

## 5.6 Land Use

### 5.6.1 Introduction

The Hidden Hills Solar Electric Generating System (HHSEGS) will be located on privately owned land in Inyo County, California, adjacent to the Nevada border. It will comprise two solar fields and associated facilities: the northern solar plant (Solar Plant 1) and the southern solar plant (Solar Plant 2). Each solar plant will generate 270 megawatts (MW) gross (250 MW net), for a total net output of 500 MW. Solar Plant 1 will occupy approximately 1,483 acres (or 2.3 square miles), and Solar Plant 2 will occupy approximately 1,510 acres (or 2.4 square miles). A 103-acre common area will be established on the southeastern corner of the site to accommodate an administration, warehouse, and maintenance complex, and an onsite switchyard. A temporary construction laydown and parking area on the west side of the site will occupy approximately 180 acres.

Each solar plant will use heliostats – elevated mirrors guided by a tracking system mounted on a pylon – to focus the sun’s rays on a solar receiver steam generator (SRSG) atop a tower near the center of each solar field. The solar power tower technology for the HHSEGS project design incorporates an important technology advancement, the 750-foot-tall solar power tower. One principle advantage of the HHSEGS solar power tower design is that it results in more efficient land use and greater power generation. The new, higher, 750-foot solar power tower allows the heliostat rows to be placed closer together, with the mirrors at a steeper angle. This substantially reduces mirror shading and allows more heliostats to be placed per acre. More megawatts can be generated per acre and the design is more efficient overall.

In each solar plant, one Rankine-cycle steam turbine will receive steam from the SRSG (or solar boiler) to generate electricity. The solar field and power generation equipment will start each morning after sunrise and, unless augmented, will shut down when insolation drops below the level required to keep the turbine online. Each solar plant will include a natural-gas-fired auxiliary boiler, used to augment the solar operation when solar energy diminishes or during transient cloudy conditions, as well as a startup boiler, used during the morning startup cycle, and a nighttime preservation boiler, used to maintain system temperatures overnight. On an annual basis heat input from natural gas will be limited by fuel use and other conditions to less than 10 percent of the heat input from the sun.

To save water in the site’s desert environment, each solar plant will use a dry-cooling condenser. Cooling will be provided by air-cooled condensers, supplemented by a partial dry-cooling system for auxiliary equipment cooling. Raw water will be drawn daily from onsite wells located in each power block and at the administration complex. Groundwater will be treated in an onsite treatment system for use as boiler make-up water and to wash the heliostats.

Two distinct transmission options are being considered because of a unique situation concerning Valley Electric Association (VEA). Under the first option, the project would interconnect via a 230-kilovolt (kV) transmission line to a new VEA-owned substation

(Tap Substation) at the intersection of Tecopa Road<sup>1</sup> and Nevada State Route (SR) 160 (the Tecopa/SR 160 Option). The other option is a 500-kV transmission line that interconnects to the electric grid at the Eldorado Substation (the Eldorado Option), in Boulder City, Nevada.

A 12- to 16-inch-diameter natural gas pipeline will be required for the project. It will exit the HHSEGS site at the California-Nevada border and travel on the Nevada side southeast along the state line, then northeast along Tecopa Road until it crosses under SR 160. From this location a 36-inch line will turn southeast and continue approximately 26 miles, following the proposed Eldorado Option transmission line corridor, to intersect with the Kern River Gas Transmission (KRGT) pipeline. A tap station will be constructed at that point to connect it to the KRGT line. The total length of the natural gas pipeline will be approximately 35.3 miles.

The transmission and natural gas pipeline alignments will be located in Nevada, primarily on federal land managed by the U.S. Bureau of Land Management (BLM), except for small segments of the transmission line (both options) in the vicinity of the Eldorado Substation, which is located within the city limits of Boulder City, Nevada. A detailed environmental impact analysis of the transmission and natural gas pipeline alignments will be prepared by BLM.

This section is organized as follows: Section 5.6.2 describes the land use laws, ordinances, regulations, and standards (LORS) that may apply to the project. A discussion of existing land uses in the project area (affected environment) is included in Section 5.6.3. Section 5.6.4 provides a description of recent or proposed development code and general plan amendments, and Section 5.6.5 explains recent discretionary reviews by public agencies. The environmental analysis to determine potential impacts and potential cumulative impacts on land as a result of construction and operation of the project is provided in Sections 5.6.6 and 5.6.7, respectively. Mitigation measures proposed for the project are provided in Section 5.6.8. Agencies and agency contacts are included in Section 5.6.9, and applicant permits and permit schedules are listed in Section 5.6.10. The references cited in the preparation of this section are listed in Section 5.6.11.

## **5.6.2 Laws, Ordinances, Regulations, and Standards**

The HHSEGS site is located in unincorporated Inyo County, California, on vacant, disturbed private land that has been partially developed in preparation for a residential subdivision. The associated linear project features are located primarily in Nevada on federal land administered by the U.S. Bureau of Land Management (BLM). The BLM will require federal environmental review and approval of a right-of-way (ROW) grant allowing use of the federal land. For the purposes of environmental review and permitting of the linear facilities located in Nevada, the BLM will be the lead federal agency for compliance with the National Environmental Policy Act (NEPA). The California Energy Commission (CEC) will be the lead state agency for compliance with the California Environmental Quality Act (CEQA) for the project components located in California. Table 5.6-1 lists the applicable land use jurisdictions.

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<sup>1</sup> The road is also called Tecopa Highway and Old Spanish Trail Highway. The names are generally used interchangeably.

**TABLE 5.6-1**  
Summary of Project Feature Jurisdictions

<b>Project Feature</b>	<b>Land Use Jurisdiction</b>
Solar Power Plants	Inyo County
Transmission Lines	Inyo County, BLM, Nye County (Tecopa/SR 160 Option only), Clark County, Boulder City
Water Supply	Inyo County
Natural Gas Line	Inyo County, BLM, Clark County
Septic Tank and Leach Field	Inyo County

### **5.6.2.1 Federal LORS**

#### **5.6.2.1.1 National Environmental Policy Act**

Under federal law, BLM is responsible for processing requests for ROWs to authorize projects and associated transmission lines and other appurtenant facilities to be constructed and operated on land it manages. In processing the applications, BLM must comply with NEPA. NEPA requires federal agencies reviewing projects under their jurisdiction to consider the environmental impacts associated with the construction and operation of those projects.

In the case of the HHSEGS project, only the linear features in Nevada will be located on federal land. BLM will prepare a Draft and Final Environmental Impact Statement (EIS) for the linear facilities on federal land. Bureau of Land Management will also perform the consultations required by Section 106 of the National Historic Preservation Act and Section 7 of the Endangered Species Act. This effort is intended to result in a public participation process and environmental documents that fully meet BLM's obligations.

### **5.6.2.2 State LORS**

#### **5.6.2.2.1 Warren-Alquist Act**

Under the Warren-Alquist Act (Public Resources Code §25000 et seq.), the CEC has licensing authority in lieu of all state, regional and local laws, ordinances, regulations, and standards for thermal electric power plants with a size of 50MW or greater. The CEC's power plant siting regulations are set forth in California Code of Regulations (CCR), Title 20, "Public Utilities and Energy", Division 2. The CEC process requires preparation of an Application for Certification (AFC). The AFC process is a certified regulatory program pursuant to, and fulfills the requirements of, CEQA. CEQA is codified in the California Public Resources Code, Sections 21000-21178.1 and, similar to NEPA, requires a review of the environmental impacts of the project. Guidelines for implementation of CEQA are codified in the CCR Sections 15000-15387.

### **5.6.2.3 Local LORS**

#### **5.6.2.3.1 General Plans and Zoning Ordinances**

A General Plan is a plan for future development that includes goals and policies to guide development. Land use provisions included in every California city and county general plan

(California State Planning Law, Government Code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. Furthermore, counties are required to maintain consistency with the general plan through their zoning, subdivision and other ordinances. The county's development code, similar to zoning ordinances, is a regulatory tool used to implement the General Plan. It defines zones that dictate permitted uses as well as design requirements, such as setbacks and height limits.

This subsection includes a discussion of the project's conformity with land use designations and policies described in the Inyo County General Plan (2011) and zoning ordinance.

### ***Inyo County General Plan***

The Inyo County General Plan and Solar and Wind Renewable Energy General Plan Amendment (REGPA) are the primary planning documents applicable to the project site. Inyo County's General Plan was recently amended by the REGPA. The REGPA provides the basis for County approvals of solar or wind renewable energy facilities, and establishes policies to encourage development of renewable resources in Inyo County. The REGPA allows for solar and wind renewable energy facilities, including solar thermal power plants, within fifteen Renewable Energy Land Use Designation Overlay zones.

The selection of these zones was based on certain factors, including proximity to electrical transmission lines and substations and whether the area possessed terrain suitable for renewable energy development. Taking into account input from citizens, State and Federal agencies, the County then modified the zones to address concerns regarding sensitive resources and biological constraints. The County also expanded certain zones to include disturbed lands (mining areas) and lands identified in the BLM's Solar Programmatic Impact Statement. The project is located in one of the fifteen Renewable Energy Land Use Designation Overlay zones established by the REGPA. As such, the project may be processed, based on site-specific studies and appropriate environmental review, pursuant to Title 21, Renewable Energy Development, of the Inyo County Code.

The project is consistent with Inyo County General Plan and REGPA policies for this area because it is a permitted use in the applicable Renewable Energy Land Use Designation Overlay. The project will be consistent with County policies established by the REGPA and related to siting on disturbed lands, public services and facilities, conservation and open space, water resources, and visual resources. HHSEGS will not conflict with Department of Defense operations, and will be compatible with REGPA policies relating to public safety and economic development. HHSEGS' conformity with specific Inyo County General Plan and REGPA policies is outlined in detail in Table 5.6-5.

### ***Inyo County Zoning Ordinance***

Zoning ordinances implement policies in the General Plan by regulating land use in the county, and designating specific types of land uses permitted on a piece of property (parcel). Each parcel in the community is assigned a zoning designation listing the types of uses that will be allowed on that land and setting development standards, such as minimum lot size, maximum building height, and minimum front yard depth, which apply to that parcel.

Under the REGPA, renewable energy facilities such as HHSEGS are permitted uses in any zoning district, and are processed pursuant to Title 21 of the Inyo County Code. Title 21 provides that any person proposing to construct a renewable energy facility within Inyo

County must obtain either a renewable energy permit, or enter into a renewable energy development agreement with Inyo County in lieu of a permit. When processing renewable energy permits or development agreements, the County may incorporate the standards or mitigation measures deemed necessary for that facility in lieu of imposing the standards and procedures set forth in the Inyo County Zoning Code relating to: (1) permitted, conditional, and/or accessory uses related to a facility and its accessory uses and structures; (2) distance between buildings; (3) height, density, and intensity; (4) light and glare; (5) noise; and (6) wireless communication facilities directly related to the facility.

The LORS applicable to the project are listed in Table 5.6-2.

**TABLE 5.6-2**  
Laws, Ordinances, Regulations, and Standards Applicable to Land Use

<b>LORS</b>	<b>Requirements/Applicability</b>	<b>Administering Agency</b>	<b>AFC Section Explaining Conformance</b>
<b>Federal</b>			
NEPA	Requires consideration of environmental impacts from construction and operation through preparation of an EIS. Applicable to the linear facilities only.	BLM, Southern Nevada District Office 4701 North Torrey Pines Las Vegas, NV 89130 702-515-5000	Section 5.6.6.2.1
<b>State</b>			
Warren-Alquist Act and California Public Resources Code, Sections 21000-21178.1, including CEC regulations codified at CCR Title 20, "Public Utilities and Energy", Division 2 and the Guidelines for implementation of CEQA codified in the CCR Sections 15000-15387	Establishes policies and procedures for review of proposed thermal power plants 50 MW or larger.	CEC 1516 Ninth Street Sacramento, CA 95814	Section 5.6.6.2.1
<b>Local – Inyo County</b>			
Inyo County General Plan	Provides comprehensive, long-range policies and goals to serve as the guide for the physical development of the county.	Inyo County Planning Dept. Post Office Drawer L 168 N. Edwards St. Independence, CA 93526 (760) 878-0263	Section 5.6.6.2.1
Chapter 3 Government Element Goal GOV-10	Encourages development of energy resources on both public and private lands within the bounds of economic reason and sound environmental health.	Inyo County	Section 5.6.6.2.1
Chapter 4 Land Use Element Land Use Policy LU-1.17 (Solar and Wind Renewable Energy Development)	Requires the County to consider Solar or Wind Energy facilities within areas with a Renewable Energy Land Use Designation Overlay and in any zoning district under Title 18 of the Inyo County Code.	Inyo County	Section 5.6.6.2.1

**TABLE 5.6-2**  
Laws, Ordinances, Regulations, and Standards Applicable to Land Use

<b>LORS</b>	<b>Requirements/Applicability</b>	<b>Administering Agency</b>	<b>AFC Section Explaining Conformance</b>
Chapter 4 Land Use Element Land Use Policy LU-12.0	Requires the County to encourage renewable energy development on disturbed lands.	Inyo County	Section 5.6.6.2.1
Chapter 4 Land Use Element Public Service and Facilities Policy PSU-10.5 (Encourage Renewable Energy Development)	Requires the County to encourage appropriate development of renewable energy resources, provided that social, economic, and environmental impacts are minimized.	Inyo County	Section 5.6.6.2.1
Chapter 5 Economic Development Element Policy ED-4.4 (Renewable Energy Development Beneficial to the Local Economy)	Requires that Renewable energy development shall provide means to offset costs to the County and lost economic development potential. If potential economic impacts from renewable energy development are identified by the County, commensurate mitigation and/or offsets shall be required.	Inyo County	Section 5.6.6.2.1
Chapter 8 Conservation/Open Space Element Agricultural Resources Policy AG-1.3 (Conversion of Agricultural Land)	Discourages conversions of productive agricultural lands for urban development, and encourage avoidance of productive agricultural lands for renewable energy development.	Inyo County	Section 5.6.6.2.1
Chapter 8 Conservation/Open Space Element Minerals and Energy Resources Goal MER-1	Encourages appropriate renewable energy development and minimize impacts from such development to the social, economic, and environmental resources of the County.	Inyo County	Section 5.6.6.2.1
Chapter 8 Conservation/Open Space Element Minerals and Energy Resources Policy MER-2.1 (Large-scale Renewable Energy Development Areas)	Requires the County to maintain a Land Use Diagram of areas where Solar or Wind Renewable Energy Facilities may be appropriate.	Inyo County	Section 5.6.6.2.1
Chapter 8 Conservation/Open Space Element Minerals and Energy Resources Policy MER-2.2 (Minimize Impacts)	Requires the County to work with renewable energy developers and other agencies to minimize impacts from renewable energy development.	Inyo County	Section 5.6.6.2.1

**TABLE 5.6-2**  
Laws, Ordinances, Regulations, and Standards Applicable to Land Use

<b>LORS</b>	<b>Requirements/Applicability</b>	<b>Administering Agency</b>	<b>AFC Section Explaining Conformance</b>
Chapter 8 Conservation/Open Space Element Water Resources Policy WR-3.5 (Sustainable Renewable Energy Development)	Requires the County to encourage renewable energy development to incorporate measures to minimize water consumption and use of potable water.	Inyo County	Section 5.6.6.2.1
Chapter 9 Public Safety Element Policy AQ-7.0	Supports appropriate efforts to combine air quality improvements with other social, cultural, and environmental goals, including renewable energy.	Inyo County	Section 5.6.6.2.1
Inyo County Zoning Ordinance Title 21	Regulates permitting and development of renewable energy generating facilities in Inyo County.	Inyo County	Section 5.6.6.2.1

### 5.6.3 Affected Environment

The following text discusses the affected environment for the study area (i.e., 1 mile surrounding the project site).

#### 5.6.3.1 General Description of Study Area

The project site is located in southeastern Inyo County and directly adjacent to the California-Nevada border (see Figure 2.1-1). Inyo County runs along the eastern border of California and is to the west bordered by Nye, Esmeralda, and Clark counties, Nevada. The California counties of Mono, Fresno, Tulare, Kern, and San Bernardino border the northern, western, and southern boundaries of Inyo County.

The closest community to the project site is Pahrump, Nevada, located approximately 18 miles north of the project area, with a 2010 projected population of 36,441 (see Table 5.10 2 in Section 5.10, Socioeconomics). Las Vegas, Nevada, is located approximately 48 miles east of the project site. The city of Los Angeles is located approximately 180 miles southwest, and Edwards Air Force Base is located approximately 130 miles west-southwest of the site. Death Valley National Park is located approximately 20 miles west of the project site.

The project area is sparsely populated and the closest residence to any power block is located approximately 3,500 feet south of the Solar Plant 2 power block. The nearest residence to the HHSEGS's property boundary is about 300 feet east of the solar field (see Figure 5.9-1). However, this residence is farther away from the nearest power block. The Front Sight Firearms Training Institute is located approximately 1.7 miles north of the project site. The Front Sight Firearms Training Institute offers classes during both the day and nighttime hours, including nighttime courses using Uzi submachine guns and M16s.

Interstate 15 (I-15) is an interstate highway providing access from the more populous areas of southern California to the state of Nevada. I-15, oriented approximately north-northeast/south-southwest, is located to the southeast of the project site and crosses into Nevada

approximately 37 miles southeast of the project site. SR 160 is located approximately 9 miles from the project site, and is connected to the project by Tecopa Road., an existing paved road that connects Nevada SR 160 to California SR 127.

### **5.6.3.2 Existing Land Uses, Planning, and Zoning Designations**

#### **5.6.3.2.1 Federal**

Although the project site includes no federal land, it is bordered by BLM-managed federal land on the west, north, and northeast. This BLM land is part of the California Desert Conservation Area and the Northern and Eastern Mojave Planning Area.

#### **5.6.3.2.2 County of Inyo**

The Inyo County General Plan and REGPA are the primary planning documents applicable to the project site. The project is located in a Renewable Energy Land Use Designation Overlay zone. The REGPA allows for solar and wind renewable energy facilities, including solar thermal power plants, within 15 Renewable Energy Land Use Designation Overlay zones. HHSEGS is located within the Charleston View overlay zone.

Existing land uses and REGPA land use designations for the study area are shown in Figure 5.6-1. Existing land uses and General Plan designations within the study area are identified in Table 5.6-3. Definitions of land use planning designations in the project study area are included in Table 5.6-4.

The project site is currently zoned OS-40, open space with a minimum parcel size of 40 acres (Figure 5.6-2). Under the REGPA, renewable energy facilities such as HHSEGS are permitted uses in any zoning district, and processed pursuant to Title 21 of the Inyo County Code.

#### **5.6.3.2.3 Recreation, Scenic, Agricultural, Natural Resource Protection and Extraction, Educational, Religious, Cultural, and Historic and Unique Land Uses**

##### ***Recreation Land Use***

No designated recreational land uses exist within the project study area.

##### ***Scenic Land Use***

No designated scenic resources exist within the project study area. (See Section 5.13, Visual Resources, for more information on scenic resources in the study area.)

##### ***Agricultural Land Use***

There are currently no agricultural uses within the HHSEGS site. However, the Phase I Environment Site Assessment prepared for the project site notes that approximately 12 acres of land within the project boundary have previously been used as an orchard (Ninyo and Moore, 2011). There are no lands mapped as Important Farmlands (as defined for the Farmland Mapping and Monitoring Program) (California Department of Conservation, 2008) within the project study area.

##### ***Natural Resource Protection and Natural Resource Extraction Areas***

No natural resource protection and extraction areas exist within the project study area.

##### ***Education and Religious, and Unique Land Uses***

There are no schools, daycare facilities, convalescent centers, or hospitals within, or in the immediate vicinity of, the project study area. The St. Therese Mission, a commercial facility,

**TABLE 5.6-3**  
Existing Land Uses and General Plan Designations within the Study Area

<b>Project Component</b>	<b>Existing Land Uses</b>	<b>Land Management, General Plan, Land Use, and Zoning Designations</b>
Site Vicinity	The site vicinity to the south and east of the project site is mostly disturbed private land that has been partially developed for residential use. The site vicinity to the west and north of the project site is mostly undeveloped, vacant land.	<b>BLM</b> Multiple-Use Class L Limited Use Multiple-Use Class M Moderate Use  <b>County of Inyo – General Plan and Development Code Land Use Zones</b> Resource Conservation (RC)  Renewable Energy Land Use Designation Overlay
HHSEGS Site	The project site is mostly vacant, disturbed private land that contains earthworks for an abandoned residential subdivision.	<b>County of Inyo – General Plan and Development Code Land Use Districts</b> Renewable Energy Land Use Designation Overlay

**TABLE 5.6-4**  
Definitions of Land Use Planning Designations in Project Study Area

<b>Land Management Plan or General Plan Land Use Designation</b>	<b>Definition</b>
<b>County of Inyo – General Plan and Development Code</b>	
Solar and Wind Renewable Energy General Plan Amendment (REGPA)	Amendment to Inyo County General Plan that contains policies related to renewable energy development, and establishes Renewable Energy Land Use Overlays.
Renewable Energy Land Use Designation Overlay	This designation applies to 15 areas within Inyo County that shall be considered for the development of solar or wind energy facilities.

has broken ground on 17.5 acres approximately 0.5 mile from the HHSEGS boundary. It will consist of a chapel, columbarium, garden, restaurant, visitor's center, playground, restrooms, and an onsite caretaker home.

### ***Cultural and Historic Land Use***

In compiling this section, CH2M HILL conducted archival research; reviewed all cultural resource investigation reports within the project boundary; contacted all other interested agencies, Native American groups, and historic societies; and conducted a cultural resources field investigation. Refer to Section 5.3, Cultural Resources, for information on cultural resources.

## **5.6.4 Recent or Proposed Development Code and General Plan Amendments**

Recent or proposed General Plan and Development Code amendments applicable to the project study area within the past 18 months are discussed below.

### 5.6.4.1 County of Inyo

Inyo County approved the REGPA on April 26, 2011.<sup>2</sup> The REGPA and the corresponding overlay zones are intended to direct and streamline the development of renewable energy in Inyo County. It serves as a guide to developers as to where the highest energy potential exists on land under the County's jurisdiction. The general requirements enacted as part of the REGPA are discussed in Section 5.6.2.3.1.

## 5.6.5 Recent Discretionary Reviews by Public Agencies

Discretionary reviews are actions that require review and approval by an overseeing regulatory agency. There have been no discretionary reviews by BLM within the project study area within the past 18 months (Wilhight, 2011). The St. Therese Mission and the REGPA have been the only actions by Inyo County that have required a discretionary review within the project study area during the past 18 months (Gretz, 2011).

## 5.6.6 Environmental Analysis

### 5.6.6.1 Significance Criteria

Significance criteria for impacts to land use were determined through review of applicable state and local regulations. Because the Warren-Alquist Act is equivalent to a CEQA review, the following criteria developed from the CEQA Guidelines Appendix G, CEQA Checklist, were used to evaluate the potential environmental impacts of the project:

- Will the project physically divide an established community?
- Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?
- Will the project convert prime farmland, unique farmland, or farmland of statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?
- Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of Farmland to nonagricultural use?

### 5.6.6.2 Potential Effects on Land Use

#### 1. Will the project physically divide an established community?

**No impact.** The project would not physically divide an established community because the project site would be located in a sparsely populated area with no established communities within 11 miles. Some dwellings, including trailers, are located to the south and east of the

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<sup>2</sup> On May 26, 2011 a CEQA lawsuit was filed against the REGPA by the Center for Biological Diversity and the Sierra Club.

project site, but these scattered buildings do not constitute a community. Therefore, the project would result in a finding of no impact under this criterion.

**2. Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

**No impact.** The project does not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The project site is located on land that is designated as a Renewable Energy Land Use Overlay by the County of Inyo. Solar renewable energy facilities, such as HHSEGS, are allowable uses in these zones.

Once the project is licensed, the Applicant will meet with the County Planning Department to process a merger/subdivision or reversion to acres map to vacate any/all roadways within the project boundary.

Based on the above information, HHEGS is consistent with applicable land use plans, policies, or regulations.

**3. Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?**

**No impact.** There are no habitat conservation plans or natural community conservation plans applicable to the project site. Therefore, the project will not conflict with any applicable habitat conservation plans or natural community conservation plans. Hence, the project would result in a finding of no impact under this criterion.

**4. Will the project convert prime farmland, unique farmland, or farmland of statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?**

**No impact.** No designated prime farmland, unique farmland, or farmland of statewide importance has been mapped on the project site or within the study area. Therefore, the project would result in a finding of no impact under this criterion.

**5. Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of Farmland to nonagricultural use?**

**No impact.** No agricultural uses or Williamson Act properties are present within the project study area.

**5.6.6.2.1 Compatibility with Plans and Policies**

The project is consistent with policies set forth in the Inyo County General Plan, REGPA, and Development Code. Table 5.6-5 summarizes the project's conformity with these applicable plans.

**TABLE 5.6-5**  
Land Use Conformity with Applicable Plans and Policies

<b>Plan Element/Chapter</b>	<b>Goal/Policy</b>	<b>Conformity</b>
<b>County of Inyo General Plan</b>		
Inyo County General Plan	Provides comprehensive, long-range plans, policies, and goals to guide the physical development of the county.	Yes: The project will consider conformance with these plans and policies as part of design and implementation.
Chapter 3 Government Element Goal GOV-10	Encourages development of energy resources on both public and private lands consistent with policies and within the bounds of economic reason and sound environmental health.	Yes: The project will develop energy resources.
Chapter 4 Land Use Element Land Use Policy LU-1.17 (Solar and Wind Renewable Energy Development)	Requires the County to consider Solar or Wind Energy facilities within areas with a Renewable Energy Land Use Designation Overlay and in any zoning district under Title 18 of the Inyo County Code.	Yes: The definition of a solar renewable energy facility includes solar thermal power plants such as HHSEGS. The project would be located in an area that has been identified by Inyo County as a Renewable Energy Land Use Designation Overlay.  Potential social, economic, and environmental impacts have been minimized through resource studies, site design, and mitigation measures.
Chapter 4 Land Use Element Land Use Policy LU-12.0	Requires the County to encourage renewable energy development on disturbed lands.	Yes: The project will be located on lands that have already been disturbed by preparations for a residential subdivision. The project site is traversed with clearings for roads and streets.
Chapter 4 Land Use Element Public Service and Facilities Policy PSU-10.5 (Encourage Renewable Energy Development)	Requires the County to encourage appropriate development of renewable energy resources, provided that social, economic, and environmental impacts are minimized.	Yes: The project will generate renewable energy while minimizing impacts to social, economic, and environmental resources. This will be accomplished through resource studies, site design, and mitigation measures.
Chapter 5 Economic Development Element Policy ED-4.4 (Renewable Energy Development Beneficial to the Local Economy)	Renewable energy development shall provide means to offset costs to the County and lost economic development potential. If potential economic impacts from renewable energy development are identified by the County, commensurate mitigation and/or offsets shall be required.	Yes: The project will not have negative economic impacts on Inyo County, as the Project will generate tax revenue for Inyo County and increase employment.
Chapter 8 Conservation/Open Space Element Policy AG-1.3 (Conversion of Agricultural Land)	Discourages conversions of productive agricultural lands for urban development, and encourage avoidance of productive agricultural lands for renewable energy development.	Yes: The project will not convert any productive farmland.

**TABLE 5.6-5**  
Land Use Conformity with Applicable Plans and Policies

Plan Element/Chapter	Goal/Policy	Conformity
Chapter 8 Conservation/Open Space Element Goal MER-1	Encourages appropriate renewable energy development and minimize impacts from such development to the social, economic, and environmental resources of the County.	Yes: The project is not expected to result in the significant loss of any resources. The project study area does not include any active mining claims or other extraction sites.
Chapter 8 Conservation/Open Space Element Policy MER-2.1 (Large- scale Renewable Energy Development Areas)	Requires the County to maintain a Land Use Diagram of areas where Solar or Wind Renewable Energy Facilities may be appropriate.	Yes: The project is proposed within the Renewable Energy Land Use Designation Overlay zone for the Charleston View area.
Chapter 8 Conservation/Open Space Element Policy MER-2.2 (Minimize Impacts)	Requires the County to work with renewable energy developers and other agencies to minimize impacts from renewable energy development.	Yes: The project proponent will coordinate with Inyo County to minimize impacts to resources.
Chapter 8 Conservation/Open Space Element Water Resources Policy WR-3.5 (Sustainable Renewable Energy Development)	Requires the County to encourage renewable energy development to incorporate measures to minimize water consumption and use of potable water.	Yes: The project design incorporates a dry-cooling design to minimize water consumption and use by the project. Potable water supplied from on-site wells is expected to be low – approx. 140 ac-ft/yr.
Chapter 9 Public Safety Element Policy AQ-7.0	Supports appropriate efforts to combine air quality improvements with other social, cultural, and environmental goals, including renewable energy.	Yes: The project combines air quality improvements with social, cultural, and environmental goals through the generation of renewable energy, which will enable California to achieve its Renewable Portfolio Standard Goals, decrease greenhouse gas emissions, and create green jobs for the local economy.
Inyo County Zoning Ordinance Title 21	Regulates the development of renewable energy generating facilities.	Yes: The project is an allowable use under Inyo County Zoning Code Title 21.

### 5.6.7 Cumulative Effects

The CEQA Guidelines (Section 15355) define cumulative impacts as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

The CEQA Guidelines further note that:

The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable

probable future projects. Cumulative impacts can result from individually minor, but collectively significant, projects taking place over a period of time.

Air quality impacts, which have the largest impact area, are generally assessed over a 10-mile distance from the project site. Therefore, to be conservative, projects within a 20-mile distance from the project site were evaluated for the potential of creating cumulative impacts.

Cumulative land use impacts could occur if the development of the proposed project and other related past, present, and reasonably foreseeable probable future projects would be inconsistent with applicable plans and policies.

### **5.6.7.1 Current Setting**

The project area has been previously impacted by a variety of activities including the construction and continued use of Tecopa Road and the evolution of unimproved roads and trails. The existing and abandoned development within the area has resulted in the loss of natural resources and the transition of the valley from its original undisturbed natural setting to one that, in many locations, represents an industrial or commercial setting. Additionally, numerous applications for solar developments in the area are currently under BLM review, including one (Element Power Solar Project in Nevada) that is within 20 miles of HHSEGS.

### **5.6.7.2 Reasonably Foreseeable Future Actions in the Vicinity of HHSEGS**

The following three projects, located within 20 miles from the project site, were determined to be reasonably foreseeable future actions. Their locations are shown in Figure 5.6-3 and they discussed in the following text.

- Pahrump Valley General Aviation Airport
- Element Power Solar Project
- St. Therese Mission, a commercial facility

#### **5.6.7.2.1 Pahrump Valley General Aviation Airport**

The Pahrump Valley General Aviation Airport is proposed to be located approximately 10 miles northwest of the HHSEGS site in Nye County on BLM land. The airport would primarily serve small aircraft of less than 12,500 pounds, with wingspans of 49 feet or less.

The 2008 Pahrump Valley Airport Master Plan outlines an initial phase of development that would last 3 years and include the design and construction of essential airport facilities such as the runway, taxiway, parking apron, access roads, airplane hangars, and fuel tanks. Additional phases of construction are scheduled to last through 2025.

According to Pahrump Town Manager Bill Kohbarger, an EIS is currently being prepared for the airport. As of June 2011, it is anticipated to be completed in 20 months. The process for conveyance of BLM land for the proposed airport will begin following the certification of the EIS. The project has not yet been serialized by the BLM (Kohbarger, 2011).

The Applicant's representatives have met with the airport design firm and members of the Federal Aviation Administration, and who have jointly determined that HHSEGS will not adversely impact the proposed airport operations.

#### **5.6.7.2.2 Element Power Solar Project**

Element Power filed an ROW application with the BLM Las Vegas Field Office on September 9, 2010, for the development of a solar photovoltaic project approximately 6 miles north of HHSEGS. This ROW covers 2,560 acres of BLM-managed land. The application status is currently incomplete, pending additional data required by BLM. Once the application is deemed complete, the NEPA scoping process may begin and an NOI will be issued (Wilhight, 2011).

#### **5.6.7.2.3 St. Therese Mission**

The St. Therese Mission will be located at 881 E. Old Spanish Trail (Tecopa Road), Charleston View, approximately 0.5 mile southeast of HHSEGS. The 17.5-acre site will consist of a chapel, a meditation garden, columbarium buildings for the storage of cremation remains, a visitor's center, restaurant, outdoor garden, and an onsite caretaker home. The project proposes to be LEED certified for energy efficiency and will make use of many energy and resource conservation measures such as solar panels, grey-water recycling, drought-tolerant desert landscaping, a greenhouse and nursery to grow and maintain vegetation for the facility.

The mission land is designated Resort/Recreational (REC) under the Inyo County General Plan, and is zoned Open Space, 40-acre minimum (OS-40) under the Inyo County Zoning Ordinance. A Notice of Determination for the Conditional Use Permit was filed on June 23, 2010. The first phase of construction began in early May 2011. Inyo County has not received a construction schedule or timeline from the developer. However, at least four phases of construction are expected. Once completed, the project developer estimates that as many as 1,200 visitors per month could visit the facility.

#### **5.6.7.3 Potential Actions in the Vicinity of HHSEGS That Are Known But Are Not Reasonably Foreseeable at this Time**

There is some anecdotal information about potential projects within the vicinity of the HHSEGS site; however at this time, these projects have either not proceeded or they have not proceeded in the normal course to the point that there is enough publicly available information to determine their potential impacts as well as provide assurance that they will proceed. Accordingly, these potential projects are considered speculative and thus not reasonably foreseeable.

#### **5.6.7.4 Chicago Valley, Tecopa, and Sandy Valley**

The Renewable Energy Land Use Designation Overlays of Chicago Valley, Tecopa, and Sandy Valley are also located in southeastern Inyo County. Although there are no pending developments at this time, Inyo County has clearly indicated, through its passage of the REGPA, that it will encourage the development of renewable energy within these areas.

### 5.6.7.5 Summary of Cumulative Effects

As discussed above, HHSEGS is expected to be consistent with the applicable plans and policies. Therefore, HHSEGS would not result in significant land use impacts. In addition, no farmland is present in the study area and existing agricultural uses are minimal, so implementation of the project would not significantly affect farmland. Therefore, the project would not result in a cumulative farmland impact. Further, it is expected that the reasonably foreseeable projects considered as part of this analysis would also not contribute to a significant impact on land use in the project vicinity because each of these projects will receive development approvals that could not be issued without a determination that these projects are consistent with applicable plans and policies, including development, farmland, and habitat conservation policies. Because the General Plan does not impose any ceiling on development, compliance with the plan by each of the individual projects also ensures that taken together, the projects will not have a significant effect on land use. In conclusion, HHSEGS, when combined with these other projects, will not create a significant cumulative land use impact.

### 5.6.8 Mitigation Measures

Because no land use-related impacts have been identified, no further mitigation is required.

### 5.6.9 Involved Agencies and Agency Contacts

Agency contacts for land use are provided in Table 5.5-6.

**TABLE 5.6-6**  
Agency Contacts for Land Use

Issue	Agency	Contact
Recent or proposed Development Code and General Plan Amendments, discretionary reviews, mining claims or leases and conformance with the CDCA and NEMO Plans	BLM, Pahrump Field Office	Brenda Wilhight Renewable Energy Specialist Ph: (702) 515-5172 Fx: (702) 515-5155 Email: brenda_wilhight@blm.gov
Recent or proposed Development Code and General Plan Amendments and discretionary reviews	Inyo County Planning Department	Tanda Gretz Senior Planner Ph: (760) 878-0263 Fx: (760) 878-0382 Email: tgretz@inyocounty.us

### 5.6.10 Permits Required and Permit Schedule

Land use permits necessary for the project are related to linear components under the jurisdiction of the BLM. These permits will be addressed as part of the BLM NEPA analysis.

### 5.6.11 References

California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, Important Farmlands of California. 2008.  
[http://www.consrv.ca.gov/DLRP/fmmp/map\\_products/index.htm](http://www.consrv.ca.gov/DLRP/fmmp/map_products/index.htm).

Clark County Department of Aviation. 2006. Project Definition and Justification, Proposal to Construct and Operate a New Supplemental Commercial Service Airport in the Ivanpah Valley. August.

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County of Inyo. 2010. Zoning Ordinance Title 21. June 2, 2011. <http://www.inyoplanning.org/documents/RenewableEnergyOrdinance-Final.pdf>

Gretz, Tanda. 2011. Senior Planner, County of Inyo, California. Personal communication, CH2M HILL. April 8.

Hart, Josh. 2011. Planning Director, County of Inyo, California. Personal Communication, CH2M HILL. May 27.

Kohbarger, Bill. 2011. Town Manager, Town of Pahrump, Nevada. Personal communication, CH2M HILL. June 6.

Ninyo and Moore. 2011. Phase I Environmental Site Assessment Report Hidden Hills Solar Facility, Old Spanish Train Highway, and Gold Street, Inyo County, CA. May, 25, 2011.

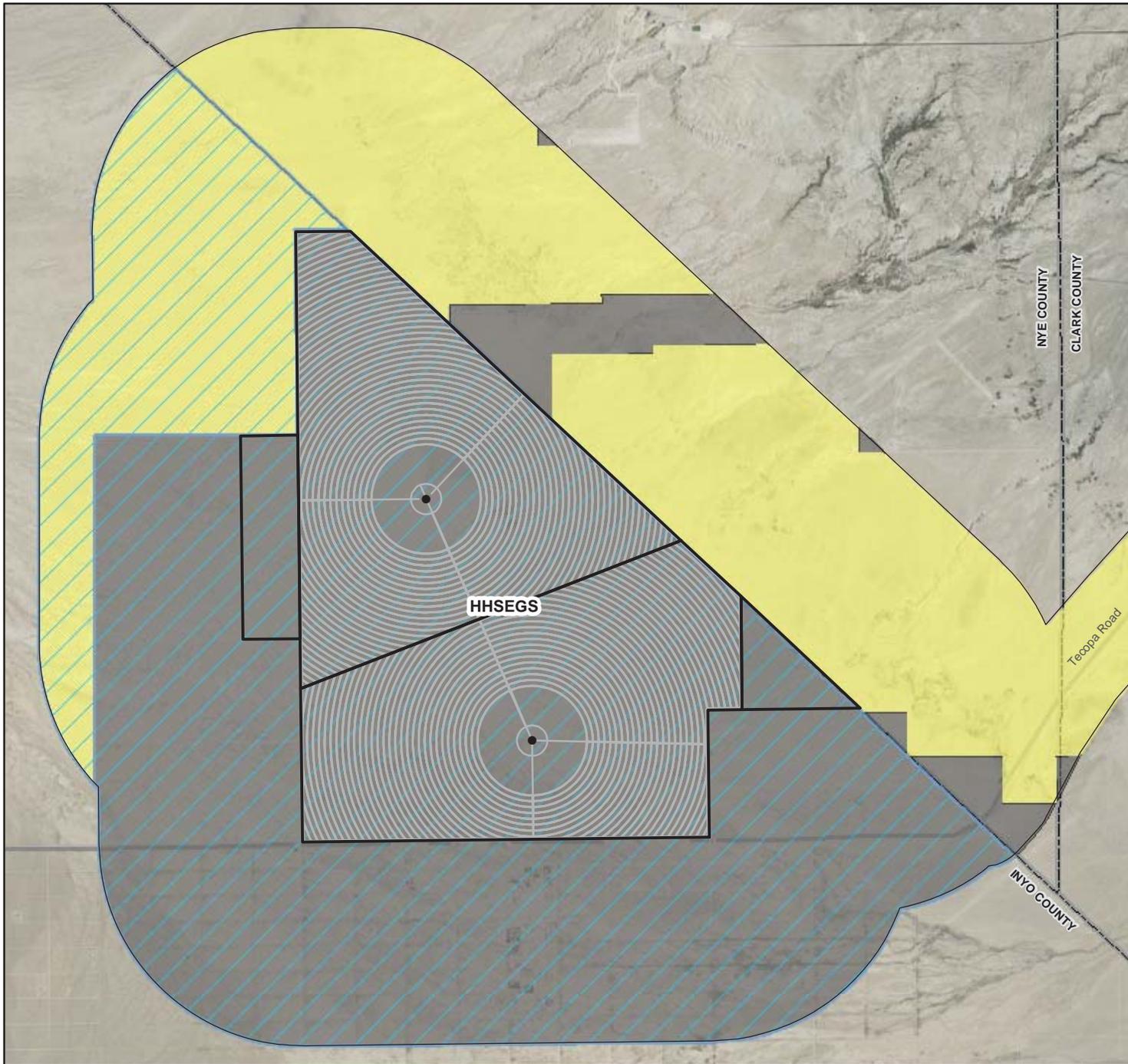
U.S. Bureau of Land Management (BLM). 2011. Southern Nevada District Office Proposed Renewable Energy Projects. June. [http://www.blm.gov/nv/st/en/fo/lvfo/blm\\_programs/energy.html](http://www.blm.gov/nv/st/en/fo/lvfo/blm_programs/energy.html).

U.S. Bureau of Land Management (BLM). 2011. California Desert District Proposed Renewable Energy Projects. June 1. [http://www.blm.gov/ca/st/en/fo/cdd/alternative\\_energy.html](http://www.blm.gov/ca/st/en/fo/cdd/alternative_energy.html).

U.S. Department of Transportation (USDOT). 2004. Federal Register, Volume 69, Number 98. May 20. (<http://www.fra.dot.gov/downloads/rrdev/vegasnoi.pdf>).

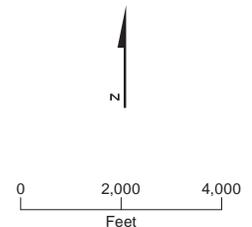
U.S. Environmental Protection Agency. 2002. Federal Register: January 30, 2002, Volume 67, Number 20 (<http://www.epa.gov/fedrgstr/EPA-IMPACT/2002/January/Day-30/i2195.htm>).

Wilhight, Brenda. 2011. Renewable Energy Specialist, U.S. Bureau of Land Management, Pahrump Field Office. Personal communication, CH2M HILL. June 6, July 11.

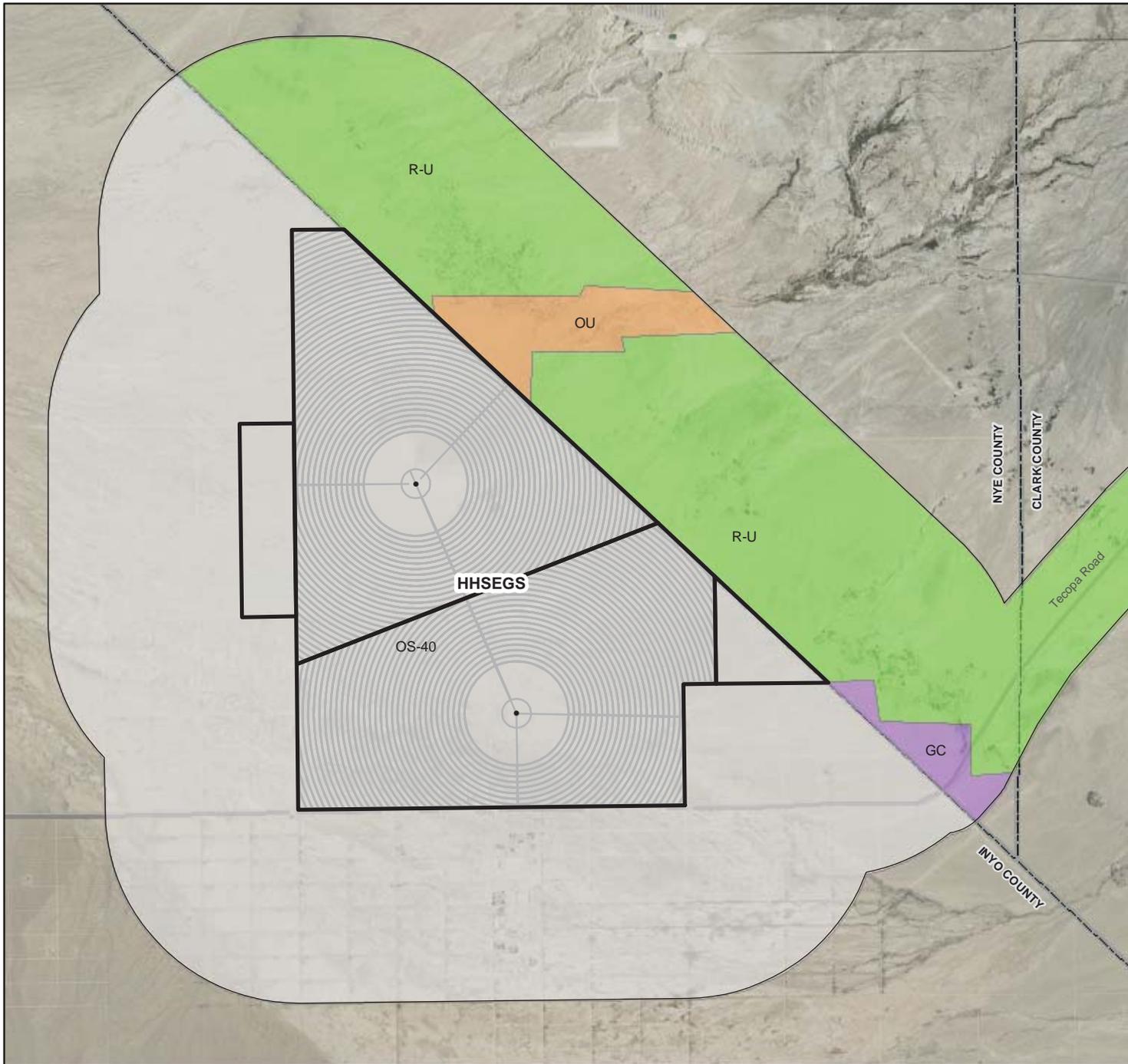


- LEGEND**
- Solar Power Tower
  - Roads and Trails
    - ▬ Interstate
    - ▬ Highway
    - ▬ Major Road
  - Project Site Data
    - ▭ HHSEGS Boundary
    - ▭ HHSEGS Buffer<sup>1</sup>
  - CA and NV Land Use (within 1 mile)
    - Bureau of Land Management
    - Private
    - ▨ Renewable Energy Overlay

**Notes:**  
 1. 1-mile around Project Site, 1/4 mile around Proposed Transmission Lines



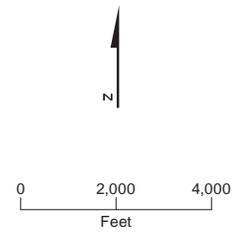
**FIGURE 5.6-1**  
 General Plan Land Use Designations  
 Hidden Hills Solar Electric Generating System



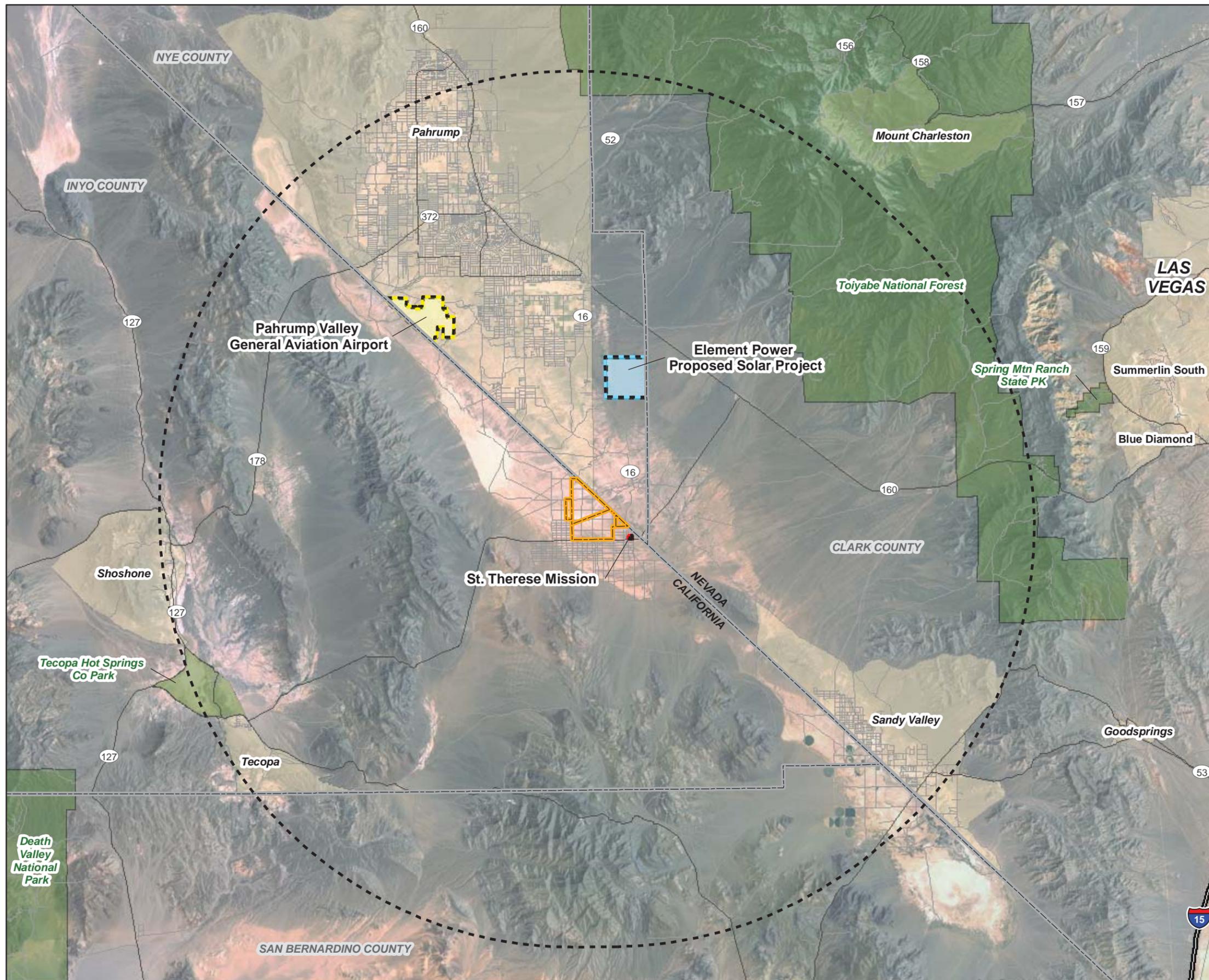
- LEGEND**
- Roads and Trails**
- Interstate
  - Highway
  - Major Road
- Project Site Data**
- HHSEGS Boundary
  - HHSEGS Buffer<sup>1</sup>
- Zoning Class**
- GC, General Commercial
  - OS-40, Open Space 40 acre Minimum
  - OU, Open Use
  - R-U, Rural Open Land

**Notes:**

1. 1-mile around Project Site, 1/4 mile around Proposed Transmission Lines



**FIGURE 5.6-2**  
**Zoning Designations**  
 Hidden Hills Solar Electric Generating System



- LEGEND**
- HHSEGS Boundary
  - 20-mile Buffer of HHSEGS
  - County Boundary
  - Parks (Regional)
  - Urban Areas
- Cumulative Projects**
- Element Power - Proposed Solar Project
  - Pahrump Valley General Aviation Airport
  - St. Therese Mission, a commercial facility

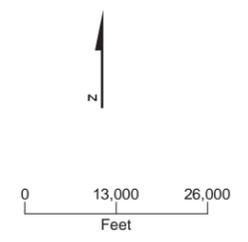


Figure 5.6-3  
 Cumulative Projects Map  
 Hidden Hills Solar Electric Generating System