation, sensors would instantly alert of smoke or heat detection and proper parties would be instantly notified (full time staff, local fire department, *etc.*). The site will be operated remotely, with full-time staff monitoring the Project to address any maintenance and/or emergency issues immediately and to work in direct coordination with local first responders. Current industry best practice is to fight a BESS fire defensively (*i.e.*, using water as a cooling agent to target units or other structures to prevent the fire from spreading) and when appropriate, allowing the BESS fire to burn itself out inside the steel enclosure. These tactics will be planned and coordinated with the

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County Fire Department and incorporated into a site-specific Emergency Response Plan. Further, lithium-ion batteries do not vent during normal operations and, therefore, would present no hazard risk to air or water during normal operations. During potential fire events, UL9540A testing has shown that gases produced by a BESS fire are considered to be similar to other fire scenarios, such as a plastics fire, and can be treated with the same precautions as something like a sofa, mattress, or office fire in terms of toxicity so long as precautions are taken during the most intense moments of the fire. (DET NORSKE VERITAS (U.S.A., INC., Considerations for ESS Fire Safety, 2017, pp. 9-10.) In other words, while testing is ongoing, the potential toxicity of emissions from the Project during potential fire events is considered to be similar to that of other uses allowed at the site. Moreover, ventilation is the standard and primary means of reducing the toxicity and flammability of gases emitted during a battery fire. (Id., p. 48.) Unlike other utility-scale energy storage facilities, the Project would not be enclosed and would be outdoors. Therefore, any gases emitted during a fire event would have reduced toxicity and flammability as compared to high-density, closed environments (e.g., apartment buildings, enclosed buildings).

In addition to the design safety standards for the BESS itself, the site will be covered by stone aggregate or concrete slabs and surrounded by an 8-foot masonry wall. There will be no vegetation inside the 8-foot masonry wall and all vegetation will be managed per County fire fuel modification requirements outside the wall on the balance of the undeveloped site. The site is currently required and will continue to be required to conduct fuel modification per Los Angeles County Fire Department requirements. These fuel modification protections would minimize risk of a wildland fire reaching the Project BESS facility. In addition, the same defensive fire-fighting tactics described above would be utilized to prevent a wildland fire from spreading to the BESS facility (*i.e.*, using water as a cooling agency to prevent the fire from spreading to the BESS). These tactics would be coordinated in consultation with the County Fire Department and as incorporated into the site-specific Emergency Response Plan.

In sum, there is nothing unusual about the Project and no evidence of a reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances.

- d. **Scenic Highways.** Under CEQA Guidelines Section 15300.2(d), the Categorical Exemptions do not apply if the Project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. The Project site is not visible from a state scenic highway and will redevelop a paintball facility, commercial truck staging area and electrical subcontractor laydown yard in a M-1 zone. The Project will not damage any trees, historic buildings, rock outcroppings, or similar resources. The Project site is not located within a scenic area or visible from a scenic highway. There are no designated state scenic highways located near the Project site based on review of Caltrans list of scenic highways. The Antelope Valley Freeway, which is located approximately 0.15 miles northwest of the Project site, across Sierra Highway, the Southern Pacific Railroad track and other industrial and commercial property, is considered a "scenic drive" according to the Antelope Valley Area Plan. However, the view of the Project site from the Antelope Valley Freeway is obstructed by existing development (e.g., businesses, railway, Sierra Highway). Furthermore, there are no designated "scenic resources" identified on the Project site.

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- e. **Hazardous Waste Sites.** Under CEQA Guidelines Section 15300.2(e), the Categorical Exemptions do not apply if the Project site is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The Project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code. According to the Phase I Environmental Site Assessment (ESA) Report developed for the Project (Stantec 2021), there are no known hazardous materials sites registered on the Project site and there were no recognized environmental conditions (RECs) identified on the Project site. Per review of the California Environmental Protection Agency's (CalEPA) Cortese List, the Project site is not on a list compiled pursuant to Section 65962.5 of the Government Code (CalEPA 2024).
- f. **Historical Resources.** Under CEQA Guidelines Section 15300.2(f), the Categorical Exemptions do not apply if the Project may cause a substantial adverse change in the significance of a historical resource. According to the Cultural Resource Assessment (Stantec, 2021), which included a records search and pedestrian survey of the Project site, the Project site contains no historical resources. Two previously recorded refuse deposits and one newly recorded refuse deposit were updated and recorded in 2021 (Stantec, 2021). Under CEQA, a resource is considered historically significant if it meets the criteria for listing in the California Register of Historical Resources (CRHR). The types of artifacts observed on the Project site exclusively consist of common trash well documented in the historic record and there is little chance, if any, the finds would yield information important in history. If a site does appear to contain information, the site must exhibit integrity. Integrity addresses the degree to which behavior and ideas are manifested in the form and substance of a resource. A cultural resource has integrity if it retains material attributes associated with its social values.

Based on previous research conducted by Ahmet et al. (2006), Pacific Legacy (2010), Bischoff et al. (2011), as well as field data gathered during Stantec's 2021 survey, it appears that all three resources have retained very little in terms of integrity of location. Resource CA-LAN-3536H (19-003536) was "cleaned up" and graded in the past, most likely prior to the construction and development of the paintball facility currently located within most of the parcel. Based on previous and current research, the refuse deposit is recommended not eligible to the CRHP due to the lack of information and lack of integrity. Resource CA-LAN-4335H (19-004335) was recorded as a small refuse deposit and based on previous (Bischoff et al. 2011) and current research, retained very little in terms of integrity. Furthermore, its location suggest that the refuse most likely represents "road trash" that may have been dispersed and displaced during construction of the Angeles Forest Highway. Thus, the resource is not eligible for including to the CRHP because it lacks the necessary potential to yield new information and lacks integrity of location. The newly recorded refuse deposit (Hecate-1) is a large but very sparse refuse deposit that was identified along Angeles Forest Highway. The refuse represents highly dispersed and strewn refuse comprised of 20+ whole and fragmented sanitary and condensed milk cans and soft drink bottle fragments. The refuse may be associated with similar, sparse refuse deposits, located in close proximity to Angeles Forest Highway that generally post-date its construction date of the early 1940s. Overall, the deposit seems to lack the ability to yield new or significant information and the scatter lacks integrity and based on current research it does not appear eligible for including to the CRHR. Based on the findings of the Cultural Resources Assessment (Stantec, 2021), the Project will not cause a substantial adverse change to the significance of cultural resources.

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Stantec Consulting Services Inc.

A handwritten signature in black ink, consisting of the letters 'L' and 'A' written in a cursive, stylized font.

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