

6.1 LAND USE

As described in detail below impacts of the Modified Project to land use are expected to remain the same as those of the Approved Project.

6.1.1 Summary of Project Changes Related to Land Use

No changes to the affected environment (i.e. existing land uses, General Plan, Zoning, etc.) would occur under the Modified Project. No changes would occur that would result in different impacts, LORS conformance, mitigation, or Conditions for land use. The site location and acreage are the same as those analyzed and approved in the Commission Final Decision.

6.1.2 Changes in Environmental Impacts

The Modified Project would not result in a significant impact or change to the land use findings relative to the Approved Project. Specifically, the Modified Project would not:

- result in impacts to farmland or rangeland areas and would not contribute to loss of productive farmland;
- physically divide an established community;
- conflict with applicable land use plans, policies, or regulations; or
- conflict with an applicable habitat conservation plan.

The Modified Project will not require a height increase from the maximum 90-foot-high and 110-foot-high transmission towers proposed under the Approved Project and analyzed in the Commission Decision, as the change in technology proposes towers consistent with the height and scale of those described in the Approved Project. Further, because the substation would be relocated under the Modified Project, fewer towers would be necessary to transmit power to the Pisgah substation. Thus, no new effects to aircraft operation are expected.

In October 2010, the BLM issued a Record of Decision for the Project and Amendment to the California Desert Conservation Area (CDCA) Land Use Management Plan. The Project site and acreage would not increase, under the Modified Project, from what was approved by the BLM. Therefore, the Modified Project would not require an additional amendment to the CDCA Plan.

In the Commission Final Decision, the Commission concluded that there were no significant adverse direct land use impacts (Commission Decision, Section VII, A, page 13). Since the Modified Project would not increase the acreage or add new lands to the

project, the Final Commission Decision's findings that the Approved Project would be consistent with surrounding land uses is equally applicable to the Modified Project.

6.1.3 Changes in Cumulative Environmental Impacts

The Commission Final Decision concluded that the Approved Project would combine with other past and reasonably foreseeable future projects to substantially reduce scenic values of wilderness areas and recreational resources in the Mojave Desert and southern California desert region, and, therefore, would result in a significant and unavoidable cumulative land use impact in this regard (Commission Decision, Section VII, A, page 13). As discussed in Section 1.4.1, no new foreseeable future actions beyond those presented in the Commission Decision have been identified. The rationale, assumptions, findings and conclusions of the Final Decision would not change for the Modified Project.

6.1.4 Changes in LORS Conformance and Other Permits

In its Commission Final Decision, the Commission concluded that the Project is consistent with all applicable LORS, with the possible exception of BLM Interim Policy Memorandum (CA-2009-020) regarding lands donated to BLM or acquired with assistance from the federal Land and Water Conservation Fund. The Approved Project site included approximately 96 acres of donated and acquired lands in the northwest corner of Section 17 and of Section 5. The BLM State Director recommended proceeding with authorization of solar use of the donated and acquired lands within the Project site, making the Project consistent with BLM policy regarding donated or acquired lands. The Commission Decision to approve the Project was contingent upon the grant of the ROW application, which contained BLM's determination that the Interim Policy Memorandum was satisfied. BLM granted the ROW application in October 2010, making the Approved Project consistent with all applicable LORS. However, the Modified Project footprint has been modified to exclude all but 3.6 acres of these lands all located in the southwest corner of Section 5. Therefore, the Modified Project would not require additional LORS compliance.

6.1.5 Changes in Proposed Mitigation

The Commission Decision proposed no mitigation measures for impacts to land use. No new impacts requiring mitigation would result from the Modified Project. The Modified Project would not necessitate mitigation measures, as the changes in technology under the Modified Project would be consistent with what was previously approved.

6.1.6 Changes in Conditions of Certification

The Commission Decision did not include any Conditions related to land use. The Modified Project would not necessitate Conditions, as the changes in technology under the Modified Project would be consistent with what was previously approved.