



County of Los Angeles

Dawyn R. Harrison
County Counsel



March 17, 2026

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

**Re: Project No. PRJ2023-002405-(5)
(02/03/26 Board Agenda; Item No. 48)**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing regarding the above-referenced Project No. PRJ2023-002405-(5), consisting of Conditional Use Permit No. RPPL2023005137-(5) and Environmental Plan No. RPPL2023005138-(5), to authorize development, operation, and maintenance of a ground-mounted utility-scale photovoltaic solar energy facility on a property located southeast of the intersection of 230th Street West and West Avenue C-8 in the unincorporated community of Lancaster applied for by RPCA Solar 12, LLC. At the conclusion of the public hearing, your Board indicated its intent to deny the appeal and approve the project, as amended. Enclosed are the findings and conditions for your consideration.

Very truly yours,

DAWYN R. HARRISON
County Counsel

By 
KATHY PARK
Deputy County Counsel

APPROVED AND RELEASED:



ROBERT C. CARTWRIGHT
Senior Assistant County Counsel

KP:ll

Enclosures

c: Joseph M. Nicchitta, Acting Chief Executive Officer
Edward Yen, Executive Officer, Board of Supervisors
Amy J. Bodek, Director, Department of Regional Planning

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. PRJ2023-002405-(5)
CONDITIONAL USE PERMIT NO. RPPL2023005137-(5)
ENVIRONMENTAL PLAN NO. RPPL2023005138-(5)**

1. The Los Angeles County (County) Board of Supervisors (Board) conducted a duly-noticed public hearing on the appeal of Project No. PRJ2023-002405-(5), consisting of Conditional Use Permit (CUP) No. RPPL2023005137-(5) and Environmental Plan No. RPPL2023005138-(5), on February 3, 2026, which was continued from December 16, 2025, and January 27, 2026. The County Regional Planning Commission (Commission) conducted a duly-noticed public hearing on the Project on August 20, 2025.
2. RPCA Solar 12, LLC (Applicant) requests the CUP to authorize development, operation, and maintenance of a ground-mounted utility-scale photovoltaic solar energy facility (Solar Facility or Project) on a property located southeast of the intersection of 230th Street West and West Avenue C-8 (Project Site) in the unincorporated community of Lancaster. Pursuant to the Board's February 3, 2026, motion (described in Finding No. 24, below), the Applicant agreed to remove the accessory battery energy storage system (BESS) and appurtenant facilities and equipment thereto, which was previously approved by the Commission along with the Solar Facility, which is hereinafter referenced as the "Prior-Approved Project." Therefore, references to the Project in these findings shall refer to the Solar Facility without the BESS.
3. The Project is located at 49560 230th Street West, also known as Assessor's Parcel Number 3278025001, within the Antelope Valley West Zoned District and Antelope Valley Planning Area.
4. The Project Site is located within the RL10 (Rural Land 10 – One Dwelling Unit per 10 Acres) land use category of the Antelope Valley Area Plan (Area Plan) Land Use Policy Map, a component of the General Plan.
5. The Project Site is located in the Antelope Valley West Zoned District and is currently zoned A-2-2 (Heavy Agricultural – Two Acres Minimum Required Lot Area) zone, pursuant to Los Angeles County Code (County Code) Sections 22.16.030.C (Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W) and 22.140.510 (Renewable Energy). Pursuant to County Code Section 22.16.030.C, a CUP is required for ground-mounted utility-scale solar energy facilities.
6. Surrounding zoning within a 500-foot radius of the Project Site includes:

North: A-2-2;
South: A-2-2;
East: A-2-2; and
West: A-2-2.

7. Surrounding land uses within a 500-foot radius of the Project Site include:
 - North: Vacant;
 - South: Single-family residence (SFR) and vacant;
 - East: Vacant; and
 - West: Vacant.
8. The Project Site is 40 net acres in size and consists of one legal lot. The Project Site is rectangular in shape with gentle-sloping topography and is developed with an SFR at the southwest corner of the lot within an approximately nine-acre area.
9. The Project Site is accessible via 230th Street West to the west. Primary, and only, access to the Project Site will be via an entrance/exit on 230th Street West, which is a 50-foot-wide secondary highway as mapped in the County Master Plan of Highways.
10. The Project will consist of a 4.99-megawatt (MW) ground-mounted utility-scale Solar Facility occupying approximately 31 acres of a 40-acre site. The Solar Facility will include photovoltaic (PV) panels mounted on single-axis tracking systems supported by steel structures, with a maximum height of up to 25 feet. The arrays will be arranged in a north-south orientation. In addition to the solar arrays, the Project will also include fencing and utility connections. Solar electricity generated by the Project will interconnect with an existing electrical distribution grid system owned by Southern California Edison through a proposed generation-tie (gen-tie) line. The gen-tie line will be underground and extend approximately 675 feet to the south along 230th Street West to the existing grid system. The Prior-Approved Project included an accessory 4.99-MW BESS, which was previously planned to be located within the southwestern corner of the Project Site, but is no longer included as a part of the Project.
11. Wildlife-resistant perimeter fences up to seven feet in height, topped with one foot of barbed wire, for an overall fence height of eight feet, will enclose the Solar Facility. The fence design will incorporate 12-inch openings along the base to provide small-animal permeability. A 10-foot-wide vegetative landscape buffer will be installed along 230th Street West and along the southwestern boundary of the Solar Facility where it adjoins an existing SFR on the Project Site to remain.
12. Additional on-site improvements include: 20-foot-wide access roads along the perimeter and interior internal access road system; one 10,000-gallon water tank for fire protection near the access gate on 230th Street West; retention and infiltration basins for rainwater in the central area across the Solar Facility from east to west; and an appurtenant electrical collection equipment area in the central area. The only outdoor lighting that may be required is temporary lighting during construction, particularly during the winter season, when daylight is no longer sufficient earlier in the day. No permanent outdoor lighting is proposed for operation.

13. Project construction is anticipated to last approximately seven months, requiring a workforce of 15 to 20 personnel during non-peak periods and up to 50 personnel during peak construction. Project Site grading will involve approximately 3,600 cubic yards of balanced earthwork (1,800 cubic yards of cut and 1,800 cubic yards of fill) for access roads, retention and infiltration basins, water tank pads, and other appurtenant equipment. Minimal grading is proposed within the solar field as panel support posts will be directly driven into the soil. Vegetation taller than two feet, with lower-growth vegetation being retained where feasible. Best management practices, such as water application, soil stabilizers, load covering, and limiting grading during high wind conditions, will be implemented. A final dust control plan will be submitted and approved by the Antelope Valley Air Quality Management District (AVAQMD) prior to any ground disturbance.
14. The nearest off-site sensitive receptor is a residential use located approximately 670 feet south of the Project boundary. The existing SFR on the Project Site will remain. Construction noise will occur primarily during weekday daytime hours, pursuant to County Code Title 12 (Environmental Protection), which limits construction hours to 7:00 a.m. until 7:00 p.m., except Sundays and holidays. The use of noise equipment will be scheduled and sited to minimize impacts.
15. The County Code requires that solar facility operators purchase recycled water, if such water is available within one mile of the Project Site and at fair market value. As no such source is available, water will be sourced from a local water wholesaler, Antelope Valley-East Kern Water Agency (AVEKWA), and trucked to the Project Site by a retail supplier. Approximately 13 acre-feet (AF) of water will be required for project-related construction and 0.2 AF annually for the Solar Facility's operation.
16. The Project will implement robust dust control measures to minimize airborne particulate emissions during construction. These include workers training; maintenance and cleaning of equipment, vehicles, construction areas, parking and staging areas, and unpaved access roads; the use of surface binders to prevent airborne dust; rescheduling grading activities when wind speeds exceed 25 miles per hour; and controlling exposed soils with plastic covering, mulch, or erosion control fabrics. The final dust control plan will be submitted and approved by AVAQMD prior to any ground disturbance.
17. Prior to the Commission's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, County Regional Planning (Regional Planning) staff (Staff) determined that a mitigated negative declaration (MND) was the appropriate environmental document for the Project. Air quality impacts, including concerns related to fugitive dust and Valley Fever, will be addressed through dust control plans approved by AVAQMD. Biological resource

impacts will be mitigated through mitigation measures, such as species-specific surveys, avoidance buffers, monitoring, and coordination with the California Department of Fish and Wildlife (CDFW), as needed. Cultural and tribal cultural resources will be protected through worker training, tribal monitoring, and treatment protocols outlined in a Tribal Cultural Resources Monitoring and Treatment Plan, ensuring appropriate response, if resources are encountered during construction. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the mitigation monitoring and reporting program (MMRP) prepared for the Project.

18. The Project Site is located within the area identified as part of the Fairmont Town Council (Town Council) area. In a letter dated March 31, 2025, Larry Dunworth, a former Town Council member, stated the Town Council was disbanded and had not had a meeting since February 2020.
19. The following public comments were received prior to the Commission's hearing of the Prior-Approved Project:
 - A. Nathan Bello, in a letter dated May 9, 2025, suggested that mitigation land be provided with specific wildlife species, such as Crotch's bumble bee.
 - B. Elizabeth Topor, in a letter dated May 29 and 30, 2025, expressed concerns about the Prior-Approved Project due to noise, aesthetic, dust, potential fire hazard, traffic, lighting and reflection, and potential impacts on family and animal life, and wildlife.
 - C. Sun Yoo, in a letter dated July 17, 2025, expressed support for the Prior-Approved Project.
20. Prior to the Commission's hearing of the Prior-Approved Project, Staff received the following recommendations from County departments, which were incorporated as a part of its conditions of approval:
 - A. County Department of Public Works (Public Works): In a letter dated December 23, 2024, recommended the Prior-Approved Project proceed to public hearing with required conditions of approval.
 - B. County Fire Department (Fire): In a letter dated December 19, 2023, recommended the Prior-Approved Project proceed to public hearing with required conditions of approval.
 - C. County Department of Public Health: In a letter dated May 15, 2024, recommended the Prior-Approved Project proceed to public hearing with required conditions of approval.
 - D. County Department of Parks and Recreation: In a letter dated December 19, 2023, recommended the Prior-Approved Project proceed to public hearing.

- E. County Sheriff's Department (LASD) Air Bureau: In a letter dated May 27, 2025, stated the Prior-Approved Project will not impact its operation.
21. A duly-noticed public hearing was held on August 20, 2025, before the Commission. Staff presented the Prior-Approved Project, followed by testimony from Mr. Nyberg, representing the Applicant. Three speakers (a nearby resident and two members of Save Our Rural Town) testified in opposition, raising concerns related to valley fever, potential fire hazards, land use compatibility, and noise. Mr. Nyberg and Ms. Fan, the Applicant's consultant, responded to these concerns. The Commission directed the BESS be relocated further away from the nearest SFR, and also inquired about potential heat island effects from the Solar Facility. Staff explained that such impacts are not recognized under CEQA or any applicable thresholds, and the current photovoltaic technology does not amplify heat in a way that would create significant impacts in the surrounding area. Following discussion, the Commission closed the public hearing and approved the Prior-Approved Project.
22. On September 2, 2025, Save Our Rural Town (Appellant) timely appealed the Commission's approval of the Prior-Approved Project and its environmental documents, including the MND and MMR on the following grounds:
- A. The approval of a BESS as an accessory use violates the Zoning Code;
 - B. Noise impacts are not mitigated to a level less than significant;
 - C. The MND fails to address the Prior-Approved Project's wildfire and hazardous emission impacts;
 - D. Water resources claimed by the MND do not exist;
 - E. The proposed 10,000-gallon water tank is insufficient for BESS fire suppression and wildfire protection; and
 - F. Approval of the CUP separately from a franchise agreement violates CEQA.
23. Supervisor Kathryn Barger began the hearing with questions to Regional Planning about its flexibility to consider removal of the BESS component of the Prior-Approved Project, and about regulation of BESS and other renewable energy facilities in the forthcoming Renewable Energy Ordinance Update (REO Update). The Director of Regional Planning, Amy Bodek, answered the Supervisor's question and addressed the Board. Director Bodek stated, at the direction of the Board, Regional Planning has been working on the REO Update that will define BESS in the County Code and balances the environmental value of renewable energy therefrom with the potential hazards they raise, in order to best address when, where, and in what circumstances BESS would be approved in the future. The REO Update includes environmental documents, which will be released for public review in spring of this year, prior to going to the Commission

and the Board for consideration. With respect to the matter before the Board, Director Bodek clarified the BESS structure was approved as an allowable accessory use, and the Solar Facility constitutes the primary use. Supervisor Barger then recognized that a BESS exists in the Second Supervisorial District and expressed an interest in avoiding overconcentration of BESS in one area of the unincorporated County. Director Bodek affirmed Regional Planning is looking at the issue of overconcentration very carefully in the REO Update.

24. Jacqueline Ayer addressed the Board at the public hearing for Appellant. Ms. Ayer stated she submitted her complete remarks in written statements to the Board, which fully expressed Appellant's concerns. Ms. Ayer argued that, because Title 22 prohibits BESS as a principal use, it therefore follows that BESS is not an authorized accessory use. Ms. Ayer also pointed out that the Project Site is located in a "Very High Fire Hazard Area" and a 10,000 gallon water tank was approved by the Fire Department for the Solar Facility, but no separate water tank was required for the BESS. Regardless, Ms. Ayer contends that 10,000 gallons of water is not sufficient to put out a BESS fire.

Ryan Nyberg, Senior Permitting Manager with Renewable Properties, which is a national financier, developer, owner, and operator of distributed energy resources, then addressed the Board on behalf of Applicant. Mr. Nyberg explained that the four-hour-duration, 4.99-megawatt BESS, which is accessory to the Solar Facility, would allow for energy produced during the day to shift to later in the day when solar production drops off and energy demand increases, a time which is often served by non-renewable resources. He added that the Solar Facility and BESS would provide reliable renewable energy to County residents and contribute towards the County's clean energy goals, and fully complies with the County Code, which allows solar facilities in the A-2 agricultural zone. Further, Mr. Nyberg stated the Prior-Approved Project has a power purchase agreement with Southern California Edison in their community renewables program and targets local users to subscribe to the program for a portion of the energy produced by the Prior-Approved Project in exchange for bill credits applied against their utility bills.

25. After hearing public comments, which included two speakers in support of the appeal and one speaker in opposition, Supervisor Barger asked Mr. Nyberg whether he would be willing to consider moving forward with the Solar Facility alone and omitting the BESS from the project, given the concerns from the community regarding the BESS component thereof. Mr. Nyberg acknowledged the concerns over the BESS as well as the County's current efforts on the REO Update, and agreed to remove the BESS and move forward with only the Solar Facility. Supervisor Barger thanked the members of the community who testified and the Applicant, and recognized that the Solar Facility will deliver clean energy and costs savings to local residences to advance the County's sustainability goals while respecting the character of the community. The Board then closed the public hearing, indicated its intent to deny the appeal and approve the Project

as amended by removing the BESS, and instructed County Counsel to prepare the necessary findings and conditions for the Board's consideration.

26. The Board finds the Project is consistent with the goals and policies of the General Plan and Area Plan as follows:
 - A. The Project is appropriate at the subject location because the RL10 land use designation is intended for SFRs, equestrian or animal-keeping uses, agricultural uses, and other uses where appropriate, and it is comparable in terms of impact to the aforementioned uses and is otherwise compatible with the surrounding area.
 - B. The Area Plan further states: "[u]tility-scale renewable energy production facilities may be allowed in Rural Land use designations without a Plan Amendment. However, applications for such facilities may require discretionary approval and shall be subject to the CEQA and the County's environmental review and public hearing procedures. Applications for such facilities must be carefully considered and must be consistent with the relevant Goals and Policies of the Area Plan, especially Goal COS [Conservation and Open Space] 10 and related policies, Goal COS 13 and related policies, and Goal COS 14 and related policies." (LU-13.) The Project requires discretionary approval and has been reviewed under CEQA through the preparation of an MND, in accordance with CEQA and County Environmental Reporting Guidelines.
 - C. The Solar Facility is consistent with the types of land uses envisioned for the RL10 designation. It is a low-intensity use compatible with the existing single-family residential use on the Project Site and is not expected to generate substantial traffic, noise, or other environmental impacts to the SFR and the area. Additionally, the Project includes a decommissioning and restoration plan, which will restore the Project Site to pre-development conditions following the end of the Solar Facility's operational life. As part of this plan, the Project Site will be seeded and fertilized with native vegetation, as needed, to return the Project site to its pre-project state as close as practical to original or initially agreed-upon condition.
27. The Board finds the Project is consistent with the following policies within the General Plan Land Use Element Goal LU 6: Protected rural communities characterized by living in a non-urban or agricultural environment at low densities without typical urban services.
 - A. Policy LU 6.1: Protect rural communities from the encroachment of incompatible development that conflict with existing land use patterns and standards. The Project is appropriate for rural communities, as it is a passive, low-intensity use that aligns with existing land use patterns and applicable standards. The surrounding area is characterized primarily by vacant land and SFRs on large lots. The Project will not result in

permanent road closures, physical division of the community, or increased demand for public services.

- B. Policy LU 6.2: Encourage land uses and developments that are compatible with the natural environment and landscape. The solar panel arrays will be installed using a low-impact method that preserves underlying vegetation, while grading will be limited to areas required for perimeter roads, retention basins, and other essential equipment.
- C. Policy 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. County-approved decommissioning plan, which ensures removal of above-ground structures, soil restoration, and revegetation, all of which will further support the Project's compatibility with the surrounding rural landscape.

28. The Board finds the Project is consistent with the following policy within General Plan Land Use Element Goal LU 7: Compatible land uses that complement neighborhood character and the natural environment of the General Plan.

Policy LU 7.1: Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers and other design techniques. The Project is designed to minimize potential impacts through the incorporation of a 30-foot property setback, perimeter landscaping with drought-tolerant native vegetation, and wildlife-friendly fencing.

29. The Board finds the Project is consistent with the General Plan Conservation and Natural Resources Element Policy C/NR 12.1: Encourage the production and use of renewable energy resources.

- A. The Project will produce renewable energy with PV solar arrays for distribution into the electrical grid. As such, the Project will help meet local and State mandates for carbon-free energy while keeping land use impacts to a minimum. The Project will produce approximately 15,000 MW-hours of electricity annually and help offset approximately 5,750 metric tons of carbon dioxide annually.
- B. As a renewable energy utility-scale Solar Facility, the Project also helps meet the goals and objectives of the County's Community Climate Action Plan (CCAP), a component of the General Plan, which was adopted in 2015 and in effect at the time of the CUP application for the Project. The purpose of the CCAP is to help implement the County's goal of reducing greenhouse gas (GHG) emissions to 80 percent below 2000 levels by 2050, as part of the County's commitment to the United States Cool Counties Climate Stabilization Declaration.
- C. In 2010, transportation emissions from vehicles within the unincorporated areas of the County are the second largest source of emissions, or

42 percent of total GHG emissions. One strategy to reduce these specific GHG emissions is to encourage the greater use of electric vehicles (EV). As such, the CCAP encourages a County-wide installation of EV chargers to accommodate the anticipated growth of EVs in California and the nation. A large shift to EVs, however, would likely result in a substantial increase in demand for electrical power. Therefore, to truly contribute to a reduction in GHG emissions, the electricity used to charge EVs must come from carbon-free energy sources, such as solar.

D. While the CCAP provides implementation strategies to reduce GHG emissions in multiple areas of development and construction within the unincorporated areas of the County, California State Bill 100, signed in 2018, sets a target of 60 percent of renewable electricity by 2030 and 100 percent renewable electricity by 2045. As a utility-scale solar energy facility that will connect to the existing grid, the Project will help meet both local and State demand for renewable energy.

30. The Board finds the Antelope Valley Area Plan Conservation and Open Space Element Goal COS 10 is applicable to the Project: Diverse energy systems that utilize existing renewable or waste resources to meet future energy demands.

A. Policy No. 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.

i. The solar panels proposed for the Project are primarily composed of approximately 76 percent tempered glass, 10 percent plastic polymer, and less than 0.1 percent heavy metals, such as silver. These materials are stable and not readily susceptible to spills or accidental releases. Any used or spent solar panels determined to be hazardous waste are subject to strict regulation under applicable hazardous waste laws.

ii. Routine cleaning of the panels will require only water, without the use of toxic chemicals, and the resulting runoff will infiltrate into the ground.

iii. Spent oil from transformers or other electrical equipment will be properly collected and transported to a licensed recycling facility.

iv. As an added safeguard, the conditions of approval require the Applicant to participate in the photovoltaic (PV) panel manufacturer's collection and recycling program—or another approved recycling program—to ensure proper disposal of decommissioned PV panels and other project components.

- B. Policy COS 10.2: Ensure that all individual renewable energy systems and all utility-scale renewable energy production facilities do not interfere with commercial and military flight operations or communication facilities. Consult with Edwards Air Force Base and U.S. Air Force Plant 42 on all proposed renewable energy projects that require discretionary approval. As the Project Site is located more than 44 miles away from Edwards Air Force Base and 35 miles from U.S. Air Force Plant 42, it is not likely to generate any impacts to their operations or facilities, which Staff confirmed with the U.S. Air Force and Edwards Air Force Base.
31. The Board finds the Antelope Valley Area Plan Conservation and Open Space Element Goal COS 13 of the Area Plan is applicable to the Project: 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.
- A. Policy 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.
 - i. The Project will be developed on an SFR lot where the SFR development occupies approximately nine acres in the southwestern corner of the subject parcel. The Project Site is surrounded by mostly vacant land and some SFRs on large lots. The visual impacts will be reduced by the required fencing and landscaping buffer. The drought-tolerant vegetation species approved by a staff biologist will be irrigated, as needed, for establishment and maintenance in order to minimize water demand.
 - ii. The Project also incorporates wildlife-permeable fencing design and underground gen-tie lines onto the existing grid system, which avoids impacts on existing biological resources.
 - iii. Mitigation measures and conditions pertaining to noise, dust control, aesthetics, and biological resources, will aid in reducing impacts of the Project.
 - B. Policy 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, which will restore the full site to its natural state upon complete discontinuance of operations and will restore non-operational portions of the Project Site while the remainder continues operating.
 - i. The Project will be required by the conditions of approval to develop and submit a decommissioning and restoration plan

(Decommissioning Plan) that includes a site restoration plan, prior to obtaining any building permits for construction.

- ii. The Decommissioning Plan is required to include removal of all above-ground equipment and electrical lines; restoration of any disturbed soil and re-vegetation of the Project Site to its pre-construction condition; restoration or reclamation of Project roads to their pre-construction condition; documentation of the pre-construction condition of the Project Site; and details of the performance and financial assurance guarantees. The Decommissioning Plan will be subject to the County's review and approval.
- C. Policy COS 13.4: Promote the use of recycled water in utility-scale renewable energy production facilities to limit impacts on the available freshwater supply.
- i. The County Code requires solar facility operators to purchase recycled water, if such water is available within one mile of the Project Site and at fair market value. Since there is no such source within one mile of the Project Site, the primary source of water for the Project would be sourced from a local water wholesaler, AVEKWA, and trucked to the Project Site by a retail supplier.
 - ii. The proposed water usage is minimal, as it will be used for dust suppression during construction and cleaning of solar panels during normal operation. Approximately 13 AF of water will be required during an approximately seven-month construction period for Project Site preparation and dust control, and 0.2 AF of water will be required annually for the Solar Facility's operation. All required water will be trucked to the Project Site.
- D. Policy 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 (SEA) as a mitigation measure.
- i. The Project Site is a 40-acre parcel currently developed with an SFR at approximately nine-acre area at the southwestern corner.
 - ii. The Project Site is not in an SEA. There are some biotic communities identified as being impacted by the Project, including Swainson's hawk, desert kit fox, American badger, crotch's bumble bee, and other special status birds.
 - iii. Mitigation measures for biological resources are proposed to reduce impacts to less than significant levels, such as avoiding

burrowing owls within a 50-meter to 500-meter buffer depending on the season during construction or decommissioning, as feasible.

- E. Policy COS 13.6: Ensure 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.
 - i. The Project is in an area that is mostly vacant with sporadic development of SFRs. The Project Site is currently developed with an SFR at the southwest corner. Within a 1,000-foot radius from the Project Site, there are only two existing SFRs to the south, not counting the SFR on the Project Site, which will remain.
 - ii. The Project will be designed to minimize any conflicts with adjacent land uses by providing a 10-foot-wide landscape buffer on 230th Street West, as well as the boundaries abutting the SFR on the Project Site.
 - ii. Perimeter fencing up to eight feet in height, including barbed wire on top, will be installed 30 feet from the Project Site boundaries to provide additional buffer and screening.
 - F. Policy COS 13.7: Limit the aesthetic impacts of renewable energy production facilities to preserve rural character.
 - i. The Project will contain design features to reduce its aesthetic impacts, including installing perimeter landscaping consisting of native and drought-tolerant vegetation. The landscaping will be irrigated regularly until established and maintained during the life of the Project with monthly monitoring.
 - ii. The height of the solar panels support structures will be limited to a maximum of 25 feet in height at maximum tilt to minimize visual impacts.
32. The Board finds the Antelope Valley Area Plan Conservation and Open Space Element Goal COS 14 is applicable to the Project: Energy infrastructure that is sensitive to the scenic qualities of the Antelope Valley and minimizes potential environmental impacts. Policy 14.1 requires new transmission lines be placed underground whenever physically feasible. The Project's gen-tie lines of 675 feet in length will be placed underground along 230th Street West to connect to an existing electrical grid system in compliance with all applicable requirements from Public Works.
33. The Board finds that Economic Development (ED) Element Policies of the Antelope Valley Area Plan are met by the Project.

- A. Policy ED 1.11: Encourage the development of renewable energy projects at appropriate locations and with appropriate standards to ensure any negative impacts to local residents are sufficiently mitigated.
 - i. The Solar Facility is located in a mostly vacant area with sporadic residential development, away from town centers or commercial districts. It will be developed with all applicable renewable energy facility development standards, as well as conditions and mitigation measures to ensure impacts to nearby uses and residents are minimized, including the undergrounding of gen-tie lines, as discussed above. Additionally, mitigation measures will aid in minimizing and reducing impacts, including aesthetics, dust, and noise.
 - B. Policy ED 1.13: Ensure early discussions with Edwards Air Force Base and U.S. Air Force Plant 42 regarding new industries, such as renewable energy production facilities, to limit potential impacts on mission capabilities.
 - i. Staff has consulted with both Edwards Air Force Base and U.S. Air Force Plant 42 and no comments were received. As the Project Site is more than 35 miles away from either facility, it is not anticipated to generate potential impacts.
34. The Board finds the Project is consistent with the A-2 zoning classification, as a utility-scale ground-mounted solar facility is permitted in such zone with a CUP, pursuant to County Code Section 22.16.030.C.
35. The Board finds the Project is consistent with the standards identified in County Code Section 22.140.510.E.3 (Renewable Energy, Utility-Scale Solar Energy Facilities, Development Standards), which require: (1) a minimum 30-foot setback from the property line to the solar array; (2) a 15-foot setback for perimeter fencing; and (3) a 10-foot-deep landscaped buffer along fencing adjoining residential or agricultural uses. The Project complies with both setback requirements, and a 10-foot landscaped buffer will be installed along 230th Street West and along the Solar Facility boundaries in the southwest that adjoin the existing SFR on the Project Site. As there are no other SFRs or agricultural uses adjacent to the Project Site, no additional landscaping is required or proposed. Additionally, County Code Section 22.140.510.E.3 requires that fencing not exceed eight feet in height and include a small animal-permeable design. The Project's fencing complies with these requirements through the inclusion of regularly-spaced 12-inch openings at the base of the proposed fence.
36. The Board finds the Project is consistent with the standard identified in County Code Section 22.140.510.E.3.c.iii (Renewable Energy, Utility-Scale Solar Energy Facilities, Development Standards, Height), which states the height of the solar

arrays may not exceed 25 feet. The height of the Project's solar arrays will be approximately 10 feet and maximum 25 feet with tilt.

37. The Board finds the Project is consistent with the standard identified in County Code Section 22.140.510.E.3.c.vii (Renewable Energy, Utility-Scale Solar Energy Facilities, Development Standards, Signs), which states that one identification sign at each entrance is permitted. One such sign at the entrance on 230th Street West will be installed. A detailed sign plan depicting such a sign will be provided as part of the Exhibit "A."
38. The Board finds the Project is consistent with the regulations identified in County Code Sections 22.140.510.E.3 and 22.140.510.H (Renewable Energy, Aviation Review), which require the County to notify government agencies with military and/or aviation-related duties of proposed solar facilities in either airport influence areas or military operations areas (MOA). The Project Site is in an MOA. The County sent 12 notices on May 19, 2025, regarding the subject Project to the various branches of the U.S. Military, LASD Air Bureau, and Fire, among others. Only LASD Air Bureau responded in a letter dated May 27, 2025, stating the Project will not impact its operation.
39. The Board finds the Project is consistent with the standards identified in County Code Sections 22.80.050 (Rural Outdoor Lighting District, General Development Standards) and 22.140.510.E.3.c.iv (Renewable Energy, Utility-Scale Solar Energy Facilities, Development Standards, Lighting). The Project Site is in a Rural Outdoor Lighting District. No permanent outdoor lighting is proposed for operation. The only outdoor lighting that may be required is temporary lighting during construction, particularly during the winter season when daylight is no longer sufficient earlier in the day. Any proposed lights at the Project Site will be of a type and design in compliance with the pertinent Rural Outdoor Lighting District and renewable energy facility requirements.
40. The Board finds the proposed use at the Project Site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare. The Project will be a passive, low-intensity use located in a rural area surrounded by vacant land and large-lot SFRs; and is not expected to adversely affect public health, safety, or the welfare of nearby residents. The Solar Facility will be unstaffed during operation, with only occasional maintenance visits, minimizing traffic and noise. A 30-foot setback, a 10-foot landscaped buffer with drought-tolerant vegetation, and perimeter fencing will further reduce potential impacts. Construction will last approximately seven months with balanced on-site grading and required dust control measures. The landscaped buffer will be irrigated and maintained throughout the life of the Project to ensure continued compatibility with the surrounding area.

41. The Board finds the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 (Planning and Zoning) of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The Board finds the 31-acre area of the Solar Facility on the 40-acre Project Site is adequate in size and shape to accommodate all required development features, including yards, setbacks, fencing, landscaping, access, parking, and loading facilities, in compliance with Title 22 (Planning and Zoning) of the County Code. The Project Site's gentle topography supports the Solar Facility and associated infrastructure. The Project will be fully contained within perimeter fencing set back 30 feet from the property lines, with landscaping provided within the setbacks. Internal access, parking, and loading areas will be integrated into the Project Site layout to ensure functional and orderly development consistent with surrounding rural uses.
42. The Board finds the Project Site is adequately served by highways or streets of sufficient width and improved, as necessary, to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. The Board finds the Project Site is adequately served by existing roadways capable of supporting the type and volume of traffic generated by the Project. The Project Site is accessed from 230th Street West, a 50-foot-wide Secondary Highway as designated in the County Master Plan of Highways, and is located approximately 1,200 feet north of West Avenue D, also known as State Highway 138, which is designated as a Proposed Expressway. Construction traffic will primarily utilize 230th Street West, which is sufficient in width and capacity to accommodate temporary increases in traffic volume. Once operational, the Project is expected to generate minimal traffic, with no more than 10 maintenance visits per year, resulting in negligible impacts on the surrounding transportation network.
43. The Board finds that, to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the grant term of the CUP to 35 years.
44. The Board finds the Project complies with all applicable development standards. The Project complies with all applicable renewable energy development standards, including those related to setbacks, height, landscaping, and fencing, as outlined in the County Code. The solar arrays will not exceed 25 feet in height, and perimeter fencing up to eight feet high will be installed within the required 30-foot setback, but no closer than 15 feet from the public right-of-way. A 10-foot-wide landscaped buffer will be provided within this setback along public rights-of-way and adjacent to existing SFRs. Final plans detailing signage and lighting, consistent with general development standards, will be submitted post-hearing, in accordance with CUP conditions.
45. The Board finds the Project, as sited and designed, will be constructed in such a way to minimize significant impacts to the environment, including impacts to birds

and bats, through appropriate measures, including minimizing proximity to perch sites, such as transmission lines and towers. The Project has been carefully sited and designed to minimize significant environmental impacts, particularly to sensitive wildlife, such as birds and bats. To reduce the potential for harm to protected avian species, the Project includes comprehensive mitigation measures, such as pre-construction nesting bird surveys (MM BIO-1); specific protections for Swainson's hawks (MM BIO-2); and operational standards, such as orienting panels vertically at night to deter bird perching (MM BIO-11). These measures are intended to prevent disruption of nesting, foraging, and flight behavior and ensure construction does not occur near active nests without appropriate biological oversight. Additionally, the Project minimizes environmental impacts through design features and procedural safeguards, implementation of biological monitoring, and educational programs for workers (MM BIO-3). Wildlife-friendly fencing with small-animal permeable design is required, pursuant to the renewable energy ordinance requirements, reducing the potential for habitat fragmentation and entrapment. Avoidance buffers, habitat monitoring, and adaptive management strategies further protect sensitive species, such as burrowing owls, desert kit fox, American badger, and Crotch's bumble bee (MM BIO-6, BIO-7, BIO-8, and BIO-9). Collectively, these commitments ensure the Project is constructed and operated in a manner that avoids or mitigates biological impacts and maintains compatibility with the surrounding natural environment.

46. The Board finds the Project is sited in such a way to minimize site disturbance, such as grading, brush clearance, and other forms of earthwork. The Project is sited and designed to minimize site disturbance, including grading, brush clearance, and other forms of earthwork. The Project Site is predominantly flat, allowing for minimal grading limited to essential components, such as perimeter and internal access roads, retention and infiltration basins, water tank pads, and areas related electrical equipment. The solar array field itself will remain ungraded, with support piles driven directly into the ground to preserve the natural topography and soil structure. Existing vegetation will remain in place beneath the panels and will be managed through mowing to a maximum height of six inches. Additionally, any areas disturbed during construction or operation requiring revegetation will be maintained and monitored until successful reestablishment is achieved, as required by the Project's conditions of approval.
47. The Board finds the proposed vegetation required along the Solar Facility perimeter fencing sufficiently provides a buffer from adjacent residential and agricultural uses through variable placement and muting of frontage or other sensitive viewsheds so as to provide a natural visual transition between the Project and its surroundings. The proposed vegetation along the Solar Facility's perimeter fencing sufficiently provides a visual buffer from adjacent residential uses, helping to soften views of the Solar Facility and create a natural transition to the surrounding rural environment. The draft landscape plan includes a 10-foot-wide buffer planted with a diverse mix of drought-tolerant native shrubs and trees, including species, such as California buckwheat, brittlebush, big

sagebrush, California cudweed, and Tecate cypress. These plantings will be installed with appropriate spacing and layout to ensure variable height and density, providing effective screening along 230th Street West and adjacent property lines. The landscaping will be mulched to conserve water and suppress weeds, and the planting areas will be irrigated until establishment. Collectively, these design elements are intended to create a visually cohesive and environmentally appropriate buffer, which integrates the Project into its rural surroundings.

48. The Board finds the proposed vegetation sufficiently provides ground cover to the satisfaction of the County biologist (Biologist). The planting palette includes six shrub species, such as California buckwheat, brittlebush, big sagebrush, and California cudweed, along with Tecate cypress as a tree species, all spaced to ensure adequate coverage. A mulch layer of three inches will be applied to all shrub beds to conserve moisture, suppress weed growth, and promote plant health.
49. The Board finds the proposed vegetation sufficiently provides such buffer and ground cover to the satisfaction of the Biologist. The perimeter landscape plan incorporates a mix of native, drought-tolerant plant species specifically selected for their suitability to the local climate and their ability to establish effective visual and ecological buffers. The Biologist has reviewed and provided input on the plant selection and layout to ensure it achieves the intended buffering and ground cover functions. The final landscape plan will be subject to the Biologist's approval, as required by the conditions of the CUP, and all plantings will be irrigated and maintained until successfully established and throughout the operational life of the Project. The MMRP contains requirements establishing the timing of each biological mitigation measure to ensure compliance will be accomplished in a timely manner and verified to the satisfaction of the Biologist.
50. The Board finds the Project would not be detrimental to the function of an MOA and would not pose a public or safety hazard to personnel or the public. While the Project Site is in an MOA, no comments have been received from Edwards Air Force Base and U.S. Air Force Plant 42, which were both consulted. As the Project Site is located more than 35 miles away from Edwards Air Force Base and U.S. Air Force Plant 42, it is not likely to generate any impacts to their operations or facilities. Only LASD Air Bureau responded in a letter dated May 27, 2025, stating the Project will not impact its operation. Therefore, the Project would not have detrimental impact on military operations in the area and would not pose a public or safety hazard to personnel or the public.
51. After consideration of the MND and MMRP, together with the comments received during the public review process, the Board finds, on the basis of the whole record before it, there is no substantial evidence that the Project, as conditioned, will have a significant effect on the environment. The Board further finds the MND reflects its independent judgment and analysis.

52. The Board finds the MMRP, prepared in conjunction with the MND, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Board further finds the MMRP's requirements are incorporated into the conditions of approval for the Project, and approval of the Project is conditioned on the Applicant's compliance with the attached conditions of approval and MMRP.
53. The Board finds the Applicant is subject to payment of CDFW fees related to the Project's effect on wildlife resources, pursuant to section 711.4 of the California Fish and Game Code.
54. Pursuant to Section 22.222.120 (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by mail, and newspaper (Los Angeles Daily Journal), and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website, and a total of 19 notices of public hearing were mailed to all property owners, as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 16 notices to those on the courtesy mailing list for the Antelope Valley West Zoned District and to any additional interested parties.
55. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the North County Development Services Section, Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the Project Site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- C. The Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The Project Site is adequately served by highways or streets of sufficient width and improved, as necessary, to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

- E. The Project complies with all applicable development standards.
- F. The Project is sited and designed and will be constructed in such a way to minimize significant impacts to the environment, including impacts to birds and bats, through appropriate measures, including minimizing proximity to perch sites, such as transmission lines and towers.
- G. The Project is sited in such a way to minimize Project Site disturbance, such as grading, brush clearance, and other forms of earthwork.
- H. The proposed vegetation required along the Solar Facility perimeter fencing sufficiently provides a buffer from adjacent residential and agricultural uses through variable placement and muting of frontage or other sensitive viewsheds so as to provide a natural visual transition between the Project and its surroundings.
- I. The proposed vegetation sufficiently provides ground cover to the satisfaction of the Biologist.
- J. The proposed vegetation sufficiently provides such buffer and ground cover in a timely manner to the satisfaction of the Biologist.
- K. The Project would not be detrimental to the function of an MOA and would not pose a public or safety hazard to personnel or the public.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies it independently reviewed and considered the MND and the MND reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; certifies it considered the MMRP, finding it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined, on the basis of the whole record before the Board, there is no substantial evidence the Project will have a significant effect on the environment; adopts the MND and finds the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation;
2. Denies the appeal; and
3. Approves Conditional Use Permit No. RPPL2023005137-(5), as amended, subject to the attached conditions.

CONDITIONS OF APPROVAL
PROJECT NO. PRJ2023-002405-(5)
CONDITIONAL USE PERMIT NO. RPPL2023005137-(5)
ENVIRONMENTAL PLAN NO. RPPL2023005138-(5)

1. This grant is to authorize the development, operation, and maintenance of a ground-mounted utility-scale photovoltaic solar energy facility (Project) on a property located at the southeast of the intersection of 230th Street West and West Avenue C-8 in the unincorporated community of Lancaster (Project Site), subject to the following conditions of approval (Conditions).
2. Unless otherwise apparent from the context, the term "Applicant" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant. The term "date of final approval" shall mean the date the County's action becomes effective, which is the date when the County's Board of Supervisors approves the Project's Findings and these conditions of approval, pursuant to the Los Angeles County Code (County Code) Section 22.222.230.F.
3. This grant shall not be effective for any purpose until the Applicant, and the owner of the subject property, if other than the Applicant, have filed at the office of the Los Angeles County (County) Department of Regional Planning (Regional Planning) their affidavit stating they are aware of and agree to accept all of the Conditions of this grant, and that the Conditions of this grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition Nos. 11, 12, and 15. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
4. The Applicant shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this grant, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the Applicant of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the Applicant of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the Applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County.
5. In the event any claim, action, or proceeding as described above is filed against the County, the Applicant shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including, but not limited to, depositions, testimony, and other assistance provided to Applicant or Applicant's counsel.

- A. If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the Applicant shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - B. At the sole discretion of the Applicant, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the Applicant, pursuant to Los Angeles County Code (County Code) Section 2.170.010.
6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, this grant shall be void, and the privileges granted hereunder shall lapse.
 7. Prior to the use of this grant, the Applicant, or the owner of the subject property if other than the Applicant, shall record the terms and Conditions of this grant in the office of the County Registrar-Recorder/County Clerk (Recorder's Office). In addition, upon any transfer or lease of the property during the term of this grant, the Applicant, or the owner of the subject property if other than the Applicant, shall promptly provide a copy of this grant and its Conditions to the transferee or lessee of the subject property.
 8. This grant shall terminate on March 17, 2061. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the Applicant intends to continue operations after such date, whether or not the Applicant proposes any modifications to the use at that time, the Applicant shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least 12 months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event the Applicant seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
 9. This grant shall expire unless used within two years from the date of final approval of this grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
 10. The subject property shall be maintained and operated in full compliance with the Conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the Applicant to cease any development or activity not in full compliance shall be a violation of these Conditions. No provision of any easement or any other encumbrance on the property shall exempt the Applicant and/or property owner from compliance with these Conditions and applicable regulations.

11. Inspections shall be made to ensure compliance with the Conditions of this grant, as well as to ensure any development undertaken on the subject property is in accordance with the approved site plan on file. The Applicant shall deposit with the County the sum \$23,500, which shall be placed in a performance fund and be used exclusively to reimburse Regional Planning for all expenses incurred while inspecting the premises to determine the Applicant's compliance with the conditions of this grant. The fund provides for 50 inspections.
 - A. Inspections may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS). Use of a UAS requires the consent of the Applicant, pursuant to Regional Planning's UAS policy, which may be updated from time to time and which shall be provided to the Applicant upon request.
 - B. If additional inspections are required to ensure compliance with the Conditions of this grant, or if any inspection discloses the subject property is being used in violation of any one of the Conditions of this grant, the Applicant shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$456 per inspection, or the current recovery cost established by Regional Planning at the time any additional inspections are required, whichever is greater.
12. The Applicant shall remit processing fees at the Recorder's Office, payable to the County of Los Angeles, in connection with the filing and posting of a notice of determination (NOD) for the Project and its entitlements, in compliance with section 21152 of the Public Resources Code. Unless a certificate of exemption is issued by the California Department of Fish and Wildlife (CDFW), pursuant to section 711.4 of the California Fish and Game Code, the Applicant shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the California Fish and Game Code, currently \$3,118.75 (\$3,043.75 for a negative declaration or mitigated negative declaration (MND) plus \$75 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
13. The Applicant shall comply with all mitigation measures identified in the mitigation monitoring and reporting program (MMRP), which are incorporated by this reference as if set forth fully herein.
14. Within 30 days of the date of final approval of this grant by the County, the Applicant shall record a covenant and agreement, which attaches the MMRP, and agrees to comply with the mitigation measures imposed by the MND for the Project, in the Recorder's Office. Prior to recordation of the covenant, the Applicant shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the Applicant shall submit annual mitigation monitoring

reports to Regional Planning for approval or as required. The reports shall describe the status of the Applicant's compliance with the required mitigation measures.

15. The Applicant shall deposit an initial sum of \$6,000 with Regional Planning within 30 days of the date of final approval of this grant in order to defray the costs of reviewing and verifying the information contained in the reports required by the MMRP. The Applicant shall replenish the mitigation monitoring account, if necessary, until all mitigation measures have been implemented and completed.
16. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission (Commission) or a Hearing Officer may, after conducting a public hearing, revoke, or modify this grant, if the Commission or Hearing Officer finds these Conditions have been violated or this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized, pursuant to Chapter 22.238 of the County Code.
17. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department (Fire).
18. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works (Public Works) to the satisfaction of said department.
19. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these Conditions, including the approved Exhibit "A" or a revised Exhibit "A" approved by the Director of Regional Planning (Director).
20. The Applicant shall maintain the subject property in a neat and orderly fashion. The Applicant shall maintain free of litter all areas of the premises over which the Applicant has control.
21. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above Conditions that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
22. In the event of graffiti or other extraneous markings occurring, the Applicant shall remove or cover said markings, drawings, or signage within 30 days of such notification, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

23. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, one digital copy of a modified Exhibit "A" shall be submitted to Regional Planning by May 18, 2026.
24. In the event subsequent revisions to the approved Exhibit "A" are submitted, the Applicant shall submit one digital copy of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A." All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
25. Within 60 days of the date of final approval of this grant by the County or prior to ground disturbance and/or issuance of the grading permit, whichever is first, the Applicant shall submit to Regional Planning a final landscaping and revegetation plan (LRP) for review and approval and shall comply with all requirements of such LRP. Such LRP shall include wildlife-friendly perimeter fences up to eight feet in height that enclose the Solar Facility and a 10-foot landscape buffer along 230th Street West and along the southwestern boundary of the Solar Facility where the Solar Facility adjoins an existing single family residence, subject to the approval of the Director.
26. Within 60 days of the date of final approval or prior to ground disturbance and/or issuance of grading permit, whichever is first, the Applicant shall submit to Regional Planning a detailed signage plan. Such plans shall include:
 - A. One pole-mounted project identification sign at each temporary or permanent ingress or egress point;
 - B. Signs shall include owner and emergency contact information; and
 - C. No other signs shall be posted other than safety, directional, and warning signs.
27. This grant shall authorize the construction, operation, and maintenance of a ground-mounted utility-scale solar energy facility on a 40-acre site. Within 60 days of the date of final approval, the Applicant shall submit to Regional Planning an updated Exhibit "A" eliminating the accessory BESS, subject to review and approval of the Director, prior to the issuance of any grading or building permits.
28. The Applicant shall irrigate the perimeter landscaping (referenced in Condition No. 25) for a minimum of three years or until the landscaping has successfully established. The Applicant shall ensure the perimeter landscaping remains successfully established to the satisfaction of Regional Planning throughout the entire term of this grant. The Applicant shall maintain all landscaping in a neat, clean, and healthful condition and shall properly prune, weed, remove litter, and fertilize and replace plants, when necessary. The Applicant shall continue irrigation of perimeter landscaping and revegetate, as reasonably necessary, to

maintain the health of the landscaping throughout the life of this grant to the satisfaction of Regional Planning. Perimeter fence screening slats or other materials shall be maintained in good condition, and missing, broken, tattered, or torn pieces shall be repaired and/or replaced, as necessary. Any area on the Project Site in need of revegetation because of Project construction or operation shall also be maintained until successfully reestablished to the satisfaction of the Director.

29. Prior to any ground disturbance and/or the issuance of grading permits, the Applicant shall submit a dust control plan, including a dust plume response plan, for review and approval by the Antelope Valley Air Quality Management District (AVAQMD) and confirmation by Regional Planning.
30. Appropriate training for respiratory protection shall be provided to construction workers prior to construction activities. Dust masks approved by the National Institute for Occupational Safety and Health shall be provided with proper training to construction workers to mitigate against dust exposure and possibly valley fever during high-wind events and/or dust-generating activities. Evidence of this training shall be kept on-site and shall be made available to County staff upon request.
31. The Applicant shall abide by the following dust control measures:
 - A. During Project Site preparation and during operations, retain or mow vegetation in and around array sites to prevent vegetative root loss. Disking, tilling, or grading of array sites is prohibited, except where specifically authorized by Public Works. Roads, drainage basins, equipment pads, and any other required earthwork authorized by Public Works shall be done in compliance with grading regulations;
 - B. Maintain dust control using, to the extent applicable, phased earthwork, watering, clean gravel, composted wood chips not to exceed six inches in depth, application of non-toxic soil stabilizers on disturbed areas, revegetation, limited public access on unpaved areas, speed limits on construction sites, and other dust control measures used during construction, operations, and removal and restoration activities;
 - C. If required by AVAQMD during construction, provide on the Project Site weather stations, monitors with wind speed and wind direction, temperature and humidity sensors, and mechanical dust-monitoring devices, placed to the satisfaction to AVAQMD, to ensure the effectiveness of the Project's dust control plan;
 - D. Establish vegetation along certain portions of the Project perimeter, where required by the LRP, as early as feasible following Project approval for both visual screening and to limit off-site movement of dust; and

- E. During ground preparation, disturbance, grading, or construction, pay the costs of an on-site mitigation and conditions compliance monitor, to the satisfaction of the Director, to independently monitor and report on Project compliance. The monitor shall be on-site during all Project Site preparation, grading, and excavation and backfilling work.
32. Prior to any ground disturbance or obtaining any grading permit, the Applicant shall provide the County with a decommissioning plan (Decommissioning Plan) in connection with any and/or all of the terminating events described in Condition No. 33. The Decommissioning Plan shall include, at a minimum, a detailed plan for decommissioning and deconstructing the Solar Facility and for restoration of the Project Site, collectively referred to as "decommissioning." The Decommissioning Plan shall be developed to the satisfaction of the Director and the Director of Public Works and subject to their review and approval.
33. The Decommissioning Plan shall provide for, including, but not limited to, the following:
- A. Removal or recycling of solar panel structures and all appurtenant above-ground equipment;
 - B. Removal of any on-site overhead poles and above-ground electricity lines;
 - C. Removal of permanent above-ground transmission lines and poles located in the public right-of-way, if determined not usable by Public Works and/or any other applicable public or private utility at the time of decommissioning;
 - D. Restoration of any disturbed soil and revegetation of the Project Site to its pre-construction condition, with native vegetation similar to the vegetation in the surrounding vicinity;
 - E. Restoration or reclamation of Project roads to their pre-construction condition, unless the then-existing owner of the Project Site elects to retain the improved roads for access throughout the Project Site;
 - F. Documentation of the pre-construction condition of the Project Site, including, but not limited to, a photographic record; and
 - G. Details of the performance and financial assurance guarantees described in this Condition No. 33, explaining the amounts and schedule for the provision of such guarantees.
34. Prior to any ground disturbance or obtaining any grading or building permits, the Applicant shall record an easement granting access to the County for activities related to decommissioning. A draft easement document shall be submitted for review and approval by the Director and Director of Public Works, prior to easement recordation.

35. Prior to obtaining any grading permits or ground disturbance, the Applicant shall provide to the County, to the satisfaction of the Director and Director of Public Works, performance and financial assurance guarantees in an amount sufficient to ensure the performance of the approved Decommissioning Plan, as described in Condition No. 33. Additionally, the Applicant shall be solely responsible for the costs and expenses associated with decommissioning the Project Site after any of the terminating events described in this Condition No. 35. In the event that the performance and financial assurance guarantees are not sufficient to fully compensate the County for the cost and expense of decommissioning the Project Site, the Applicant shall be responsible for compensating the County for any shortfall. In determining the sufficiency of the performance and financial assurance guarantees, the residual value of the solar panels, support structures, and other salvageable equipment (collectively, Salvageable Property) shall be considered. The residual value of the real property itself shall not be considered or included in the determination of whether the performance and financial guarantees are sufficient.
36. With respect to the performance and financial assurance guarantees, the following requirements shall apply:
- A. The Applicant shall ensure that such guarantees are detailed in the approved Decommissioning Plan to the satisfaction of the Director and Director of Public Works, and that such Decommissioning Plan shall explain the amounts and schedule for the provision of such guarantees;
 - B. The Applicant shall provide a report to the Director every five years after the date of final approval of this grant to confirm that the performance and financial assurance guarantees are sufficient to ensure performance and implementation of the Decommissioning Plan. The report shall be subject to review and approval by the Director and Director of Public Works, particularly as to whether the performance and financial assurance guarantees are adequate to meet existing conditions at the time of the report;
 - C. A decommissioning pro forma summarizing the residual value of the Salvageable Property shall be included in the report. The pro forma shall include, at a minimum, the expected revenue from all Salvageable Property, as defined in Condition No. 35, the then-current cost of decommissioning the Project Site, as required by the approved Decommissioning Plan, and the then-current value of any performance and financial assurance guarantees that have been provided as of the date of such report. In the event it is determined that the performance and financial assurance guarantees are insufficient to perform the decommissioning of the Project Site as required by the approved Decommissioning Plan, the Applicant shall be required to provide additional performance and financial assurance guarantees to the

satisfaction of the Director and the Director of Public Works, no less than 10 years before the expiration of this grant;

- D. Any funds not used by the County in connection with decommissioning the Project Site shall be returned to the Applicant; and
 - E. The performance and financial assurance guarantees may include, but are not limited to, one or more of the following, to the satisfaction of the Director and Director of Public Works:
 - i. An irrevocable letter of credit;
 - ii. A surety bond;
 - iii. An appropriate insurance policy;
 - iv. A trust fund or escrow account, established and maintained in accordance with approved financial assurances and practices to guarantee that decommissioning the Project Site will be completed in accordance with the approved Decommissioning Plan, as approved by Public Works;
 - v. Other financial assurances, as reviewed and approved by the respective County administrative offices, in consultation with Regional Planning; and/or
 - vi. A corporate guarantee shall not be considered a sufficient financial assurance guarantee.
37. Upon discontinuance of the Applicant's operation as set forth in this Condition No. 37, abandonment of the Project, in whole or in part, or termination of this grant as described in Condition No. 8, and in the event a new permit application is not timely filed for a continued similar use or reuse of the Project Site, the Applicant shall perform decommissioning in accordance with the approved Decommissioning Plan, or compensate the County for use of a County-contracted consultant to perform such decommissioning. In the alternative, and at the County's sole election, the County shall be entitled to use any performance and/or financial assurance guarantees, as described in Condition No. 36(E), to perform the decommissioning itself or to contract for such decommissioning. The Applicant shall grant the County the necessary access to the subject property to perform such decommissioning or to allow a County-retained contractor to perform such decommissioning.
38. In the event any portion of the solar field is not in operational condition for a consecutive period of 24 months, operations for the portion of the Project Site shall be deemed to have been discontinued. Such portion of the Solar Facility shall be removed from the Project Site within six months from the date that written notice is sent to the Applicant from Regional Planning. Within this

six-month period, the Applicant may provide the Director a written request and justification for an extension of up to 12 months to resume operations of that portion of the Project Site, which request shall be subject to the satisfaction and approval of the Director. A second written request and justification for a second extension of up to 12 months may also be submitted, which the Director may grant, if the request is adequately justified based on the Director's determination. In no event shall the operations of the Solar Facility or portion of the Solar Facility be discontinued for more than 36 months from the date such operations were first deemed discontinued without being decommissioned, pursuant to the approved Decommissioning Plan. Further, in no event shall any extension of the period to resume operations of any portion of the Project Site, pursuant to this Condition No. 38, be deemed to extend the term or expiration date of this grant.

39. Nothing in this grant shall prevent the Applicant from installing more efficient solar panels or increasing output in the future, provided the footprint and overall disturbance area of the Project does not substantially change. At such time the Applicant wishes to install more efficient solar panels, a Revised Exhibit "A" shall be submitted to the County for such installation, subject to the review and approval by the Director.
40. The Project shall comply with all requirements of the County Rural Outdoor Lighting District. If lighting is proposed, a lighting plan shall be submitted to Regional Planning for review and approval by the Director. The lighting plan may be included in the Project's electrical plans as separate sheets.
41. The water tanks on the subject property shall be painted an earth-tone color, e.g., beige, sand, taupe or similar colors, to blend in with the surroundings, subject to review and approval by the Director.
42. Water use for the Solar Facility shall be limited to a maximum of 13 acre-feet for construction and 0.2 acre-feet per year for operation. The Applicant shall maintain a daily log of the amount of water used during the construction. The Applicant shall complete a monthly water usage report within eight days following the conclusion of each calendar month. This log shall be made available to Regional Planning upon request. The Applicant shall first attempt to use recycled water for the Project. If recycled water is not available or feasible, subject to verification by the Director, then alternative water sources may be used, such as water from wells.
43. On-site and off-site generation-tie lines shall be placed underground to the satisfaction of Public Works.
44. Mobile sanitation facilities and a potable drinking water supply shall be made available to workers during construction of the Project, subject to the satisfaction of the County Department of Public Health (Public Health).

45. The Applicant shall make use of the manufacturer's photovoltaic solar panel recycling program. Other panel recycling programs may be used as well, subject to approval of the Director.
46. The Applicant shall provide parking, as required by the County Code, calculated at a parking ratio of one parking space for each two persons employed. The unmanned Solar Facility does not include operations buildings or other buildings but does require occasional servicing, which requires one space per two persons servicing the facility. These spaces do not have to be marked. During construction, parking shall be provided on-site and/or off-site at a location approved by the Director.
47. Temporary screening of construction and staging areas, e.g., fencing with fabric or slats, shall be installed prior to construction/ground-disturbing activities to the satisfaction of the Director.
48. Wildlife-friendly perimeter fencing shall be erected, subject to review and approval by the Director.
49. The use of insecticides, herbicides, anti-coagulant rodenticides, or any toxic chemical substance that has the potential to significantly degrade biological resources shall be prohibited, except where necessary to protect or enhance the habitat itself, such as for eradication of invasive plant species or habitat restoration, and where there are no feasible alternatives that would result in fewer adverse effects to the habitat value of the Project Site. Such use shall be subject to approval by Regional Planning.
50. The Regional Planning project number, conditional use permit number, and lease holder contact information shall be prominently displayed on the Solar Facility accessible to the public where it can be easily viewed at or near eye level.
51. The Applicant shall comply with all conditions set forth in the attached letters from County Departments of Public Works, Parks and Recreation, Public Health, and Fire.

Attachments

- | | |
|-----------|---|
| Exhibit 1 | Department of Public Works letter dated December 23, 2024 |
| Exhibit 2 | Fire Department letter dated December 19, 2023 |
| Exhibit 3 | Department of Parks and Recreation letter dated December 19, 2023 |
| Exhibit 4 | Department of Public Health letter dated May 15, 2024 |
| Exhibit 5 | Mitigation Monitoring and Reporting Program |

Exhibit 1



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

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

December 23, 2024

IN REPLY PLEASE

REFER TO FILE:

LD-4

TO: Samuel Dea
North County Development Services
Department of Regional Planning

Attention Soyeon Choi

FROM: James Chon 
Land Development Division

**CONDITIONAL USE PERMIT (RPPL2023005137)
ASSESSOR'S MAP BOOK 3278, PAGE 25, PARCEL 1
UNINCORPORATED LANCASTER**

As requested, Public Works reviewed the zoning permit application and site plan for the proposed project. The project proposes a five-megawatt, ground-mounted, commercial solar and a five-megawatt, accessory, battery energy storage system facility located on approximately 29 acres of a 40-acre parcel.

- Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents; therefore, a Public Hearing shall NOT be scheduled until the comments have been addressed.

1. Street

- 1.1. Prior to issuance of a grading or building permit, submit street improvement plans to Public Works, through the EPIC-LA portal under "Public Improvement Plans: Street Plans," that reflects the following for review and approval:

Be advised that we currently have no known County construction project within the limits of your project. Should a County project be scheduled and constructed ahead of the applicant's development, a pavement moratorium may be imposed that would restrict any pavement work for two

years. Exceptions could be made if acceptable rehabilitation measures are provided. The applicant is encouraged to monitor <https://pw.lacounty.gov/gmed/lacroads/Find.aspx> periodically to determine if any future County projects have been scheduled or to determine whether a pavement moratorium currently exist along streets fronting the project location.

- 1.1.1. Make an offer of private and future street right-of-way, 32 feet from the street centerline, along the property frontage on West Avenue C-8, 227th Street West, and the southerly side of the property line.
- 1.1.2. Dedicate a 10-foot slope easement beyond the offer of all private and future street.

For questions regarding the dedication process, contact Diego Rivera of Public Works, Land Development Division, at (626) 458-4915 or dirivera@pw.lacounty.gov.

- 1.1.3. Construct driveway approaches on 230th Street West, based on Los Angeles County Rural Standard Plan, and pave the drive access up to the edge of existing pavement (two percent maximum slope). A minimum four-foot clearance shall be kept from proposed driveway to any utility pole.
- 1.1.4. Repair and replace any improvements damaged during construction.
- 1.1.5. Underground all new utility lines less than 50kV.
- 1.1.6. Submit preconstruction and post-construction street pavement condition evaluation reports, along the construction traffic route, to Public Works for review and approval. The timing of any necessary repair or reconstruction on all streets shall be determined by Public Works.
- 1.1.7. Submit the project's fair-share calculation of the street pavement reconstruction, along the construction traffic route, to Public Works for review and approval and contribute the project's fair share. The timing of the project's fair share payment shall be determined by Public Works.

1.1.8. Provide access rights to neighboring lots to have access to the public road from West Avenue C-8 and the southerly side of the lot.

1.2. Prior to issuance of a Certificate of Occupancy, construct all required street improvements and dedications.

For questions regarding the street conditions, please contact Pemaneh Abaghi of Public Works, Land Development Division, at (626) 979-5417 or pabaghi@pw.lacounty.gov.

2. Drainage

2.1. Prior to issuance of a Certificate of Occupancy, comply with the approved hydrology study and LID Plan.

For questions regarding the drainage condition, please contact Christian Ascencio of Public Works, Land Development Division, at (626) 458-4921 or cascencio@pw.lacounty.gov.

3. Water

3.1. Prior to issuance of a Certificate of Occupancy, comply with all the requirements stipulated by the Will Serve letter issued by the water purveyor.

For questions regarding the water condition, please contact Ms. Abaghi of Public Works, Land Development Division, at (626) 979-5417 or pabaghi@pw.lacounty.gov.

4. Geology

4.1. Prior to issuance of a grading or building permit, comply with the approved geotechnical report.

For questions regarding the geology condition, please contact Karin Burger of Public Works, Geotechnical and Materials Engineering Division, at (626) 458-7989 or kburger@pw.lacounty.gov.

Samuel Dea
December 23, 2024
Page 4

5. Environmental

5.1. Any damaged or unusable panels shall be collected and loaded into standard enclosed trucks and transported to a recycling or disposal facility as required by local or State regulations at the time of removal.

For questions regarding the environmental condition, please contact Lance Cervantes of Public Works, Environmental Programs Division, at (626) 458-3590 or lcervantes@pw.lacounty.gov.

If you have any questions or require additional information, please contact Ed Gerlits of Public Works, Land Development Division, at (626) 458-4953 or egerlits@pw.lacounty.gov.

DK:la

P:\dpub\SUBPCHECK\Plan Checking Files\CUP\RPPL2023005137 - 3278025001\2024-10-16 Submittal\DPW_Cleared_2024-11-19_RPPL2023005137.docx

Exhibit 2



COUNTY OF LOS ANGELES FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4293, Fax (323) 890-9783

EPIC-LA NUMBER: RPPL2023005137 PROJECT NUMBER: Utility Scale Solar Facility @ 3278025001
CITY/COMMUNITY: West Antelope Valley STATUS: Cleared
PROJECT ADDRESS: DATE: 12/19/2023

CONDITIONS

1. A perimeter interior roadway is required around the entire solar array field.
2. The proposed solar array fields will require a minimum of one entry/ exit location.
3. In addition to the interior perimeter Fire Department access road, the design of the solar array field necessitates the need for additional interior on-site Fire Department access roads going in the directions north to south and east to west.
4. The fire apparatus on-site & off-site access roads shall be installed and maintained in a drivable condition for the duration of the solar project.
5. The fire apparatus on-site & off-site access roads shall be installed prior to occupancy or operation of the facility.
6. The minimum roadway width within the solar array field is 20 feet, clear-to-the sky, when there is no proposed or existing building on-site.
7. Provide a minimum centerline turning radius of 32 feet, with an inner radius of 22 feet and an outer radius of 42 feet, for each turn in the solar array field.
8. The fire apparatus on-site & off-site access roads for the solar array field shall have a soil compaction of 90%, OR the apparatus access road shall be excavated and re-compacted to 90% with no proposed buildings.
9. Gates Requirements: (1) The onsite ingress/ egress gate shall be located on the address side of the property; (2) The onsite ingress/ egress gate width shall be a minimum of 2 feet, clear-to-sky, with all gate hardware clear of the roadway width when a buildings is proposed; (2) The onsite ingress/ egress gate width shall be a minimum of 20 feet, clear-to-sky, with all gate hardware clear of the roadway width when a building(s) is not proposed; (3) The location of the gate shall be located a minimum of 50 feet from the public right-of-way; (4) The facility emergency contact information shall be provided with each limited access device, per County of Los Angeles Fire Department Regulation 5, and shall be clearly indicated with an appropriate placard at each ingress location. The minimum size of the placard shall be 12 inches X 12 inches; (5) All locking devices shall comply with the County of Los Angeles Fire Department Regulation 5, Compliance for Installation of Emergency Access Devices; (6) No interior gates permitted on the on-site access roads.
10. A minimum of one water tank is required for the proposed solar array field. The water tank is to be located near the address side entry/ exit gates and is to be indicated on the site plan.
11. This development requires the installation of one water tank with a minimum tank size of 10,000 gallons for Fire Department use only.
12. The water tanks shall be clearly identified for "Fire Department Use Only".
13. The water tanks shall be in compliance with Fire Department standards.
14. The water tank shall have a low-level water local alarm which shall be in compliance with all applicable codes and regulations. The low-level water local alarm can be battery operated.
15. The water tank shall have a Fire Department supply outlet of 2 ½ inches in diameter with National Standard threads. The supply outlet is to be located 14-24 inches above the finished grade and is required to be protected by approved barricades.
16. If the outlet is not provided directly off the tank, provide a 6-inch underground pipe to a 4-inch upright pipe with an outlet of 2 ½ inches with National Standard threads, which is required to be protected by barricades.
17. The proposed Battery Energy Storage System shall be in compliance with Chapter 12 and all other applicable

sections within the County of Los Angeles Fire Code.

18. All electrical disconnect locations shall be clearly identified and be in compliance with all applicable state and local codes.
19. The clearance of vegetation shall be in compliance with the brush clearance regulation as defined by the Fire Code or as directed by the Fire Official.
20. The vegetation shall be trimmed to a maximum height of 6 inches within the boundaries of the solar array and the Electrical transformer vaults or structures shall have all vegetation cleared to mineral soil for 50 feet.

For any questions regarding the report, please contact Wally Collins at (323) 890-4243 or Wally.Collins@fire.lacounty.gov.

Reviewed by:



A handwritten signature in black ink, appearing to read 'Wally Collins', is written over a light blue horizontal line. The signature is positioned above a faint, light blue rectangular box.

Exhibit 3



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Norma E. García-González, Director

Alina Bokde, Chief Deputy Director

December 19, 2023

TO: Soyeon Choi
Department of Regional Planning

FROM: Jui Ing Chien *JIC*
Planning and CEQA Section

SUBJECT: **UTILITY SCALE SOLAR FACILITY (RPPL2023005137)
CONDITIONAL USE PERMIT
49560 230TH STREET W, LANCASTER, CA 93536**

The proposed project has been reviewed for potential impacts on the facilities of the Department of Parks and Recreation (DPR). The project will not impact any DPR facilities, and we have no comments. Thank you for including this Department in the review of this document. If you have any questions, please contact me at jchien@parks.lacounty.gov or (626) 588-5317.

Exhibit 4



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCLAIRE, M.S.P.H.
Chief Deputy Director

LIZA FRIAS, REHS
Director of Environmental Health

BRENDA LOPEZ, REHS
Assistant Director of Environmental Health

SCOTT ABBOTT, REHS, M.P.A.
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5374 • FAX (626) 813-3000

www.publichealth.lacounty.gov/eh/

BOARD OF SUPERVISORS

Hilda L. Solis
First District

Holly J. Mitchell
Second District

Lindsey P. Horvath
Third District

Janice Hahn
Fourth District

Kathryn Barger
Fifth District

May 15, 2024

TO: Samuel Dea
Supervising Regional Planner
Department of Regional Planning

Attention: Soyeon Choi

FROM: Charlene Contreras *ccg*
Director, Community Protection Branch
Department of Public Health

**SUBJECT: CONDITIONAL USE PERMIT (CUP) REQUEST
CASE: RPPL2023005137
APN: 3278-025-001**

Thank you for the opportunity to review the application and project located at the subject property. This applicant requests to install 5 megawatts (MW) ground-mounted commercial solar and a 5 MW accessory battery energy storage system (BESS) facility located on approximately 29 acres of a 40-acre parcel at the above location.

- Public Health conditions for this project have been met as of the date of this letter. Public Health recommends the clearance of the aforementioned project.
- Public Health requires that the conditions or information requested below are addressed prior to agency approval; therefore, the Department **DOES NOT** recommend clearance of this project until the following conditions are met:

1. Drinking Water Program: Potable Water

The project would be unmanned, and no employees would report to the project site daily. Project construction and operation would not utilize water facilities. The project would purchase water from a local purveyor. Water used for solar panel and inverter washing will be trucked in from an offsite source. A 10,000-gallon water tank would be installed for fire department use only.

For questions regarding drinking water, please contact Beverly Tway, Drinking Water Program at (626) 430-5420 or btway@ph.lacounty.gov.

2. Land Use Program: Wastewater

According to the Los Angeles County Sanitary Sewer Network-Consolidated Sewer Maintenance District, there are no sewer lines within 200 feet of the project.

The California Code of Regulations, Title 8, Section 8397.4 Health and Sanitation, subsection (d)(2)(A) and Table F-2, only when the employer demonstrate that it is not feasible to provide sewer toilets, or when there is a temporary increase in the number of employees for a short duration of time. "The employer shall abide by the requirement of the provision of portable toilets and proper handwashing facilities. Under this section, portable water, soap or waterless skin cleaning agents, and single-use hand towels must be supplied."

Applicant must utilize a permitted Toilet Rental Agency Service in Los Angeles County during construction and/or maintenance activities.

For questions regarding wastewater, please contact Xiomara Santana, Land Use Program at (626) 430-5380 or xsantana@ph.lacounty.gov.

3. Community Protection Branch: Environmental Hygiene

Please Note: The following are general requirements for Noise and Air Quality recommendations for the proposed project.

The applicant shall abide by all applicable requirements contained in Title 12, Chapter 12.08 - Noise Control Ordinance of the County of Los Angeles (reference available at municode.com). The sections in Title 12 that apply to this project include but are not limited to 12.08.390 (Exterior Noise Standards), 12.08.440 (Construction Noise) and 12.08.530 (Residential air conditioning or refrigeration equipment).

3.1 Exterior Noise
Ordinance:

12.08.390 Exterior Noise Standards

No person shall operate or cause to be operated, any source of sound at any location within the unincorporated county or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person which causes the noise level, when measured on any other property either incorporated or unincorporated, to exceed any of the following exterior noise standards in Table 1.

Exterior Noise Standards, dBA						
Area	Duration	Std # 1 = L50	Std # 2 = L25	Std # 3 = L8.3	Std # 4 = L1.7	Std # 5 = L0
		30min/hr	15min/hr	5 min/hr	1 min/hr	At no time
Residential	7 am – 10 pm	50	55	60	65	70
	10 pm – 7 am	45	50	55	60	65
Commercial	7 am – 10 pm	60	65	70	75	80
	10 pm – 7 am	55	60	65	70	75
Industrial	Anytime	70	75	80	85	90

Table 1. Std = Standard dB that may not exceed the cumulative period.

3.2 Construction Noise

Ordinance:

12.08.440 Construction Noise

Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between weekday hours of 7:00 p.m. and 7:00 a.m., or at any time on Sundays or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial real-property line, except for emergency work of public service utilities or by variance issued by the health officer is prohibited (See Table 2 and 3).

- A. Mobile Equipment. Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment:

	Single-family Residential	Multi-family Residential	Semi-residential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 7:00 p.m.	75 dBA	80 dBA	85 dBA

Table 2. Std = Standard dB that may not exceed.

- B. Stationary Equipment. Maximum noise level for repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment:

	Single-family Residential	Multi-family Residential	Semi-residential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 7:00 p.m.	60 dBA	65 dBA	70 dBA

Table 3. Std = Standard dB that may not exceed.

3.3 Community Noise

Ordinance:

12.08.530 Residential air conditioning or refrigeration equipment

Operating or permitting the operation of any air conditioning or refrigeration equipment in such a manner as to exceed any of the following sound levels is prohibited (See Table 4).

Measuring Location	Units Installed on or after January 1, 1980, dBA
Any point on neighboring property line, 5 feet above grade level, no closer than 3 feet from any wall.	55
Center of neighboring patio, 5 feet above level, no closer than 3 feet from any wall.	50
Outside the neighboring living area window nearest the equipment location, not more than 3 feet from the window opening, but at least 3 feet from any other surface.	50

Table 4. dBA levels not to be exceeded on the neighboring property.

Findings:

The subject site is zoned for residential use and is bordered by West Avenue C 8 to the north, 227th Street W to the east, undeveloped open space, and a residence to the south, and 230th Street W to the west. The immediate southern vacant land was zoned for irrigated farm. The rest of the surrounding lands were zoned for residential and commercial to the south and irrigated farm to the east and west.

Per the applicant, the project site

- a) is owned by the onsite resident.
- b) is relatively flat; therefore, no substantial grading, import, or export of fill would be required.
- c) would consist of constructing solar modules, battery storage, underground electrical conductors, access roads, and fencing.
- d) would install approximately 14,000 solar modules manufactured off-site and delivered by truck.
- e) modules would be mounted on a steel racking system and anchored with steel piers 8 to 10 feet below ground.
- f) battery storage would be comprised in four banks at the southwest corner of the solar panel array. Each bank would be the size of shipping container.
- g) access would be provided via a new driveway constructed from 230th Street W. Access roads would encircle the whole array and bisect the site in a west-east orientation.
- h) would be enclosed with a six-foot chain link fence topped with one-foot barbed wire.
- i) construction to be completed in seven months with activities that include demolition; site preparation (vegetation clearing); grading; paving; system installation, testing and commissioning; and cleanup.

- j) operation would be unmanned and operate year-round. No employees would report to the project site daily.
- k) operations and maintenance activities, during project operations, include but are not limited to, facility monitoring; administration and reporting; remote operations of inverters, battery storage system and other equipment; repair and maintenance of solar facilities; and periodic panel washing.

On December 28, 2023, noise levels were measured using a sound level meter (Larson Davis Sound Advisor 831C) set to A-weighting (dBA) on 230 Street W shoulder approximately 50 feet north of 49560 230th St W, the project site owner single-family residence, to determine background noise levels. Measuring background noise assists in determining allowable construction or operational noise levels. If background noise exceeds some or all standards, then the background levels become the new standard.

As shown in Table 5 below, the exterior background noise level results exceeded the residential L1.7 and L0 as well as the commercial L0 noise standard. These exceedances were caused by cars/trucks driving on 230th St W. As a result, the L1.7 and L0 background noise level become the exterior noise standards (see highlighted noise level).

Based on the above findings and the noise TECHNICAL MEMORANDUM submitted by the applicant consultant, Kimley-Horn, the subject site construction and operation activities would not have significant noise impact.

Exterior Noise Standards, dBA											
Area Background	Duration	Std # 1 = L50		Std # 2 = L25		Std # 3 = L8.3		Std # 4 = L1.7		Std # 5 = L0	
		30min/hr	Result	15min/hr	Result	5 min/hr	Result	1 min/hr	Result	At no time	Result
Residential	1:47 p.m. – 2:47 p.m.	50	38.5	55	41.7	60	46.3	65	65.9	70	83.1
Commercial	1:47 p.m. – 2:47 p.m.	60	38.5	65	41.7	70	46.3	75	65.9	80	83.1

Table 5. Std = Standard dBA that may not exceed the cumulative period.

3.4 Recommendations

3.4.1 Exterior Noise

Operational noise from the subject site needs to be determined and mitigation measures applied as needed prior to permitting the construction.

Be advised that if the activities listed below or additional activities that may create a noise disturbance occur in the future, care must be exercised to refrain from or minimize

such a noise disturbance so as not to impact the nearest residential properties.

1. Vehicle and equipment start-up and idling.
2. Loading/unloading.
3. Alarms.
4. public address (PA) system.
5. solar panels and equipment washing and maintenance.

3.4.2 Construction Noise

Construction noise needs to be determined and addressed. Noise mitigation measures may need to be applied to reduce construction noise and to comply with Title 12, 12.08.440 – Construction Noise. Noise mitigation strategies may include but are not limited to:

1. All construction equipment shall be equipped with the manufacturers' recommended noise muffling devices, such as mufflers and engine covers. These devices shall be kept in good working condition throughout the construction process.
2. Installation of a temporary sound barrier at the property lines of the proposed project site to mitigate noise impacts on all surrounding properties.
3. All construction equipment shall be properly maintained and tuned to minimize noise emissions.
4. Stationary noise sources (e.g., generators and compressors) shall be located as far from residential receptor locations as is feasible.

3.4.3 Air Quality Recommendation

During grading or excavation activities if applicable, application of dust control measures to minimize fugitive dust is recommended. Fugitive dust

can result in worker and public exposure to fungal spores such as *Coccidioides immitis*, which can cause Coccidioidomycosis (Valley Fever). Adhere to applicable Air Quality Management District regulations.

For questions regarding above comments, please contact Yonas Taye of Public Health, Environmental Hygiene Program at (626) 430-5201 or ytaye@ph.lacounty.gov.

Samuel Dea
May 15, 2024
Page 7 of 7

If you have any other questions or require additional information, please contact Veronica Aranda of Public Health, Planning & Land Use Liaison at (626) 430-5201 or varanda@ph.lacounty.gov.

CC:va
DPH_CLEARED_APN-3278-025-001_RPPL2023005137_05.15.2024.

Exhibit 5

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

#	Mitigation	Action Required	When Monitoring to Occur	Responsibility Agency or Party	Monitoring Agency or Party
1	<p>MM AQ-1: Minimize Exposure to Potential Valley Fever-Containing Dust. Prior to ground disturbance activities, the Applicant must prepare a Dust Control Plan for the Antelope Valley Air Quality Management District (AVAQMD) review, including a Valley Fever Management Plan (VFMP) and training program, to be implemented during construction to address potential risks from <i>Coccidioides immitis</i> by minimizing the potential for unsafe dust exposure during construction. At a minimum, the following dust control measures shall be implemented as part of the VFMP as well as specific measures in Dust Control Plan during project construction:</p> <ul style="list-style-type: none"> • An educational Valley Fever Training Handout shall be provided to all onsite construction personnel. The handout shall provide information including, but not limited to, the causes, symptoms, and treatment instructions regarding Valley Fever, including contact information of local health departments and clinics knowledgeable about Valley Fever. • Conducting Valley Fever training sessions to educate all Project construction workers regarding appropriate dust management and safety procedures, symptoms of Valley Fever, testing and treatment options. This training must be completed by all workers and visitors (expected to be on-site for more than 2 days) prior to participating in or working in proximity to any ground disturbing activities. Signed documentation of successful completion of the training is to be kept on-site for the duration of construction. • Developing a job-specific Job Hazard Analyses (JHA), in accordance with Cal/OSHA regulations, to analyze the risk of worker exposure to dust, and maintain and manage safety supplies identified by the JHA. 	<p>A. Submit a Dust Control Plan to AVAQMD that addresses grading and ground disturbance, construction scheduling, soil stockpiles, water application, soil binding, monitoring, valley fever, and high wind. Provide the County with approved copy of the Dust Control Plan.</p> <p>B. Comply with Dust control Plan and measures while monitoring and keeping records of this mitigation measure. Present records to AVAQMD and the County upon request.</p> <p>C. Provide Valley Fever information and training on personal protective equipment to staff and onsite construction personnel, and</p>	<p>A. Prior to ground disturbance activities. Ground disturbance refers to any activities that may include clearing vegetation, grading, excavation, trenching, and drilling within the Project Site.</p> <p>B. During construction</p> <p>C&D. During construction</p>	Permittee / Construction Manager	County of Los Angeles Department of Regional Planning (LACDRP) / AVAQMD

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

#	Mitigation	Action Required	When Monitoring to Occur	Responsibility Agency or Party	Monitoring Agency or Party
	<ul style="list-style-type: none"> • Provide and/or require, if determined to be needed based on the applicable JHA, National Institute for Occupational Safety and Health-approved half-face respirators equipped with a minimum N-95 protection factor for use during worker collocation with surface disturbance activities, following completion of medical evaluations, fit-testing, and proper training on use of respirators. • Specific measures addressed in the approved Dust Control Plan that may be related to maintenance and cleaning of equipment, vehicles, construction areas, parking and staging areas, and unpaved access roads. 	<p>present records to AVAQMD and County upon request.</p> <p>D. Implement a Valley Fever Management Plan.</p>			
2	<p>MM BIO-1: Nesting Bird Surveys. To avoid disturbance of nesting and special-status birds, including raptorial species protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC), activities related to the Project construction and decommissioning, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through September 15) to the extent feasible. If construction or decommissioning must begin within the breeding season, then a nesting bird survey shall be conducted no more than seven (7) working days prior to initiation of ground disturbance and vegetation-removal activities. The nesting bird survey shall be conducted within the Project area, plus a 500-foot buffer (0.50-mile for Swainson’s hawk), on foot, and within inaccessible areas (i.e., private lands) afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California desert communities.</p> <p>Construction and decommissioning phasing and/or a lapse in work activity during the nesting season may require subsequent nesting surveys by the biologist. A report of nesting bird survey findings will be provided to the County. Nesting bird surveys shall not be required during Operation & Maintenance activities.</p>	<p>A. Schedule vegetation removal outside of bird breeding season, if feasible</p> <p>B. Conduct a pre-construction nesting bird survey during the breeding season</p> <p>C. Retain a qualified biologist.</p> <p>D. Prepare report of nesting bird survey findings</p>	<p>A. Prior to vegetation removal, ground disturbance, construction, or demolition activities</p> <p>B, C, & D. Prior to the commencement of vegetation removal, ground disturbance, construction, demolition activities or site mobilization activities.</p>	Permittee/ Construction Manager	LACDRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

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	<p>If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary that provides adequate marking but does not disturb the nest itself. All construction personnel shall be notified as to the existence of the buffer zone and instructed to avoid entering the buffer zone during the nesting season. No ground-disturbing activities shall occur within this buffer until the biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist. The active nests shall be monitored for a minimum of one hour for passerines and three hours for raptors to determine a baseline of behavior, and shall be avoided by a sufficient buffer, to be determined by the qualified biologist, based on species and Project activities in the vicinity of the nest. After the initial baseline monitoring event, the nest shall be monitored once weekly to determine the stage of the nest. The buffer shall remain in place until the young have fledged or the nest is inactive, to be determined by the qualified biologist.</p> <p>A memorandum shall be prepared at the conclusion of surveys to be submitted to Los Angeles County. The memorandum shall include graphics and figures as necessary to support the results of the survey.</p>				
3	<p>MM BIO-2: Swainson’s Hawk (SWHA). If active Swainson’s hawk nests are detected within the 0.5 mile buffer, they shall be monitored for a minimum of three hours to determine a baseline of behavior and shall be avoided by a minimum 0.25-mile buffer. After this initial baseline monitoring event, the nest shall be monitored once weekly, including at the initiation of construction activity, to</p>	<p>A. Conduct initial baseline monitoring and recording the event of Swainson’s hawk nests and provide the log to the County upon request.</p> <p>B. Further monitoring and recording of the</p>	<p>A. Prior to ground disturbance and construction activities.</p> <p>B. Prior and during construction if active SWHA</p>	Permittee	LACDRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

#	Mitigation	Action Required	When Monitoring to Occur	Responsibility Agency or Party	Monitoring Agency or Party
	<p>determine the stage of the nest. The nest shall be monitored for at least two hours each week between 7:00 a.m. and 10:00 a.m., and notes on adult behaviors, presumed stage and number of young, and any other breeding behaviors (e.g., copulation, prey deliveries) shall be kept in a field notebook or digital field data collection application. It construction activity is determined to be disturbing the birds, the monitor may increase the buffer width as necessary to alleviate the disturbance. The buffer shall remain in place until the young have fledged or the nest is inactive, to be determined by the qualified biologist. If maintaining appropriate avoidance buffers is infeasible, the Lead Agency/Project proponent shall coordinate with California Department of Fish and Wildlife (CDFW) prior to working within the area(s) to determine next steps.</p>	<p>SWHA nest shall continue as required by this mitigation measure.</p> <p>C. If SWHA nests are detected prior to or during construction, provide notes and records of nest monitoring upon request of the County.</p>	<p>nests are detected</p> <p>D. Prior and during construction</p>		
4	<p>MM BIO-3: Worker Environmental Awareness Training. A qualified biologist shall conduct a worker environmental awareness training (WEAT) program for all persons working on the Project prior to the onset of construction for construction, operation and maintenance, and decommissioning activities. A discussion of the biology and general behavior of any sensitive species which may be in the area, how they may be encountered within the work area, and procedures to follow when they are encountered shall be included in the training. Special-status species, including legal protection, penalties for violations, and Project specific protective measures shall also be discussed. Contact information for the qualified biologist and other useful wildlife-related contacts (e.g., CDFW, venomous snake humane relocation services, etc.) shall be included in the WEAT. Interpretation shall be provided for non- English speaking workers, and the same instruction shall be provided for any new workers prior to on-site Project activity. Copies of the training shall be maintained at the worksite with the Project supervisor, and a handout containing this information shall be distributed for workers to carry on-site. Upon completion of the program, employees shall sign an attendance log stating they attended the program and understand all protective</p>	<p>A. Submit WEAT program to LACDRP upon request.</p> <p>B. Conduct an environmental education program for sensitive biological species that may be in the area</p> <p>C. Maintain copies of the training materials and handouts on-site.</p>	<p>A. Prior to the start of construction</p> <p>B & C. Prior to the start of construction, operation and maintenance, and decommissioning activities</p>	Permittee/ Construction Manager	LACDRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

#	Mitigation	Action Required	When Monitoring to Occur	Responsibility Agency or Party	Monitoring Agency or Party
	measures. The WEAT shall be sent to the County for review prior to implementation.				
5	MM BIO-4: Trash Receptacles. All trash and waste items generated by construction, operation and maintenance and decommissioning or crew activities shall be properly contained in a covered and locked trash receptacle and/or removed from the Project Site daily. All containers shall be wildlife-proof. This includes biodegradable items, such as apple cores and banana peels, that attract predators such as raccoons and American crows that could prey upon sensitive wildlife species.	Contain and remove trash and waste items generated by construction or crew activities	During construction, operation and maintenance, and decommissioning activities	Permittee/ Construction Manager	LACDRP
6	MM BIO-5: Common and Special-Status Wildlife Awareness. All Project personnel shall visually check for animals in any pipes, culverts, or other open-ended materials and equipment stored on-site for one or more overnight periods prior to moving, burying, or capping to ensure that no animals are present within the materials and equipment. To prevent accidental entrapment of wildlife during constructional phases of the Project (construction, O&M, and decommissioning), all excavated holes, ditches, or trenches greater than six (6) inches deep shall be covered at the end of each workday by suitable materials that cannot be displaced or escape ramps shall be placed in excavations. After opening and before filling, such holes, ditches, and trenches shall be thoroughly inspected for trapped animals. To prevent wildlife entrapment during construction, BMPs (e.g., straw wattles, etc.) shall not contain monofilament netting. All security fencing installed around the Project Site shall meet the standards set forth in Section 20.140.510(E)(3)(c) of the County Code, including the requirement that perimeter fencing shall incorporate small animal permeable design. The bottom of the fence fabric shall be knuckled (wrapped back to form a smooth edge) to protect wildlife that pass under the fence. Larger species will be able to move freely in all directions around the fence, and to prevent bat and raptor entrapment, no barbed wire	Visually check for animals in any materials and equipment stored on-site for one or more overnight periods; install security fencing per County Code standards	During construction activities, operation and maintenance , and decommissioning activities	Permittee/ Construction Manager	LACDRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

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	shall be installed around the top of the fence. Fences shall be monitored quarterly to ensure that any damage or vandalism is quickly repaired.				
7	<p>MM BIO-6: Burrowing Owl Avoidance. A qualified biologist shall conduct surveys during the survey season immediately prior to construction and decommissioning to assess the presence of burrowing owl on or adjacent to the site. The surveys shall follow the California Burrowing Owl Consortium's (CBOC) Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and the CDFW Staff Report on Burrowing Owl Mitigation (CDFG 2012) or, as applicable to the 2026 survey season and/or subsequent seasons, the latest guidelines acceptable to CDFW.</p> <p>Should burrowing owl individuals or sign at burrows (e.g., whitewash, feathers, pellets, etc.) be detected on the site at any time during construction or decommissioning, including during any pre-construction surveys, work shall stop within 500 meters of the individual or burrow during the breeding season (February 1 – August 31), and within 50 meters of the individual or burrow during the non-breeding season (September 1 – January 31). If burrowing owl or their signs are observed, it shall be reported to the County biologist. If maintaining the avoidance buffers is infeasible, CDFW shall be notified to determine next steps, which may include additional surveys to determine baseline behavior of the individual and whether nesting is occurring on the site, and/or consultation to determine whether an Incidental Take Permit for burrowing owl is warranted for the Project duration.</p>	<p>A. Conduct burrowing owl surveys</p> <p>B. Stop work within listed buffers if burrowing owl individuals or sign is detected</p> <p>C. Report to County biologist of detection and to determine next steps</p>	<p>A. During survey season immediately prior to construction activities</p> <p>B & C. When burrowing owl individuals or sign are detected during construction or decommissioning.</p>	Permittee/ Construction Manager	LACDRP, CDFW
8	<p>MM BIO-7: Desert Kit Fox. During protocol-level burrowing owl surveys and within 48 hours prior to the onset of construction, a survey shall be performed by a qualified biologist to determine the presence of potential desert kit fox burrows. If no suitable burrows are detected, or no desert kit foxes are detected during remote camera monitoring, no further mitigation would be</p>	<p>A. Conduct desert kit fox surveys</p> <p>B. Prepare Desert Kit Fox Avoidance Plan and submit to County biologist</p>	A. During protocol-level burrowing owl surveys and within 48 hours prior to the onset of construction	Permittee/ Construction Manager	LACDRP, CDFW

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

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	<p>required. If occupied desert kit fox dens are detected during the pre-construction survey, a Desert Kit Fox Avoidance Plan shall be prepared and submitted to County biologist, and if required by the County, notify CDFW and provide a copy. The Plan shall include details on the procedures to collapse or block unoccupied dens which shall be developed in consultation with CDFW. Suitably sized dens (6 inches or greater in size) shall be avoided by 200 feet during the desert kit fox pupping season (January 1 – August 31) and 100 feet outside of the pupping season (September 1 – December 31), where feasible. If avoidance is infeasible, camera monitoring shall occur for 3 nights. If no desert kit foxes are detected during the camera monitoring period, the den shall be collapsed according to the Desert Kit Fox Avoidance Plan. If kit foxes are detected during the camera monitoring period, the dens shall be avoided by a 200-foot buffer during the pupping season and a 100-foot buffer outside of the pupping season until the adults and young have left the burrow, as evidenced by weekly biological monitoring to determine if sign is present at the burrow, and camera monitoring for 2 nights weekly to determine occupancy. Avoidance buffers shall be determined in consultation with CDFW, and variances may be allowed with approval from CDFW.</p>		<p>B. When occupied desert kit fox dens are detected during survey.</p>		
9	<p>MM BIO-8: American Badger. During protocol-level burrowing owl surveys and within 48 hours prior to the onset of construction, a survey shall be performed by a qualified biologist to determine the presence of potential American badger burrows. If no suitable burrows are detected, or no American badgers are detected during remote camera monitoring, no further mitigation would be required. If an active American badger den is detected in or within 100 feet of the work area (where accessible) during the preconstruction survey, the den shall be protected with a no disturbance buffer, as determined by a qualified biologist, based on the location of the den and construction activities in the vicinity of the den. If an active den cannot be avoided, a Badger Eviction Plan shall be prepared and submitted to County biologist, and if required by the County, notify CDFW and provide a copy. The</p>	<p>A. Conduct American badger surveys B. If determined that an active den cannot be avoided, prepare American Badger Eviction Plan and submit to County biologist</p>	<p>A. During protocol-level burrowing owl surveys and within 48 hours prior to the onset of construction B. Prior to construction</p>	<p>Permittee/ Construction Manager</p>	<p>LACDRP, CDFW</p>

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

#	Mitigation	Action Required	When Monitoring to Occur	Responsibility Agency or Party	Monitoring Agency or Party
	Plan shall describe eviction of American badgers and may include camera station monitoring of burrows to ensure badgers are not inside, and timing of eviction to occur outside of the season that young could be present (March 1 – August 31).				
10	<p>MM BIO-9: Crotch’s bumble bee. A qualified biologist, who possesses a Memorandum of Understanding to perform surveys for Crotch’s bumble bee, shall perform protocol surveys following the CDFW Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023) during the appropriate flying season prior to construction to determine if Crotch’s bumble bee is present on the Project Site. If no Crotch’s bumble bees are detected on the site, no further mitigation would be required. Survey results, including negative findings, shall be submitted to CDFW prior to implementing ground-disturbing activities.</p> <p>If this species is detected foraging within 100 feet of the Project Site (where accessible), nesting surveys shall be conducted to identify active colonies. If an active nest is observed on the Project Site, the nest shall be avoided by a 50-foot buffer. The nest shall be monitored daily by the qualified biologist (for at least 2 hours between 7:00 am and 11:00 am) and the following shall be implemented:</p> <ul style="list-style-type: none"> • If “take” or adverse impacts to Crotch’s bumble bee cannot be avoided either during Project construction activities or over the life of the Project, the Project proponent shall consult with CDFW regarding the potential need for take authorization pursuant to Fish and Game Code Section 2081 subdivision (b). • Any floral resource associated with Crotch’s bumble bee (i.e. specific plant species that Crotch’s bumble bee is observed foraging on, which shall be included in the survey) that will be removed or damaged by the Project shall be replaced on-site, off-site, or 	<p>A. Conduct protocol surveys</p> <p>B. Conduct nesting surveys if this species is detected foraging within 100 feet of the project site.</p> <p>C. Consult with CDFW for take authorization</p> <p>D. If floral resource will be removed or damaged, replace floral resource at a 1:1 ratio or as otherwise determined during any ITP application process.</p> <p>E. If any floral resource is found at the site, replant and manage the floral resources.</p>	<p>A, B & C. Prior to construction.</p> <p>C. Following completion of construction or as indicated by ITP.</p> <p>D. During operation and maintenance</p>	Permittee/ Construction Manager	LACDRP, CDFW

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

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	<p>mitigated through the purchase of credits from a CDFW-approved mitigation bank with documented occurrence of Crotch's bumble bee, at a 1:1 ratio or as otherwise determined during any Incidental Take Permit (ITP) application process. Floral resources mitigated through on-site or off-site replacement shall be replaced as close to their original location as is feasible after the Project is constructed.</p> <p>These floral resources shall be maintained during the life of the Project and shall be replanted and managed as needed to ensure the habitat is preserved.</p>				
11	<p>MM BIO-10: Vegetation and Revegetation. To the extent practicable, construction activities shall be performed during the dry season to minimize impacts to soil and native vegetation. Where feasible, rubber-tired vehicles shall be used during construction and grading of Project areas shall be limited the minimum necessary to meet Project objectives. Application of seed shall be limited to that required to meet Project objectives and seed mixes shall be provided to the County biologist for review prior to application.</p>	<p>A. Use rubber-tired vehicles, where feasible</p> <p>B. Provide County with seed mixes</p>	<p>A. During construction activities</p> <p>B. Prior to application of seed mixes</p>	Permittee/ Construction Manager	LACDRP
12	<p>MM BIO-11: Panel Positioning. To minimize "lake effect" related to adverse impacts to bird species, the panels shall be positioned overnight where they last tracked the sun or pre-positioned toward the east to capture sunrise (i.e., panels shall be in a close to vertical position) and provide documentation to the County upon request.</p>	<p>A. Position panels (overnight) in a close to vertical position and provide documentation to the County upon request.</p>	During operation	Permittee/ Construction Manager	LACDRP
13	<p>MM CUL-1: Worker Environmental Awareness Program. Prior to the start of ground disturbance, the Permittee shall hire a qualified archaeologist ("Project Archaeologist") to provide the construction crew with on-site training on the proper procedures to follow if cultural resources are uncovered during the Project excavations, site preparation, or other related activities. This Worker Environmental Awareness Program (WEAP) shall include a comprehensive discussion of applicable laws and penalties under the law, samples or visuals of artifacts that might be found in the vicinity of the Project Site, a discussion of what such artifacts</p>	<p>A. Hire a qualified archaeologist to provide the WEAP for anticipated discovery of cultural resources</p> <p>B. Provide training and information to all individuals working on site</p>	A & B. Prior to the start of ground disturbance activities	Permittee/ Construction Manager	LACDRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

#	Mitigation	Action Required	When Monitoring to Occur	Responsibility Agency or Party	Monitoring Agency or Party
	<p>may look like when partially buried or wholly buried and then freshly exposed, a discussion of what prehistoric and historic-period archaeological deposits look like at the surface and when exposed during construction, and instruction that employees are to halt work in the vicinity of a discovery (within 100 feet). This information may be provided in an informational brochure that outlines reporting procedures in the event of a discovery and shall be provided to all individuals working on site.</p>				
14	<p>MM CUL-2: Unanticipated Discovery of Cultural Resources. In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 100 feet of the find shall halt and the Project Archaeologist shall be contacted immediately to evaluate the resource. If the resource is determined by the Project Archaeologist to be prehistoric, a Native American Monitor(s) shall also be contacted to participate in the evaluation of the resource pursuant to MM TCR-5. If the Project Archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via Project redesign, the Project Archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of the California Code of Regulations (CCR) Guidelines Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the Project Archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. If archaeological resources are found and impacts cannot be avoided, the treatment plan and archaeological testing document shall be submitted to the County and the regional repository of the California Historical Resources Information System, per CCR Guidelines Section 15126.4(b)(3)(C).</p>	<ul style="list-style-type: none"> A. Retain a Native American Monitor(s). See MM TCR-1 B. Contact Project Archaeologist should archaeological resources be discovered C. Notify Native American Monitor(s) if the resource is determined to be prehistoric D. Prepare a data recovery plan if archaeological resources are found and impacts cannot be avoided E. Submit documentation to the County and regional repository 	<ul style="list-style-type: none"> A. Prior to construction B, C, D & E. During ground-disturbing activities 	Permittee/ Construction Manager	LACDRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

#	Mitigation	Action Required	When Monitoring to Occur	Responsibility Agency or Party	Monitoring Agency or Party
15	<p>MM CUL-3: Cultural Resources Monitoring. The Project Archaeologist shall be onsite to monitor ground disturbing activities twice a week, or as otherwise determined by the lead agency in consultation with the consulting tribes referenced in MM TCR-1. Ground disturbing activities include clearing vegetation, grubbing, digging, pavement removal, grading, excavation, trenching, plowing, drilling, blasting, potholing/auguring, and stripping topsoil. The Project Archaeologist shall have the authority to increase or decrease the monitoring effort should the monitoring results indicate that a change is warranted. The Project Archaeologist shall consult with the Consulting Tribes (defined below) prior to increasing or decreasing the monitoring schedule. Monitoring requirements shall end once ground disturbing activities are complete.</p>	<p>A. Monitor ground disturbing activities twice a week</p> <p>B. Consult with Consulting Tribes to define monitoring schedule</p>	<p>A & B. During ground disturbing activities</p>	<p>Permittee/ Construction Manager</p>	<p>LACDRP</p>
16	<p>MM CUL-4: Unanticipated Discovery of Paleontological Resources. Prior to start of ground disturbance, the construction crew shall participate in on-site training on the proper procedures to follow if paleontological resources are uncovered during the Project excavations, site preparation, or other related activities. This Worker Environmental Awareness Program (WEAP) shall include a comprehensive discussion of applicable laws and penalties under the law, samples or visuals of artifacts that might be found in the vicinity of the Project Site, a discussion of what paleontological resources may look like when partially buried or wholly buried and then freshly exposed, a discussion of what paleontological resources look like when exposed during construction, and instruction that employees are to halt work in the vicinity of a discovery (within 100 feet). This information may be provided in an informational brochure that outlines reporting procedures in the event of a discovery and should be provided to all individuals working on site.</p> <p>In the event that paleontological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and a qualified paleontologist who meets</p>	<p>A. Conduct a Worker Environmental Awareness Program for unanticipated discovery of paleontological resources</p> <p>B. Contact a qualified paleontologist who meets the Society of Vertebrate Paleontology guidelines</p> <p>C. If the find requires further evaluation and/or extraction, follow the fossil discovery protocols.</p>	<p>A. Prior to the start of ground disturbance activities</p> <p>B & C. During the ground-disturbing activities</p> <p>D. During ground disturbance activities</p>	<p>Permittee/ Construction Manager</p>	<p>LACDRP</p>

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

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	<p>the Society of Vertebrate Paleontology guidelines shall be contacted immediately to evaluate the resource. If the find is large enough to warrant further evaluation and/or extraction, then the following fossil “discovery” protocol shall be followed:</p> <ul style="list-style-type: none"> a) The paleontologist shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The paleontologist’s survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource. b) The Applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study, or report. c) Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations. <p>During ground disturbance activities, the Applicant shall submit a letter to the County for the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.</p>	D. Submit a letter to the County			
17	<p>MM CUL-5: Inadvertent Discovery of Human Remains. If human remains or funerary objects are encountered during construction, all ground disturbance activities within 100 feet of the discovery shall be suspended and the construction manager shall immediately notify the County coroner pursuant to State Health and Safety Code §7050.5. This state code shall be enforced for the duration of the Project. If the human remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission (NAHC). The NAHC shall identify and immediately notify the Most Likely Descendant (MLD) of the deceased Native American. Within 48</p>	<p>A. Suspend all ground disturbance activities within 100 feet of a discovery if human remains or funerary objects are encountered.</p> <p>B. Notify County coroner</p> <p>C. Coroner to notify</p>	A, B, and C. During construction activities	Permittee/ Construction Manager	LACDRP, MLD and/or Tribal Monitor

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

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	hours of being granted access to the site, the MLD shall complete the inspection of the site of the discovery and make recommendations to the Applicant/landowner for the treatment or disposition of the human remains and any associated funerary objects. All measures, as required by the County, shall be implemented under the supervision of the MLD and/or Tribal Monitor.	NAHC			
18	MM TCR-1: Tribal Monitor. Prior to the commencement of any ground disturbance activities, the Permittee shall retain a Tribal monitor(s) (Tribal Monitor) who is approved by the Fernandeno Tataviam Band of Mission Indians (FTBMI) and the Yuhaaviatam of San Manuel Nation (YSMN, also known as San Manuel Band of Mission Indians) (the “Consulting Tribes”) to provide tribal monitoring/consulting services alongside the Project Archaeologist in accordance with MM CUL-3. The Permittee shall submit a letter to the County of Los Angeles (County) to confirm the name and contact information of the Tribal Monitor(s) who is retained for the Project.	A. Retain Tribal Monitor(s) approved by FTBMI and YSMN B. Submit a letter to County to confirm name and contact information of the Tribal Monitor(s)	A & B. Prior to commencement of any ground disturbance activities	Permittee/ Construction Manager	LACDRP, Tribal Monitors
19	MM TCR-2: Tribal Cultural Resources Monitoring Plan. Prior to the commencement of any ground disturbance activities, the Project Archaeologist, in consultation with the Consulting Tribes shall prepare and submit a Tribal Cultural Resources Monitoring and Treatment Plan (Monitoring and Treatment Plan) to the County for review. The Monitoring and Treatment Plan shall be approved by and the Consulting Tribes before those activities commence and the approved plan shall be submitted to the County. The Monitoring and Treatment Plan shall include methods for monitoring ground disturbance activities; procedures to follow when resources are discovered; protocol for identifying and evaluating tribal cultural resources; and shall incorporate measures to mitigate potential impacts to tribal cultural resources as provided in MM TCR-5, below.	A. Submit a Monitoring and Treatment Plan that is approved by the Consulting Tribes to the County for file record.	Prior to commencement of any ground disturbance activities	Permittee/ Construction Manager	LACDRP
20	MM TCR-3: Worker Environmental Awareness Program (WEAP) Training. Prior to the commencement of any ground disturbance activities, all project construction managers and	A. Project Archaeologist and Tribal Monitor(s) to administer tribal	A. Prior to commencement of any ground	Permittee/ Construction Manager	LACDRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. PRJ2023-002405 / CUP NO. RPPL202300513 / ENV NO. RPPL2023005138

#	Mitigation	Action Required	When Monitoring to Occur	Responsibility Agency or Party	Monitoring Agency or Party
	<p>workers shall attend a tribal cultural resources awareness training. The Project Archaeologist and the Tribal Monitor shall administer the training to inform construction managers and workers about the types of resources that could be encountered; the procedures to follow if tribal cultural resources are discovered; and the potential penalties for failing to adhere to applicable laws and regulations. The procedures include work curtailment or redirection and immediate contact of the on-call archaeologist and, if appropriate, the FTBMI and SMBMI representative. Construction managers shall maintain a log to document all construction personnel who have completed the training. The log shall be provided to the County upon request within five business days. The training requirement should be stated on all construction plans. The Tribal representatives from the Consulting Tribes shall be allowed to attend and participate in the training. The WEAP required under this measure may be combined with the WEAP described in MM CUL-1.</p>	<p>cultural resources awareness training to all construction managers and workers.</p> <p>B. Log all construction personnel who have completed the training</p> <p>C. Provide log to County upon request within five business days</p>	<p>disturbance activities</p> <p>B&C. Prior to or during ground disturbance activities.</p>		
21	<p>MM TCR-4: Tribal Monitoring. Tribal monitor(s) shall be present onsite to monitor ground disturbing activities based on a schedule coordinated and agreed by the Consulting Tribes or established by the County. Tribal monitor(s) shall monitor ground disturbing activities when the Project Archaeologist is onsite in accordance with MM CUL-3.</p> <p>If the Project's scheduled activities require the Tribal Monitor to leave the Project Site for a period of time and return, confirmation shall be submitted to the Tribes by the Permittee, in writing, upon completion of each set of scheduled activities and five (5) days' notice (if possible) shall be submitted to the Tribes by the Permittee, in writing, prior to the start of each set of scheduled activities. The Project Archaeologist and Tribal Monitor shall complete a log documenting all ground disturbance activities monitored, the locations where those activities occurred, the types of soils involved, and any tribal cultural resources</p>	<p>A. Tribal monitor(s) to monitor ground disturbing activities when Project Archaeologist is onsite</p> <p>B. Confirmation of scheduled activities to the Tribes</p> <p>C. Complete log documenting ground disturbance activities, locations, types of soil, and resources encountered</p>	<p>During ground disturbing activities based on schedule coordinated and agreed by the Consulting Tribes</p>	<p>Permittee/ Construction Manager</p>	<p>LACDRP</p>

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	<p>encountered. Monitoring shall end when ground disturbance activities are completed, or earlier if a Tribal Monitor has determined that the site has a low potential for impacting tribal cultural resources. Within 30 days after monitoring has ended, the Project Archaeologist and Tribal Monitor shall submit the logs to the County and the Permittee shall submit in writing to the Consulting Tribes that all scheduled activities are complete.</p>	<p>D. End monitoring when ground disturbance activities are completed</p> <p>E. Submit logs to the County and Consulting Tribes</p>			
22	<p>MM TCR-5: Discovery of Tribal Cultural Resources. If tribal cultural resources are encountered during construction, all ground disturbance activities within 100 feet of the find shall stop until the Tribal Monitor and the Project Archaeologist can evaluate the significance of the find and an area barrier shall be constructed. Construction activities may continue in other areas of the project site. The Project Archaeologist shall develop a research design including a plan to evaluate the resource for significance under CEQA criteria pursuant to Public Resources Code Section 21074. The archaeologist and the Consulting Tribes shall confer regarding the research design, evaluation efforts, and the resource's archaeological significance. If the discovery proves significant as determined by the Project Archaeologist and Consulting Tribes shall recommend appropriate measures subject to County's approval, to mitigate potential impacts to tribal cultural resources. Such measures may include but are not limited to resource avoidance, reburial, and preservation for educational purposes.</p> <p>Should it occur that avoidance, preservation in place, or on-site reburial are not an option for treatment, the Consulting Tribes and Project Archaeologist shall develop a curation agreement to be approved by the County and agreed between landowner and museum. The agreement may include legal and physical transfer of the collections and associated recordation, fees, and maintenance of the collection.</p>	<p>A. Stop ground disturbance activities within 100 feet of the find until the Tribal Monitor and Project Archaeologist can evaluate and construct a barrier</p> <p>B. Develop research design and plan to evaluate the resource</p> <p>C. Recommend appropriate measures to mitigate potential impacts to tribal cultural resources</p> <p>D. Develop curation agreement</p> <p>E. Prepare and submit a final monitoring report</p>	<p>A, B, C, D & E. During construction if tribal resources are encountered</p> <p>F. Within 90 days after monitoring has ended</p>	Permittee/ Construction Manager	LACDRP Tribal Monitor

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	<p>The Consulting Tribes shall coordinate with the Permittee to ensure that all measures approved by the County are implemented. Within 90 days after monitoring has ended, the Project Archaeologist shall prepare and submit a final monitoring report documenting all encountered tribal cultural resources, the significance of the resources, and the treatment of the resources to the tribes for review and comment. An approved final report shall be submitted to the California Native American Heritage Commission, local CHRIS Information Center, the County, and Consulting Tribes.</p>	<p>F. Submit final report to California Native American Heritage Commission, local CHRIS Information Center, County, and Consulting Tribes</p>			

EXECUTIVE OFFICE – BOARD OF SUPERVISORS

AGENDA ENTRY

DATE OF MEETING	MARCH 17, 2026
DEPARTMENT NAME:	COUNTY COUNSEL
BOARD LETTERHEAD:	COUNTY COUNSEL
SUPERVISORIAL DISTRICT AFFECTED:	ALL
VOTES REQUIRED:	3
CHIEF INFORMATION OFFICER'S RECOMMENDATION:	<input type="checkbox"/> APPROVE <input type="checkbox"/> APPROVE WITH MODIFICATION <input type="checkbox"/> DISAPPROVE

****** ENTRY MUST BE IN MICROSOFT WORD ******

Instructions: To comply with the Brown Act requirement, the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for, with whom the action is being taken, fiscal impact, including money amounts, funding sources and effective dates. Also, include an instruction for the Chair(man) or Director to sign when such signature is required on a document.

Recommendation: Adopt findings, conditions, and order for approval of Project No. PRJ2023-002405-(5), consisting of Conditional Use Permit No. RPPL2023005137-(5) and Environmental Plan No. RPPL2023005138-(5), to authorize development, operation, and maintenance of a ground-mounted utility-scale photovoltaic solar energy facility on a property located southeast of the intersection of 230th Street West and West Avenue C-8 in the unincorporated community of Lancaster applied for by RPCA Solar 12, LLC. (On February 3, 2026, the Board indicated its intent to deny the appeal and approve the project, as amended.) (County Counsel)