

- LAND USE
(SECTION 5.9 FROM 99-AFC-7)

5.9 LAND USE

This section provides an inventory of existing land uses and a discussion of potential land use impacts associated with the Pastoria Energy Facility project in accordance with CEC guidelines. In general, land uses are described within 1 mile of the proposed generating plant site and within a 0.5-mile-wide corridor (0.25 mile to either side) along the associated pipeline and transmission line routes. Land ownership patterns are also described within the vicinity of the proposed plant site. Existing land uses and the jurisdictions potentially affected by the project are also identified (i.e., local, state, federal) together with the respective plans, policies, laws and regulations (including zoning), and potentially sensitive land uses. Planned development and land use trends in the project area are identified, based on currently available proposed development plans. Reasonably foreseeable future development projects within the affected area are identified in Section 5.18, Cumulative Impacts. An assessment of potential land use related impacts associated with the proposed Pastoria Energy Facility project are also provided, including an evaluation of the project's conformance with local plans and regulations and general land use compatibility. Applicant-committed mitigation measures, where appropriate, are proposed to reduce potential project-related land use impacts to acceptable levels.

Land use issues have been identified and evaluated based on: onsite reconnaissance surveys; review of current US Geological Survey (USGS) 7.5-minute topographic quadrangle maps; aerial photography; review of local land use ordinances; review of land use goals and policies identified in the Kern County General Plan and associated maps, and other plans including the Caliente Resource Management Plan Area Final EIS (US Department of Interior, Bureau of Land Management [BLM], 1996).

In general, land uses are controlled and regulated using a system of plans, policies, goals, and ordinances adopted by the various jurisdictions with authority over land uses within the project area. The General Plan is the broadest planning document in scope and defines large scale planned development patterns over a relatively long time frame. Zoning ordinances are the primary methods for achieving the objectives of the General Plan and provide detailed specifications for allowable development (e.g., density, lot size, height, setback, etc.). Other regulations governing development include grading ordinances, subdivision ordinances, and building codes. Taken together, these regulations control development on parcels of land under the jurisdiction of the applicable governing entity.

5.9.1 Affected Environment

5.9.1.1 Introduction

The affected environment is defined by the CEC on the basis of the study area boundary. For the proposed Pastoria Energy Facility project, it includes, but is not limited to, the territory

within 1 mile of the proposed generating plant site, and all lands within a 0.5-mile-wide corridor of the transmission line route and offsite pipeline facilities. The land use study area, along with major jurisdictional boundaries, is shown on Map 5.9-1, Existing and Sensitive Land Uses. Zoning districts are shown on Map 5.9-2. Existing transmission lines within 1 mile of the Pastoria Energy Facility project components are shown on Map 3.2-1.

Governmental jurisdictions within the potentially affected land use environment include Kern County and the State of California Department of Water Resources (DWR). Land use designations and zoning districts affected by the Pastoria Energy Facility project are identified and defined in Table 5.9-1 (General Plan Land Use Designations) and Table 5.9-2 (Zoning Districts Within the Study Area). Map 5.9-1 identifies both existing and potentially sensitive land uses in the study area. Potentially sensitive land uses include recreational and religious sites, schools, churches, health care facilities, parks, commercial and residential areas, airports and landing strips, and radar communications. Sensitive land uses may also include cultural and historic sites, as well as natural scenic areas (see Section 5.7 [Cultural Resources] and Section 5.13 [Visual Resources]). Table 5.9-3 (Existing Land Uses Within the Study Area) and Table 5.9-4 (Potentially Sensitive Land Uses Within the Study Area) summarize the land uses identified on Map 5.9-1.

Current General Plan land use designations within the study area are summarized in Table 5.9-5 (General Plan Land Use Designations Within the Study Area). The General Plan divides all land in Kern County into specific land use designations, and sets out provisions specifying “primary” and “compatible” uses. Energy development uses and related facilities are specifically authorized in areas designated for “Intensive Agriculture” and “Mineral and Petroleum.”

Map 5.9-2 (Zoning Districts) corresponds with Table 5.9-6 (Zoning Designations Within the Study Area). All lands within the land use study area are zoned “Exclusive Agriculture.” The Kern County Zoning Ordinance consists of both text and maps that divide all unincorporated lands in Kern County into specific zoning districts that specify allowable uses and development standards. Energy-related uses and facilities are allowed in a broad range of districts. Energy facilities can be permitted by right, conditional use permit, or under special regulatory controls. If a use is allowed by right, normally no other permit, other than a building or grading permit, is required. Conditional use permits are discretionary permits, in most cases reviewed and approved by the Board of Zoning Adjustment.

5.9.1.1.1 County and Regional Land Use Plans and Policies. The County land use plan relevant to the proposed Pastoria Energy Facility project study area is the Kern County General Plan. The General Plan includes specific policies designed to preserve and enhance existing development and to provide for orderly and appropriate new development to meet the needs of the area for the next 20 years (Kern County, 1994a). The General Plan has 10 elements: Land Use, Open Space, Conservation, Recreation, Circulation, Housing, Noise,

Seismic Safety and Safety, Public Services and Facilities, and Energy. Zoning, subdivision approvals, and other regulations and actions must be consistent with the General Plan.

The goals, policies, and implementation measures of the Kern County General Plan pertinent to the proposed development are summarized in Table 5.9-7 (Land Use Plans and Policies Related to Pastoria Energy Facility Project).

Although federal and state regulations circumscribe and, in the case of the Pastoria Energy Facility project, preempt local regulations for energy resources and development, Kern County retains broad authority over the location and conditions of energy development in the County. County plans and policies that specifically relate to the transmission line components of the Pastoria Energy Facility project are described below.

Transmission Lines. Kern County maintains the following stated goal with respect to transmission lines: “To encourage the safe and orderly development of transmission lines to access Kern County’s electrical resources along routes which minimize potential adverse environmental effects” (Kern County, 1990).

The County also maintains the following policies:

- The County shall encourage the development and upgrading of transmission lines and associated facilities (e.g., substations) as needed to serve Kern County’s residents and access the County’s generating resources, insofar as transmission lines do not create significant environmental or public health and safety hazards (Policy No. 1).
- The County shall review proposed transmission lines and their alignments for conformity with the Land Use Element of the Kern County General Plan (Policy No. 2).
- In reviewing proposals for new transmission lines and/or capacity, the County shall assert a preference for upgrade of existing lines and use of existing corridors where feasible (Policy No. 3).
- The County shall work with other agencies in establishing routes for proposed transmission lines (Policy No. 4).
- The County shall discourage the siting of above-ground transmission lines in visually sensitive areas (Policy No. 5).
- The County should encourage new transmission lines to be sited/configured to avoid or minimize collision and electrocution hazards to raptors (Policy No. 6).

- The County should monitor the supply and demand of electrical transmission capacity locally and statewide (Implementation A).
- The County shall continue to maintain provisions in the Zoning Ordinance and update as necessary to provide for transmission line development (Implementation B).

5.9.1.1.2 State Land Use Plans and Policies. The CEC has both policy development and permitting responsibilities for generating projects over 50 MW. Large generating facilities, such as the Pastoria Energy Facility project, require CEC approval (Kern County, 1990).

The Williamson Act is a state land use policy that serves to preserve open space and agricultural land. It discourages premature urbanization and prevents landowners from being forced to develop their property because their property taxes are based on the greater value of the land for commercial or residential use. The Williamson Act is implemented by creating a voluntary contract with property owners which restricts land use for 10 years, with an automatic annual renewal. In return for the agreement to restrict the use of land for 10 years, the landowner receives preferential property tax rates based on the current use of the land rather than its market value. The Department of Conservation, Office of Land Conservation administers lands under Williamson Act contracts. Information on lands under the Williamson Act contract indicates that the entire project site is under the contract.

The proximity of prime or unique farmland (designated by the Natural Resources Conservation District), or farmlands of statewide importance (designated by the California Department of Conservation), and any potential project-related impacts on such lands, are described in Section 5.4, Agriculture and Soils.

The affected environment is discussed below by project component. Topics addressed include: existing and proposed land uses; sensitive land uses; jurisdictions and associated land use plans (i.e., General Plan, Specific Plan and other area plans, including lands under Williamson Act Contracts); zoning; and General Plan goals, policies and implementation guiding development in the project area. Land ownership patterns are discussed only with respect to the plant site in accordance with the CEC Guidelines.

5.9.1.2 Plant Site

The proposed Pastoria Energy Facility plant (and adjacent construction laydown area) is located in southern Kern County, approximately 30 miles south of Bakersfield, California. The approximate 30-acre site is situated approximately 6.5 miles east of Grapevine, California. The site is located north of Edmonston Pump Plant Road, north of the California Aqueduct. Access to the site will be from Edmonston Pump Plant Road via a new access road. Refer to Section 3.0 for a detailed description of the proposed project, transmission line, and pipeline facilities. Maps 5.9-1 and 5.9-2 illustrate the existing land uses and zoning

districts, respectively, within a 1-mile radius of the plant site. Existing and potentially sensitive land uses, General Plan land uses, and zoning are summarized in Tables 5.9-3, 5.9-4, 5.9-5, and 5.9-6, respectively.

5.9.1.2.1 Existing and Proposed Land Uses. Existing land uses within the proposed plant site and the surrounding 1-mile area are shown on Map 5.9-1. The plant site is within an undeveloped area owned by the Tejon Ranch Company. The land is currently under Williamson Act contract, although no active agricultural activities are occurring on the site. There is an abandoned gravel pit approximately 0.5 mile south of the site and an active gravel pit operation east of the site. The site is surrounded by undeveloped lands or lands under agricultural production. Transmission lines within 1 mile of the proposed plant site include the SCE Pastoria-Magunden transmission line (see Table 4.2-1 and Map 3.2-1).

The entire project site area is within Kern County. According to the Kern County General Plan, the plant site is within an area designated for Mineral Petroleum Use (see Table 5.9-5).

No proposed developments have been identified within a 2-mile radius of the plant site.

5.9.1.2.2 Potentially Sensitive Land Uses. There are no parks, recreational, educational, religious, health care facilities, or commercial uses on the project site or within a 1-mile radius of the site.

5.9.1.2.3 Zoning. As shown on Map 5.9-2, the proposed plant site and the surrounding area within a 1-mile radius of the site are zoned Exclusive Agriculture (“A”) (see Table 5.9-6).

5.9.1.2.4 Land Ownership Patterns. Land ownership within 1 mile of the plant site and in the surrounding study area is both private and public, with private lands held by the Tejon Ranch, and public lands held by the State Department of Water Resources located to the south as shown on Map 5.9-1. Appendix Q provides a list of surrounding property owners.

5.9.1.2.5 Land Use Goals, Policies, and Implementation. Applicable goals and policies pertaining to Kern County energy development and transmission lines are identified in Section 5.9.1.1.

5.9.1.3 Route 1 – Transmission Line

The proposed 230 kV transmission line for the proposed project originates at the proposed Pastoria Energy Facility plant switchyard (Route 1 milepost [MP] 0.0). The switchyard is located on the southern side of the plant site. The transmission line will then proceed in a southerly direction for approximately 1.38 miles and will terminate at SCE’s Pastoria substation (Route 1 MP 1.38). The entire route is within Kern County (see Map 3.2-1). The transmission line will parallel the SCE Pastoria-Magunden transmission line.

Maps 5.9-1 and 5.9-2 illustrate the existing land uses and zoning along the transmission line route. Existing and potentially sensitive land uses, General Plan land uses, and zoning within the transmission line corridor are identified by milepost as summarized in Tables 5.9-3, 5.9-4, 5.9-5, and 5.9-6.

Existing and Proposed Land Uses. The route crosses approximately 1 mile of undeveloped land, crosses the Edmonston Pump Plant Road and the California Aqueduct between MP 0.9 and MP 1.1, and crosses 0.1 mile of land within SCE's Pastoria Substation area (MP 1.38). Other land uses within a 0.5-mile of the transmission line route include a gravel pit, agricultural lands, and the SCE Pastoria-Magunden transmission line route.

There are no proposed residential developments or communities in the study area along the proposed transmission line route (see Table 5.9-4 and Map 5.9-1).

Sensitive Land Uses. There are no potentially sensitive land uses within a 0.5-mile-wide corridor of the proposed route.

Zoning. The zoning designation within a 0.5-mile-wide corridor of the proposed route is Exclusive Agriculture ("A") (see Map 5.9-2 and Table 5.9-6).

Land Use Goals, Policies, and Implementation. Applicable goals and policies related to Kern County transmission line development and state land use plans and policies are identified in Section 5.9.1.1.

5.9.1.4 Pipelines

Offsite pipeline facilities associated with the generating plant project include a make-up water supply line, proposed fuel gas supply line, two alternative fuel gas supply lines, and wastewater discharge line. Refer to Section 3.7 for a detailed description of the proposed project pipeline facilities.

5.9.1.4.1 Route 2 – Make-up Water Supply Line. The proposed water supply line will originate at the project site (MP 0.0) and travel west of the site to an interconnection point with a water supply main (MP 0.05). Water will be transported to the site by a 20- to 30-inch diameter pipeline connected to a proposed water main to be constructed by the Wheeler Ridge-Maricopa Water Storage District. The water line will be routed directly to the site and will be dedicated to the District.

Existing and Proposed Land Uses. Land uses within a 0.5-mile-wide corridor along the water supply line include undeveloped lands and the SCE Pastoria-Magunden transmission line.

Sensitive Land Uses. There are no potentially sensitive land uses within a 0.5-mile-wide corridor along the proposed route.

Zoning. The zoning designation within a 0.5-mile-wide corridor along the proposed route is Exclusive Agriculture (“A”) (see Map 5.9-2 and Table 5.9-2).

Land Use Goals, Policies, and Implementation. Applicable goals and policies related to Kern County’s energy development and petroleum resources development are identified in Section 5.9.1.1

5.9.1.4.2 Route 3 – Proposed Fuel Gas Supply Line. Natural gas will be used as fuel for the proposed project. Fuel will be delivered via a new pipeline that will tie into the existing Kern River/Mojave interstate gas pipeline operated by the Williams Company. The route is approximately 11.65 miles long and ties into the existing natural gas line immediately north of Sebastian Road.

Existing and Proposed Land Uses. The route crosses approximately 8.3 miles of undeveloped land under the ownership of the Tejon Ranch Company, 5.6 miles of agricultural lands (orchards and vineyards), 0.5 mile of oil fields, and 2.8 miles along Sebastian Road. The corridor study area includes four residences (two residences located at R3 MP 5.9, one residence located at R3 MP 7.9, and one residence located at R3 MP 9.6). There are no proposed residential developments in the study area along the proposed fuel gas route (see Table 5.9-4 and Map 5.9-1).

Sensitive Land Uses. Potentially sensitive land uses within a 0.5-mile-wide corridor along the proposed route include the residences identified above. Agricultural activities along the fuel gas line route include orchards from MP 5.94 – 8.89, irrigated vineyards from MP 8.89 – MP 9.88, and plowed and fallowed agricultural lands from MP 9.88 –MP 11.65 (see Table 5.9-8).

Zoning. The zoning designation for the area within a 0.5-mile-wide corridor along Route 3 is Exclusive Agriculture (“A”) (see Map 5.9-2 and Table 5.9-2).

Land Use Goals, Policies, and Implementation. Applicable goals and policies related to Kern County’s energy development and petroleum resources development are identified in Section 5.9.1.1

5.9.1.4.3 Route 3A – Fuel Gas Supply Line – Alternate. Two alternative tie-in points on the Kern River-Mojave pipeline have been identified. The first alternative route (Route 3A) is approximately 13.8 miles long and would tie into the pipeline on David Road.

Existing and Proposed Land Uses. The route traverses approximately 8 miles of undeveloped areas, 0.5 mile of land modified by mineral and oil production activity, and approximately 5 miles of agricultural land. Predominant land uses within the 0.5-mile-wide corridor include oil wells, gravel pit, undeveloped land, and agricultural land. Route 3A passes by one residence and three abandoned homes. There is one residence at R3A MP 13.2, and three abandoned residences at R3A MP 13.8 (see Table 5.9-4 and Map 5.9-1).

Sensitive Land Uses. Potentially sensitive land uses within a 0.5-mile-wide corridor along this alternate proposed route include the residences identified above. Agricultural activities along the fuel gas line route include agricultural land (orchards and vineyards) from MP 5.94 – 13.8 (see Table 5.9-8).

Zoning. The zoning designation for the area within a 0.5-mile-wide corridor along Route 3A is Exclusive Agriculture (“A”) (see Map 5.9-2 and Table 5.9-2).

Land Use Goals, Policies, and Implementation. Applicable goals and policies related to Kern County’s energy development and petroleum resources development are identified in Section 5.9.1.1.

5.9.1.4.4 Route 3B – Fuel Gas Supply Line – Alternate. The second alternative route (Route 3B) is approximately 18.2 miles long and ties into the pipeline near the northwest boundary of the Tejon Ranch.

Existing and Proposed Land Uses. The route traverses approximately 8 miles of undeveloped areas, 1 mile of land modified by mineral and oil production activity, and approximately 9.2 miles of agricultural land. Predominant land uses within a 0.5-mile corridor include oil wells, gravel pit, undeveloped land, and agricultural land. The route passes by three residences. There are two residences located at R3 MP 5.9 and one residence located at R3 MP 7.9 (see Table 5.9-4 and Map 5.9-1).

Sensitive Land Uses. Potentially sensitive land uses within a 0.5-mile-wide corridor of the proposed route include the residences identified above. Agricultural activities along the fuel gas line route include agricultural land (orchards and vineyards) from MP 8.3 – 18.5 (see Table 5.9-8).

Zoning. The zoning designation for the area within a 0.5-mile-wide corridor of the proposed route is Exclusive Agriculture (“A”) (see Map 5.9-2 and Table 5.9-2).

Land Use Goals, Policies, and Implementation. Applicable goals and policies related to Kern County’s energy development and petroleum resources development are identified in Section 5.9.1.1.

5.9.1.4.5 Route 4 – Wastewater Discharge Line. Wastewater will be discharged by injection approximately 1.7 miles north of the plant site into the Tejon Ranch Oil Field. Wastewater will be transported to the injection wells via a 10- to 12-inch pipeline. The proposed wastewater discharge line will originate at the northwest corner of the plant site (MP 0.0) and travel north to the Tejon Oil Field (MP 1.7).

Existing and Proposed Land Uses. Land uses within a 0.5-mile-wide corridor of the wastewater discharge line include undeveloped lands, agricultural land, the SCE Pastoria-Magunden transmission line, and land modified by oil production activity.

Sensitive Land Uses. There are no potentially sensitive land uses within a 0.5-mile-wide corridor of the proposed route.

Zoning. The zoning designation for the area within a 0.5-mile-wide corridor of the proposed route is Exclusive Agriculture (“A”) (see Map 5.9-2 and Table 5.9-2).

Land Use Goals, Policies, and Implementation. Applicable goals and policies related to Kern County’s energy development and petroleum resources development are identified in Section 5.9.1.1.

5.9.1.4.6 Route 5 – Access Road. Access to the plant site will be provided by construction of an access road from Edmonston Pump Plant Road. The proposed access road is approximately 0.85 mile long.

Existing and Proposed Land Uses. The route crosses approximately 0.85 mile of undeveloped land. Land uses within 0.5-mile-wide corridor along the access road include a gravel pit, agricultural lands, and the SCE Pastoria-Magunden transmission line route.

Sensitive Land Uses. There are no potentially sensitive land uses within a 0.5-mile-wide corridor along the proposed access route.

Zoning. The zoning designation within a 0.5-mile-wide corridor of the proposed route is Exclusive Agriculture (“A”) (see Map 5.9-2 and Table 5.9-6).

Land Use Goals, Policies, and Implementation. Applicable goals and policies related to federal, state, and County land use plans and policies are identified in Section 5.9.1.1.

5.9.2 Environmental Consequences

Environmental consequences are discussed in this section relative to the study area within 1 mile of the generating plant site and all lands within a 0.5-mile-wide corridor centered on the transmission line routes and pipeline facilities (i.e., 0.25 mile on either side of linear

facilities). Potential land use impacts relate to both the construction and operation of the generating plant, transmission line, and pipelines.

5.9.2.1 Significance Criteria

Utilizing the significance criteria identified in the CEC and California Environmental Quality Act (CEQA) Guidelines, as well as Kern County Guidelines for the Implementation of CEQA and State CEQA Guidelines (1988), the following criteria were used to determine whether or not significant project-related impacts might occur:

- Conflict with adopted environmental plans and goals of the community where a project is located; displacement of a large number of people; and conflict with established recreational, educational, religious, or scientific uses of the area (State CEQA Guidelines, Appendix G);
- Noise and odor nuisances which will cause existing land uses to cease or be adversely affected, or inhibit the development of future land uses;
- Traffic problems which will restrict access, adversely affecting land uses such as residential or commercial; or
- Visual impacts that will impact land uses such as recreation.

5.9.2.2 Pastoria Energy Facility

5.9.2.2.1 Construction-Related Impacts. Construction activities will take place in such a way as to minimize interference with existing oil production and gravel pit operations in the Tejon Oil Field and existing gravel pit. Once grading of the plant site commences, development of the site itself will be on approximately 30 acres of land within the Tejon Ranch. Construction activities will potentially impact local roadways, increasing congestion along access routes to existing oil production and gravel pit operations within the area. Construction activities will also increase the likelihood of additional noise, dust, and emissions from grading equipment and other construction vehicles.

In addition, material and equipment staging areas will be required during the construction period. Staging areas will serve as base stations for employees, field office locations, laydown areas, and storage of materials, equipment, and vehicles. It is estimated that one temporary laydown/parking area will be required for the construction of the facility site. The area is planned south of the proposed facility site. The staging area will be located on a previously disturbed site with no known environmental sensitivity.

There are no communities or residences within 5 miles of the plant site. Overall, land use impacts associated with construction activities will be insignificant due to compatibility with existing land uses, expanded use of an existing industrial area (Tejon Oil Field, existing gravel pit operations, and California Aqueduct), and the temporary construction period (approximately 24 months).

5.9.2.2.2 Operations-Related Impacts. The proposed project will be designed for an operating life of at least 25 years. This represents further development of an area that already includes petroleum and energy-related uses rather than the introduction of industry to a non-industrial area. The proposed use of the site is compatible with adjacent uses as evidenced by the current development pattern where undeveloped land borders existing oil and energy operations. Facility operations are not expected to significantly impact surrounding land uses.

5.9.2.2.3 Compatibility with Existing and Proposed Land Uses. The Kern County General Plan indicates that agricultural, rangeland, industrial, and mineral and petroleum resource areas are compatible adjacent land uses to power plants. The proposed project involves the creation of an energy-producing industrial use in an area that already includes petroleum and energy related uses.

The operation of the project is expected to result in some minor relocation of workers to Kern County. The population increase however is expected to be relatively small (see Section 5.10, Socioeconomics). Impact on recreational facilities would be insignificant and would not measurably increase demand on area facilities or services. Therefore, any immigration of workers that might occur will not result in indirect impacts that would adversely affect land uses.

Agricultural Lands. The project site is under Williamson Act contract, even though there are no active agricultural activities occurring at the site. Cancellation of the Williamson Act contract for the plant site would be required. This would require approval from the Board of Supervisors and approval from the State of California as well as payment of a portion of the property value (Barnhill, 1999).

5.9.2.2.4 Consistency with Land Use Plans, Policies, and Regulations. The current Kern County zoning designation at the plant site is Exclusive Agriculture (“A”). The 30-acre plant site will be consistent with the 20-acre lot size requirement of land zoned “A”. Development of the generating plant is therefore consistent with the zoning designation for the site. A Use Permit would not be required for the project because of the California Energy Commission (CEC) process involved for the permitting of power projects (Barnhill, 1999). A variance for the parcel may be required depending on the lot size permitted for Williamson Act lands in the zone district for the project site. A variance would require approval by the Director of the Planning Department as well as noticing for a public hearing (Barnhill, 1999).

5.9.2.3 Transmission Line Route

5.9.2.3.1 Construction-Related Impacts. Construction activities associated with development of the transmission line are expected to occur over a period of four months (see Table 3.8-1). Construction activities will be undertaken so as to minimize interference with existing land uses in the transmission line corridor.

Construction impacts resulting from installation of the towers along the transmission line route take into account the type of structures, access to the structures, and temporary construction area requirements. The transmission line from the project switchyard to SCE's Pastoria Substation will utilize lattice steel towers. The proposed lattice type structures will support double circuit lines. All structure types will range in height from 100 feet to 120 feet, and will be designed to provide at least 30 feet of conductor-to-ground clearance at mid span. For additional information on the design and description of these structures refer to Section 3.6, Transmission Facilities. Overall, construction of the transmission line will disturb approximately 23 acres (Table 3.8-6).

The safety measures listed in Section 5.9.3 will be incorporated into project design to reduce any safety impacts that may occur during construction of transmission lines and associated towers.

Access routes to the tower construction sites will be from existing pathways to the SCE Pastoria-Magunden right of way or into a newly dedicated transmission line right of way. A suitable marking system will be developed to assure that designated access routes are consistently used and that equipment and construction personnel do not randomly travel to structure locations. Construction activities will not occur within agricultural fields.

In addition, material and equipment staging areas will be required during the construction period. Staging areas will serve as base stations for employees, field office locations, laydown areas, and storage of materials, equipment, and vehicles. A construction laydown area of approximately 25 acres of land will be located south of the project site. The staging area will be located on a previously disturbed site with no known environmental sensitivity.

Residential Areas. There are no residences located within the 0.5-mile-wide corridor study area identified for the transmission line.

Sensitive Land Uses. There are no sensitive land uses within the 0.5-mile-wide corridor study area identified for the transmission line.

5.9.2.3.2 Operations-Related Impacts. Once the towers are installed, land will be restored to its original condition wherever possible. Operational impacts will be limited to the total

area permanently affected by the towers, i.e., non-usable land following construction (400 square feet per tower structure).

Pastoria Energy Facility, LLC, will obtain private right of way easements adjacent to the transmission line. PEF will also obtain permits from SCE to construct near existing transmission lines, from the State Department of Water Resources to cross the California Aqueduct, and from SCE to occupy their right of way in the Pastoria Substation area. Existing land uses can continue within the right of way. There are no land use restrictions on the right of way that would interfere with the safe operation and maintenance of the line.

Access routes will be upgraded pathways to structure locations (using existing roadways to the maximum extent). These routes will be maintained where required for operation and/or maintenance of the transmission line towers.

Potential environmental impacts related to the operation of the transmission line include land use compatibility with existing and proposed land uses within the transmission line corridor (e.g., changes in land use, conflicts with existing uses, effects on potentially sensitive land uses), and conformity with governmental land use plans, policies, and regulations. These issues are addressed separately below.

Compatibility with Existing and Proposed Land Uses. Existing land uses along the transmission line route consist primarily of undeveloped land, mineral exploration, the SCE Pastoria-Magunden transmission line, and the California Aqueduct. Land use compatibility, as it relates to the installation and operation of the transmission line and associated towers along the route, is addressed below with regard to these existing land uses as well as proposed land uses.

Undeveloped Land. The transmission line route traverses approximately 1 mile of undeveloped area, is parallel to existing transmission lines for 1.28 miles of the route, and crosses 0.05 mile of the California Aqueduct. All areas have existing transmission lines. Nevertheless, all of the lands along the route are designated by the Kern County General Plan for mineral and petroleum use, non-jurisdictional state lands (area near the California Aqueduct), or agriculture, with some areas containing physical constraints due to flood hazards. These general plan designations provide for public utility uses as compatible uses.

Where undeveloped land is designated for agricultural use in Kern County, “public utilities” are a compatible use in areas designated by the General Plan as “Intensive Agricultural.” Where the designation is for “Extensive Agriculture,” proposed public utility uses are compatible subject to the applicable zoning ordinances. Because the zoning description (“Exclusive Agriculture”) throughout the transmission line route identifies utility facilities as compatible uses, no conflict exists with respect to

compatibility. A Use Permit would not be required from Kern County because of the CEC permitting process for power plant projects. The Kern County Planning Department intends to provide recommendations for permit conditions to the CEC (Barnhill, 1999).

Energy-Related Development Areas. Power transmission facilities, mineral and petroleum exploration and extraction, and pipelines are designated as energy-related developments by the Energy Element of the Kern County General Plan. Such uses are also deemed as compatible uses with other uses such as irrigated croplands, water storage or groundwater facilities, livestock grazing and dry land farming (Kern County, 1990). Since oil wells and transmission lines are typical land uses along the transmission line route, the route is compatible with the land uses in these areas (see Table 5.9-3 and Map 5.9-1).

Residential/Schools Areas. There are no schools or residences within the 0.5-mile-wide corridor study area identified for the transmission line. The proposed transmission line route would parallel an existing transmission line, and therefore would not result in a significant change in land use.

Agricultural Lands. There are no active agricultural activities occurring within the right of way of the proposed transmission line route. The transmission line will have temporary and minor impacts to agricultural lands under the Williamson Act Contract but will not result in impairment of agricultural use or operations. The only land to be permanently affected would be the areas displaced by the tower structures (see Section 5.9.2.3.1, Construction Related Impacts). No impacts are anticipated to agricultural lands.

Consistency with Existing Land Use Plans, Policies, and Regulations. The current Kern County zoning designation along the transmission line route is Exclusive Agriculture (“A”) (see Table 5.9-6). Allowable land uses within the zoning designation include utility and communication facilities (including transmission lines and towers).

The crossing of the California Aqueduct at Route 1 MP 1.0 is considered an encroachment upon DWR rights of way, and will be subject to clearance requirements, tower/pole location restrictions, and other requirements set forth in the “Guidelines for Overhead Electrical and Telephone Encroachments” (California Dept. of Water Resources, 1993).

5.9.2.4 Pipelines

The following is a general impact analysis for the proposed pipeline facilities associated with the Pastoria Energy Facility project, including the proposed fuel gas supply line and two alternative fuel gas lines, make-up water supply line, wastewater discharge line, and access road. Potential impacts unique to a given line are described, where appropriate.

5.9.2.4.1 Construction-Related Impacts. The water and natural gas supply lines will be buried. Underground pipelines generally require clearing, grading, and trenching during construction which involves the removal of trees, brush and other obstructions from the rights of way, flattening the ground surface, and preparing the surface for pipeline placement.

A storage and laydown area will be required and will be strategically placed along the pipeline right of way for appropriate access, particularly along the fuel gas pipeline route. The main construction laydown area located south of the plant site will be used to the maximum extent possible. This area will be located on a previously disturbed site with no known environmental sensitivity.

Temporary disturbances related to air quality, traffic, noise, and visual resources will impact adjacent land uses during construction of the project's pipelines. Occupied residences located along the proposed and two alternative fuel gas pipeline routes may experience short-term impacts associated with pipeline construction. These impacts may include visual disruption, increased noise and dust, and increased traffic and vehicle emissions due to project equipment and vehicles using surrounding roadways (see Section 5.2, Air Quality; Section 5.11, Traffic and Transportation; Section 5.12, Noise; and Section 5.13, Visual Resources for more information). These impacts are not considered significant due to their temporary (3-11 months) nature.

5.9.2.4.2 Operations-Related Impacts. During operation, the pipeline will not cause significant land use impacts, change the character of the area, or alter the pattern of existing land uses.

Compatibility with Existing and Proposed Land Uses. The make-up water and wastewater discharge line routes total approximately 1.75 miles. The proposed and two alternative fuel gas line routes total approximately 43.95 miles. The pipelines will be installed and operated on land that is a mix of undeveloped land, mineral and oil fields, and agricultural lands (see Table 5.9-3). With the exception of the residences located within 0.5 mile of the Fuel Gas Pipeline Route (Route 3, Route 3A, and Route 3B), no potentially sensitive land uses have been identified within a 0.5-mile-wide corridor of the offsite facilities. Neither construction nor operation of the fuel gas pipeline route is expected to cause adverse impacts to these potentially sensitive land uses.

The areas traversed by the pipeline routes are currently designated for mineral and petroleum uses and agricultural use. The installation and operation of the pipeline facilities will not result in land use changes in the vicinity of the offsite pipelines. According to the Kern County General Plan, development of pipeline facilities is consistent with the mineral and petroleum, and agricultural land use designations (refer to Table 5.9-1).

Overall, no significant land use impacts related to pipelines are anticipated due to incompatibility with existing land uses or expanded use of existing industrial areas.

Consistency with Existing Land Use Plans, Policies and Regulations. The current Kern County zoning designation along the pipeline facilities is Exclusive Agriculture (“A”). Compatible land uses include resource extraction and energy development uses. The area is currently devoted to a variety of uses including agriculture, mineral exploration and petroleum development, and is designated for such use in the Kern County General Plan. The current zoning is consistent with the General Plan land use designation. Pipelines for oil and gas (including oil recovery enhancement) owned and operated by a public utility or other company under the jurisdiction of the CPUC are allowed by right in the zoning district, subject to the Kern County Director of Planning and Development Service’s review and recommendation regarding right of way (Kern County, 1994b).

5.9.2.5 Access Road

5.9.2.5.1 Construction-Related Impacts. Construction activities associated with development of the 0.85-mile-long access road are expected to occur over a period of three months (see Table 3.8-1). The access road will be located on undeveloped land adjacent to the existing dirt access road and transmission line right of way. Access will be from Edmonston Pump Plant Road. Construction activities will require some grading to clear the existing ground cover, and will not occur within agricultural fields. The plant site staging area will accommodate staging needs associated with storage of construction materials and equipment.

Residential Areas. There are no residences located within the 0.5-mile-wide study area for the access road.

Sensitive Land Uses. There are no sensitive land uses within the 0.5-mile-wide corridor along the access road route.

5.9.2.5.2 Operations-Related Impacts. Operational impacts will be limited to the total area permanently affected by the access road, and the presence of the road within the existing local transportation network. The road will be maintained by PEF as a private road.

Potential environmental impacts related to the operation of the access road include land use compatibility with existing and proposed land uses (e.g., changes in land use, conflicts with existing uses, effects on potentially sensitive land uses), and conformity with governmental land use plans, policies, and regulations. These issues are addressed separately below.

Compatibility with Existing and Proposed Land Uses. The access road will be operated on currently undeveloped land. Operation of the road will not result in land use changes in the

project vicinity. The road would provide access to the proposed plant site in an area committed to petroleum and energy-related uses.

Consistency with Existing Land Use Plans, Policies, and Regulations. The current Kern County zoning designation along the proposed access road is Exclusive Agriculture (“A”) (see Table 5.9-6).

5.9.2.6 Cumulative Impacts

Potential cumulative land use impacts associated with the proposed project are discussed in Section 5.18. Overall, the proposed plant and linear facilities will not result in the conversion of agricultural land into urban uses. The project will not contribute to a significant change in the character of the region when considered in conjunction with other planned regional development as identified in Table 5.18-1. Additionally, the project facilities are expected to be compatible with the projects listed in Table 5.18-1, where applicable.

5.9.3 Mitigation Measures

The land use impact analysis assumes implementation of Applicant-committed mitigation measures where needed to reduce significant impacts with respect to air quality, traffic and transportation, noise, and visual resources (see Sections 5.2, 5.11, 5.12, and 5.13, respectively). Although no significant land use impacts are identified in this analysis, the following are general mitigation measures that will be implemented/incorporated into project design for the proposed Pastoria Energy Facility project to avoid or minimize land use impacts associated with the construction and operation of the generating plant, transmission line route, offsite pipelines, and access road.

- LU-1.** Comply with regulatory agency permits and requirements concerning land use issues.
- LU-2.** Develop small-scale construction scheduling (e.g., daily/weekly scheduling) where appropriate to avoid conflicts with agricultural operations during sensitive time periods. This measure applies only to Alternate Fuel Gas Pipeline Routes 3A and 3B.
- LU-3.** If agricultural facilities (e.g., irrigation systems, fences, gates) are damaged, repair or replace these facilities.

With implementation of the Applicant mitigation measures listed above, no significant unavoidable adverse impacts will occur to land uses due to the construction or operation of Pastoria Energy Facility project.

5.9.4 LORS Compliance

A summary of the applicable laws, ordinances, regulations and standards (LORS) related to land use is included in Section 7.5.9.

The proposed Pastoria Energy Facility project and associated transmission line and pipeline facilities are located entirely within Kern County. The Kern County General Plan identifies county-level goals and policies regarding energy development and transmission lines. The plant and pipeline facilities will conform with these goals and policies as discussed above.

The transmission line route will traverse lands under the jurisdiction of Kern County and the DWR. There are specific LORS relative to public utilities (e.g., transmission lines) established within each of these jurisdictions as identified in Sections 5.9.1.1 and 5.9.1.1.3. The transmission line and associated towers will be constructed in compliance with the regulations and standards of the affected jurisdictions, as appropriate. Such facilities will be in conformance with the goals, policies, and implementation measures of the Kern County General Plan as discussed in Section 5.9.1.1.

5.9.5 References

Barnhill, Glenn. Kern County Planning Department. Meeting with Kern County Planning Department and URS Greiner Woodward Clyde on May 26, 1999.

California Department of Water Resources (DWR). 1993. Encroachment Permit Guidelines. December 1, 1993.

California Energy Commission (CEC). 1997. *Siting Regulations: Rules of Practice and Procedure and Power Plant Site Certification Regulations*.

Kern County Board of Supervisors. 1988. Kern County Board of Supervisors Resolution No. 88-068; "Kern County Guidelines for the Implementation of CEQA and State CEQA Guidelines."

Kern County Department of Planning and Development Services. 1994a. *The Land Use, Open Space and Conservation Elements of the Kern County General Plan*.

1994b. Title 19 Kern County Zoning Ordinance Code Chapter 19.02, Section 19.02.020.

1990. Kern County General Plan Energy Element, p. I-28.

URS Greiner Woodward Clyde. 1999. Field reconnaissance performed by C. Smith and B. Bass.

TABLE 5.9-1

KERN COUNTY GENERAL PLAN LAND USE DESIGNATIONS¹

Land Use Designation	Definition
<u>Nonjurisdictional Land</u>	
State and Federal Land	All property under the ownership and control of various state and federal agencies.
<u>Resource</u>	
Intensive Agriculture	<p>Applies to areas devoted to the production of irrigated crops or having the potential for such use. Other agricultural uses may be consistent with the intensive agriculture designation. Minimum parcel size is 20 acres gross. Permitted uses include, but are not limited to:</p> <ul style="list-style-type: none"> • Primary: irrigated cropland, orchards, vineyards, ranch and farm facilities, etc.; one single-family dwelling unit. • Compatible: livestock grazing, water storage, mineral and petroleum exploration and extraction, and public utility uses, etc., pursuant to provisions of the Zoning Ordinance.
Extensive Agriculture	<p>Applies to agricultural uses involving large amounts of land with relatively low value-per-acre yields. Minimum parcel size is 80 acres gross, except lands not under Williamson Act Contract, in which case the minimum parcel size shall be 20 acres gross. Permitted uses include, but are not limited to:</p> <ul style="list-style-type: none"> • Primary: livestock grazing, dry land farming, ranching facilities, wildlife and botanical preserves, timber harvesting, etc.; one single-family dwelling unit. • Compatible: irrigated croplands, water storage or ground water extraction, recharge areas, mineral and petroleum exploration, recreational activities, etc.
Mineral and Petroleum	<p>Applies to areas which contain producing, or potentially productive, petroleum fields and mineral deposits. Uses are limited to activities directly associated with resource extraction. Minimum parcel size is 5 acres gross. Permitted uses include, but are not limited to:</p> <ul style="list-style-type: none"> • Primary: mineral and petroleum exploration and extraction. • Compatible: extensive and intensive agriculture, mineral and petroleum processing, pipelines, power transmission facilities, communication facilities, equipment storage yards, and one single-family dwelling unit (subject to a Conditional Use Permit).
<u>Physical Constraints</u>	
	<p>Includes overlay zones denoting physical constraints. Those applicable include:</p> <ul style="list-style-type: none"> • Steep Slopes: Land with an average slope of 30 percent or steeper. • Flood Hazard: Based on the Flood Hazard Boundary Maps of the US Department of Housing and Urban Development and the Kern County Water Agency. These areas include, for example, flood channels and watercourses, riverbeds, and gullies. <p>Development within these areas is subject to review by the County and will include conformity with adopted ordinances.</p>
<u>Special Treatment Areas</u>	
	<p>Areas for which area-wide land use plans have been prepared or approved. The “Specific Plan Required” designation applies to areas in which large-scale development projects are pending which will require detailed site-specific planning. These areas would be subject to special review requirements and in situations where growth pressures, mixed land uses, and multiple ownerships exist, the designation would require that the County adopt a Specific Plan as part of the General Plan implementation.</p>

Source: Kern County, 1994a.

¹ The land use designations identified have been summarized, and only those designations directly affected by the proposed project are discussed.

TABLE 5.9-2

ZONING DISTRICTS WITHIN THE STUDY AREA

Zoning District	Description¹
Exclusive Agriculture (A)	Areas suitable for agricultural uses. This designation is designed to prevent the encroachment of incompatible uses onto agricultural lands and the premature conversion of such lands to non-agricultural uses. Uses in the “A” District are limited primarily to agriculture and other activities compatible with agriculture.

Source: Kern County, 1994b.

¹ Reference to “compatible” uses within the descriptions are based on the zoning requirements and consist of agricultural, residential, commercial, utility and communications facilities and resource extraction and energy development uses.

TABLE 5.9-3

EXISTING LAND USES WITHIN THE STUDY AREA

Project Component Milepost (MP)	Existing Land Uses¹ (General Type)
<u>Pastoria Energy Facility Plant Site and Construction Laydown Area</u>	Undeveloped, Gravel Pit, CA Aqueduct, Agricultural
<u>Route 1 – Transmission Line Route R1 MP 0.0 – R1 MP 1.38</u>	Undeveloped, Gravel Pit, CA Aqueduct, Agricultural
<u>Route 2 – Make Up Water Supply Line R2 MP 0.0 – R2 MP 0.05</u>	Undeveloped, Agricultural
<u>Route 3 – Proposed Fuel Gas Supply Line R3 MP 0.0 – R3 MP 1.0 R3 MP 1.0 – R3 MP 5.0 R3 MP 5.0 – R3 MP 8.0 R3 MP 8.0 – R3 MP 11.65</u>	Undeveloped, Gravel Pit, Agricultural Undeveloped Undeveloped, Oil Wells, Agricultural, Agricultural, Undeveloped
<u>Route 3A – Fuel Gas Line Alternate R3A MP 0.0 – R3A MP 1.0 R3A MP 1.0 – R3A MP 5.0 R3A MP 5.0 – R3A MP 12.0 R3A MP 12.0 – R3A MP 13.80</u>	Undeveloped, Gravel Pit, Agricultural Undeveloped Undeveloped, Oil Fields, Agricultural, Agricultural, Undeveloped
<u>Route 3B – Fuel Gas Line Alternate R3B MP 0.0 – R3B MP 1.0 R3B MP 1.0 – R3B MP 5.0 R3B MP 5.0 – R3B MP 11.9 R3B MP 11.9 – R3B MP 18.50</u>	Undeveloped, Gravel Pit, Agricultural Undeveloped Undeveloped, Oil Fields, Agricultural, Agricultural, Undeveloped
<u>Route 4 – Wastewater Discharge Line R4 MP 0.0 – R4 MP 1.0 R4 MP 1.0 – R4 MP 1.70</u>	Undeveloped, Agricultural Undeveloped, Agricultural, Oil Field
<u>Route 5 – Access Road R5 MP 0.0 – R5 MP 0.85</u>	Undeveloped, Gravel Pit, Agricultural, CA Aqueduct

¹ Existing land uses correspond to an inventory of land uses within 0.25-mile on either side (i.e., 0.5-mile-wide study area) of the transmission lines, water supply and discharge lines, fuel gas line, and access road, and within 1 mile of the proposed Pastoria Energy Facility plant site. The “Undeveloped” category includes undeveloped/open space, as well as possible grazing land

TABLE 5.9-4

POTENTIALLY SENSITIVE LAND USES WITHIN THE STUDY AREA¹

Project Component	Reference Location				ID No. ²	Receptor/Type
	USGS Quad	Nearest Milepost	Location			
<u>Pastoria Energy Facility Plant Site</u>	Pastoria Creek	N/A	N/A		N/A	None
<u>Route 1 – Transmission Line Route</u>	Pastoria Creek	N/A	N/A		N/A	None
<u>Route 2 –Makeup Water Supply Line Route</u>	Pastoria Creek	N/A	N/A		N/A	None
<u>Route 3 – Proposed Fuel Gas Supply Line</u>	Pastoria Creek	MP 5.9	500 - 700 feet west of route		R-1	Two Residences
	Pastoria Creek	MP 7.9	1000 feet west of route		R-2	Residence
	Pastoria Creek	MP 9.6	1,000-1,500 feet north of route, north of Sebastian Road		R-3	Residence
<u>Route 3A – Gas Line Alternate</u>	Pastoria Creek	MP 5.9	500 - 700 feet west of route		R-1	Two Residences
	Pastoria Creek	MP 7.9	1000 feet west of route		R-2	Residence

TABLE 5.9-4**(Continued)**

Project Component	Reference Location				
	USGS Quad	Nearest Milepost	Location	ID No.²	Receptor/Type
<u>Route 3A – Gas Line Alternate (continued)</u>	Pastoria Creek	MP 13.2	500 feet north of route, north of David Road	R-4	Residence
	Pastoria Creek	MP 13.8	500 feet north of route, north of David Road	R-5	Three abandoned houses
<u>Route 3B – Gas Line Alternate</u>	Pastoria Creek	MP 5.9	500 - 700 feet west of route	R-1	Two Residences
	Pastoria Creek	MP 7.9	1000 feet west of route	R-2	Residence
<u>Route 4 – Wastewater Discharge Line</u>	Pastoria Creek	N/A	N/A	N/A	None
<u>Route 5 – Access Road</u>	Pastoria Creek	N/A	N/A	N/A	None

¹ The study area consists of that area within 1 mile of the generating project site and within a 0.5-mile-wide corridor of the proposed transmission line route, water supply line routes, fuel gas supply line routes, wastewater discharge line route, and access road.

² ID Number corresponds to Map 5.9-1. Abbreviations defined as: R = Residence; N/A = not applicable.

TABLE 5.9-5

GENERAL PLAN LAND USE DESIGNATIONS WITHIN THE STUDY AREA¹

Project Component Milepost	General Plan Land Uses²
<u>Pastoria Energy Facility Plant Site and Laydown Area</u>	Extensive Agricultural/Intensive Agricultural/Mineral and Petroleum/Non-Jurisdictional Lands: State Land ³
<u>Route 1 – Transmission Line Route</u> R1 MP 0.0 - 1.38	Extensive Agricultural/Mineral and Petroleum/Non-Jurisdictional Lands: State or Federal Land
<u>Route 2 –Makeup Water Supply Line</u> R2 MP 0.0 – 0.05	Extensive Agricultural/Intensive Agricultural/Mineral and Petroleum
<u>Route 3 – Proposed Fuel Gas Supply Line</u> R3 MP 0.0 – 2.0 R3 MP 2.0 – 3.3 R3 MP 3.3 – 6.4 R3 MP 6.4– 7.4 R3 MP 7.4– 11.65	Extensive Agricultural/Mineral and Petroleum/Tunis Ridge Specific Plan Required Extensive Agricultural/Intensive Agricultural Mineral and Petroleum Extensive Agricultural/Intensive Agricultural
<u>Route 3A – Fuel Gas Line Alternate</u> R3A MP 0.0 – 2.0 R3A MP 2.0 – 3.3 R3A MP 3.3 – 6.4 R3A MP 6.4 – 7.4 R3A MP 7.4 – 11.4 R3A MP 11.4 – 13.80	Extensive Agricultural/Mineral and Petroleum/(Specific Plan Required) Tunis Ridge Extensive Agricultural/Intensive Agricultural Mineral and Petroleum Extensive Agricultural/Intensive Agricultural Mineral and Petroleum/Intensive Agricultural
<u>Route 3B – Fuel Gas Line Alternate</u> R3B MP 0.0 – 2.0 R3B MP 2.0 – 3.3 R3B MP 3.3 – 6.4 R3B MP 6.4– 7.4 R3B MP 7.4– 11.4 R3B MP 11.4 – 11.9 R3B MP 11.9 – 18.50	Extensive Agricultural/Mineral and Petroleum/Tunis Ridge Specific Plan Required Extensive Agricultural/Intensive Agricultural Mineral and Petroleum Extensive Agricultural/Intensive Agricultural Extensive Agricultural/Intensive Agricultural/Mineral and Petroleum Extensive Agricultural/Intensive Agricultural/Mineral and Petroleum

TABLE 5.9-5

(Continued)

Project Component Milepost	General Plan Land Uses²
<u>Route 4 – Wastewater Discharge Line Route</u> R4 MP 0.0 - 1.70	Extensive Agricultural/Intensive Agricultural/ Mineral and Petroleum
<u>Route 5 – Access Road</u> R5 MP 0.0 - 0.85	Extensive Agricultural/Mineral and Petroleum/ Non-Jurisdictional Lands: State or Federal Land

¹ The study area consists of that area within 1 mile of the generating plant site and within a 0.5-mile-wide corridor of the proposed transmission line route, water supply line route, fuel gas supply line routes, wastewater discharge line route, and access road.

² General Plan land use designations are defined in Table 5.9-1.

³ The approximately 30-acre plant site is on land zoned “Exclusive Agriculture”.

TABLE 5.9-6
ZONING DESIGNATIONS WITHIN THE
STUDY AREA¹

Project Component Milepost	Zoning Designation²
<u>Pastoria Energy Facility Plant and Laydown Area</u>	Exclusive/ Agriculture (A)
<u>Route 1 – Transmission Line</u> R1 MP 0.0 - 1.38	A
<u>Route 2 – Makeup Water Supply Line</u> R2 MP 0.0 – 0.05	A
<u>Route 3 – Proposed Fuel Gas Supply Line</u> R2 MP 0.0 - 11.65	A
<u>Route 3A – Fuel Gas Line Alternate</u> R3A MP 0.0 - 13.8	A
<u>Route 3B – Fuel Gas Line Alternate</u> R3B MP 0.0 - 18.5	A
<u>Route 4 – Wastewater Discharge Line</u> R4 MP 0.0 - 1.7	A
<u>Route 5 – Access Road</u> R5 MP 0.0 - 0.85	A

Source: Kern County (1994b).

¹ The study area consists of that area within 1 mile of the generating plant site and within a 0.5-mile-wide corridor of the proposed transmission line route, water supply line route, fuel gas supply line routes, wastewater discharge line, and access road.

² This zoning designation corresponds with the description given in Table 5.9-2.

TABLE 5.9-7

**LAND USE PLANS AND POLICIES RELATED TO
THE PASTORIA ENERGY FACILITY PROJECT¹**

Authority Category	Policy
<u>Kern County General Plan Land Use, Open Space and Conservation Elements</u>	
Nonjurisdictional Land	<p>Coordination and cooperation will be promoted among the County, the incorporated cities and the various special districts where their planning decisions and actions affect more than a single jurisdiction (Policy No. 1).</p> <p>Land under state and federal jurisdiction will be considered as land designated for “Resource Management” (see Chapter 8) on the General Plan map (Policy No. 4).</p>
Physical Constraints	<p>Kern County will not permit new developments to be sited on land which is environmentally unsound to support such development (Policy No. 1).</p> <p>Development will not be allowed in natural hazard areas pending the adoption of ordinances which establish conditions, criteria and standards in order to minimize risk to life and property posed by those risks (Policy No. 2).</p> <p>Zoning and other land use controls will be used to regulate and, in some instances, to prohibit development in hazardous areas (Policy No. 3).</p> <p>New development will not be permitted in areas of landslide or slope instability as designated in the Safety and Seismic Safety Element of the General Plan, and as mapped on the Kern County Seismic Hazard Atlas (Policy No. 6).</p> <p>Regardless of percentage of slope, development on hillsides will be sited in the least obtrusive fashion, thereby minimizing the extent of topographic alteration required (Nonjurisdictional Land - Policy No. 1, p. 1 - Policy No. 9).</p> <p>Development proposed in areas with steep slopes will be reviewed for conformity to the adopted Hillside Development Ordinance to ensure that appropriate stability, drainage, and sewage treatment will result (Policy No. 10).</p> <p>Designated flood channels and watercourses, such as creeks, gullies, and riverbeds will be preserved as resource management areas or, in the case of the urban areas, as linear parks (Policy No. 12).</p> <p>New development will be required to demonstrate the availability of adequate fire protection and suppression facilities (Policy No. 13).</p> <p>Kern County will evaluate the potential noise impacts of any development-siting action or of any applications it acts upon that could significantly alter noise levels in the community and will require mitigative measures where significant adverse effects are identified (Policy No. 14).</p> <p>The air quality effects of a proposed land use will be considered when evaluating development proposals (Physical Constraints - Policy No. 15, p. 2-3).</p> <p>Kern County will disapprove projects found to have significant adverse effects on Kern County’s air quality, unless the Board of Supervisors, Board of Zoning Adjustment, or the Director of Planning and Development Services, acting as Hearing Officer or Parcel Map Advisory Agency, makes findings under CEQA (Policy No. 16).</p>

TABLE 5.9-7

(Continued)

Authority Category	Policy
Public Facilities	<p>In evaluating a development application, Kern County will consider impacts on the local school district(s) (Policy No. 8).</p> <p>A large part of the short-term threat to public health and local government resources is due to transportation of hazardous waste (as well as hazardous material in general). Disposal capacity will be permitted for waste streams which minimize the volume and distance of transportation (Policy No. 13).</p> <p>All generators and processors of hazardous waste are encouraged to develop long-term waste management programs. Large generators of hazardous waste should be encouraged to recycle, treat and detoxify their wastes on site. Many such processes could be implemented in existing industrial map designations, if zoned appropriately (Policy No. 17).</p> <p>Include consideration of fiscal impacts of development proposals, so that the character and extent of possible public service or facility deficiencies can be identified during the course of the normal project review process (Implementation B).</p> <p>Determine the local cost of facility and infrastructure improvements and expansion which are necessitated by new development of any type and prepare a schedule of charges to be levied on the developer at the time of approval of the Final Map (Implementation E).</p> <p>Ensure that the Superintendent of Schools and the respective school boards are informed of development proposals and are afforded the opportunity of evaluating their potential effect on the physical capacity of school facilities and their fiscal impact on locally originating revenue requirements. Their reports on these impacts should be available on a timely fashion prior to final consideration and action by Kern County on a development application (Implementation J).</p> <p>Roads and highways utilized for commercial shipping of hazardous waste destined for disposal will be designated as such pursuant to Vehicle Code Sections 31030 et seq. Permit applications shall identify the commercial shipping routes they propose to utilize for particular waste streams (Implementation O).</p>
Special Treatment Areas	<p>In areas designated "Specific Plan Required" with more than one owner, the interim designations will reflect the existing zoning pattern until the County prepares and adopts a Specific Plan (Policy 3(b)).</p>
Resource	<p>Areas designated agricultural use, which include Class I and II agricultural soils with surface water delivery systems, will be protected against residential and commercial subdivision and development activities (Policy No. 1).</p> <p>Areas identified by the Soil Conservation Service as having high range-site value will be reserved for extensive agricultural use, or as resource reserves if located within a County water district (Policy No. 2).</p> <p>In areas with a Resource designation on the General Plan map, only industrial activities which directly and obviously relate to the exploration, production, and transportation of the particular resource will be considered to be consistent with this plan (Policy No. 4).</p>

TABLE 5.9-7

(Continued)

Authority Category	Policy
Resource (cont.)	<p>Development will be constrained, pending adoption of ordinances which establish conditions, criteria, and standards, in areas containing valuable resources in order to protect the access to and economic use of these resources (Policy No. 9).</p> <p>Rivers and streams in the County are important visual and recreational resources and wildlife habitats. Areas of riparian vegetation along rivers and streams will therefore be preserved when feasible to do so (Policy No. 11).</p> <p>The County will maintain and enhance air quality for the health and well-being of County residents by encouraging land uses which promote air quality and good visibility (Policy No. 13).</p> <p>Habitats of threatened or endangered species should be protected to the greatest extent possible (Policy No. 14).</p> <p>Areas designated as Resource Reserve, Extensive Agriculture, and Resource Management which are presently under Williamson Act Contracts will have a minimum parcel size of 80 acres until such time as a contract expires or is canceled, at which time the minimum parcel size will become 20 acres (Policy No. 15).</p> <p>The County will encourage development of alternative energy sources by tailoring its Zoning and Subdivision ordinances and building standards to reflect Alternative Energy Guidelines published by the California State Energy Commission (Policy No. 17).</p> <p>Encourage owners of agricultural land to enter into Land Conservation Act contracts with the County to ensure that the property remains in long-term agricultural use (Implementation C).</p>
General Provisions	<p>Prior to issuance of any development or use permit, the County shall make the finding, based on information provided by California Environmental Quality Act (CEQA) documents, staff analysis, and the applicant, that adequate public or private services and resources are available to serve the proposed development. The developer shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project (Policy No. 3).</p> <p>The air quality implications of new development will be considered in approval of major developments or area wide land use designations (Policy No. 15).</p> <p>The County will promote the preservation of designated historic buildings and the protection of cultural resources which provide ties with the past and constitute a heritage value to residents and visitors (Policy No. 16).</p> <p>Maintain the County's inventory of areas of potential cultural and archaeological significance (Implementation G).</p>
<u>Fish and Wildlife</u>	<p>Encourage programs to locate and determine populations of rare and endangered species (Implementation, P. 85).</p>

¹ Source: Kern County, 1994a.

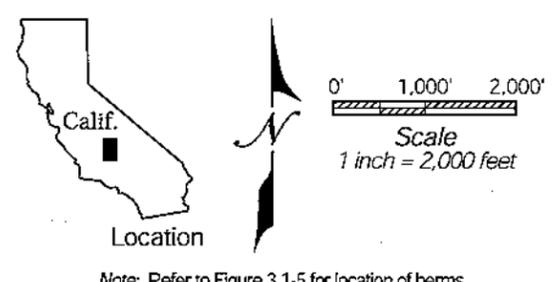
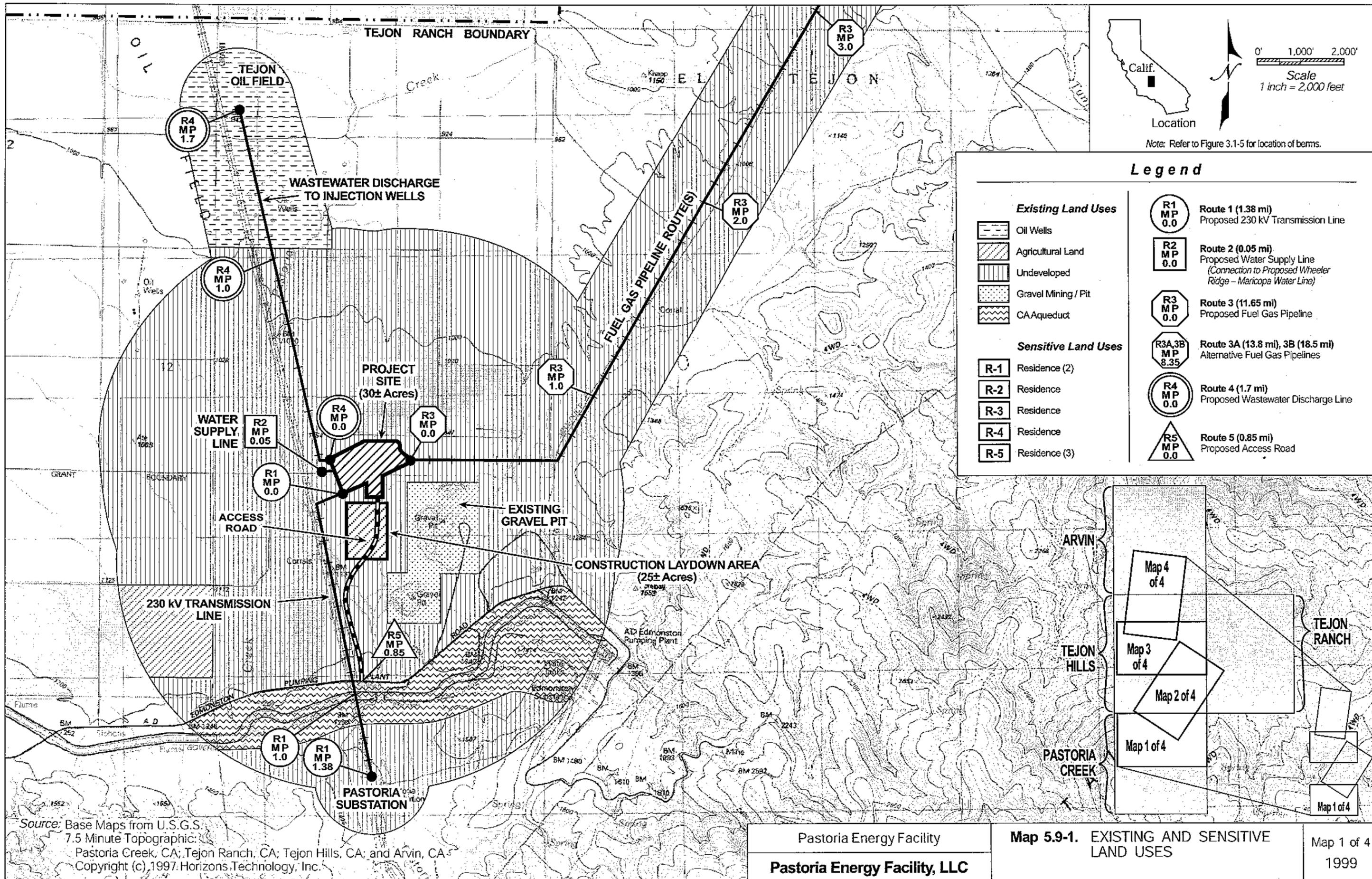
TABLE 5.9-8

**INVENTORY OF AGRICULTURAL CROP TYPES
WITHIN THE STUDY AREA¹**

Route Milepost	Agricultural Type²
<u>Plant Site/Laydown Area</u>	None
<u>Route 1 – Transmission Line Route</u>	None
<u>Route 2 – Makeup Water Supply Line</u>	None
<u>Route 3 – Proposed Fuel Gas Supply Line</u> R3 MP 5.94 – R3 MP 11.65	Orchards, vineyards, plowed and fallow agricultural land
<u>Route 3A – Fuel Gas Line Alternative</u> R3A MP 8.27 – R3A MP 13.8	Orchards, vineyards, plowed and fallow agricultural land
<u>Route 3B – Fuel Gas Line Alternative</u> R3B MP 8.27 – R3B MP 18.5	Orchards, vineyards, plowed and fallow agricultural land
<u>Route 4 – Wastewater Discharge Line</u>	None
<u>Route 5 – Access Road</u>	None

¹ Source: URS Greiner Woodward Clyde, 1999.

² Field observations have been used to distinguish crop types along the transmission line routes. This information was current as of October, 1999. Agricultural uses are described for the specific moment in time and do not take into account changes in crop type, recultivation of past and present agricultural uses, and/or cultivation of new agricultural areas. Productive agricultural land is presumed to be irrigated.



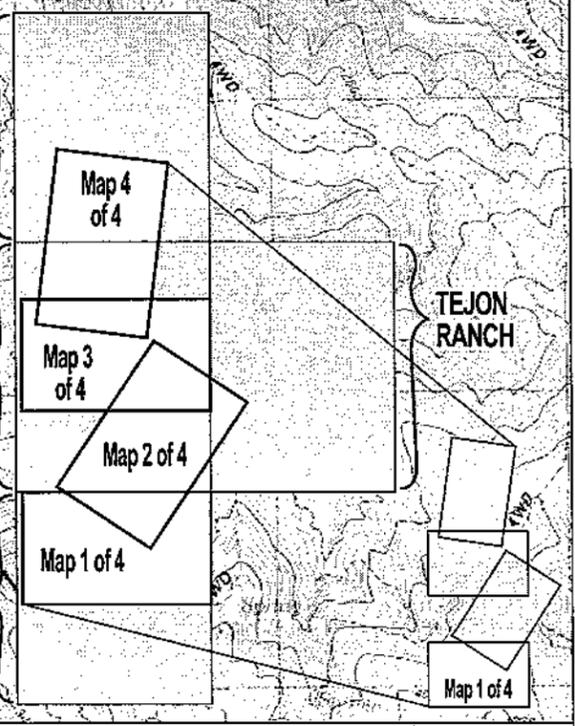
Note: Refer to Figure 3.1-5 for location of berms.

Legend

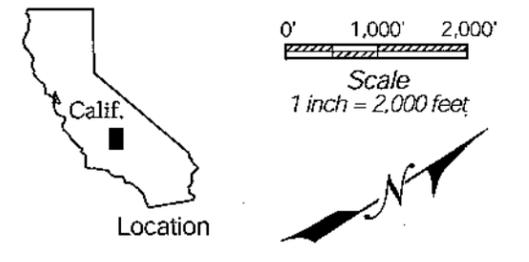
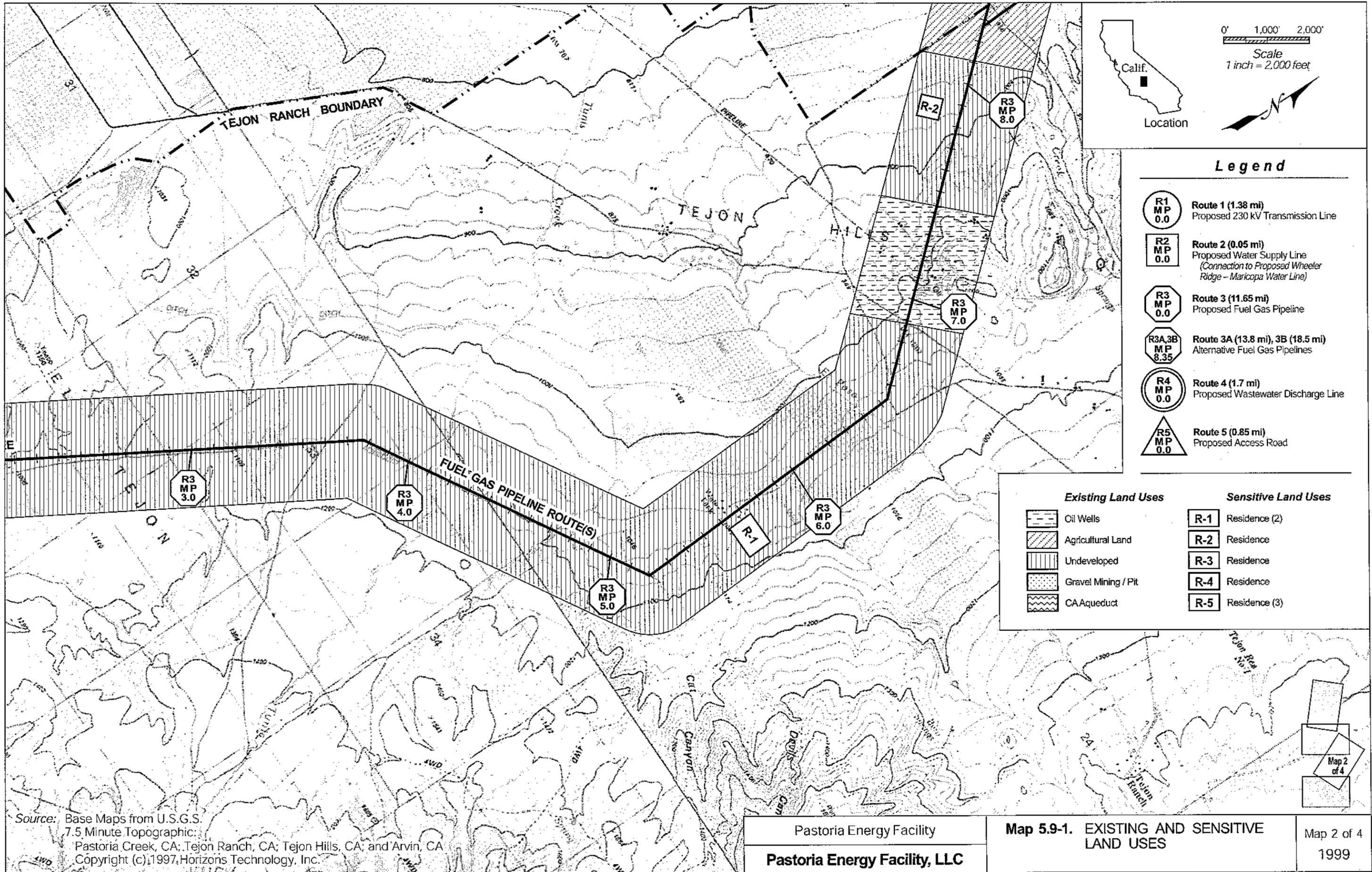
Existing Land Uses	
	Oil Wells
	Agricultural Land
	Undeveloped
	Gravel Mining / Pit
	CA Aqueduct

Sensitive Land Uses	
	R-1 Residence (2)
	R-2 Residence
	R-3 Residence
	R-4 Residence
	R-5 Residence (3)

	Route 1 (1.38 mi) Proposed 230 kV Transmission Line
	Route 2 (0.05 mi) Proposed Water Supply Line (Connection to Proposed Wheeler Ridge - Maricopa Water Line)
	Route 3 (11.65 mi) Proposed Fuel Gas Pipeline
	Route 3A (13.8 mi), 3B (18.5 mi) Alternative Fuel Gas Pipelines
	Route 4 (1.7 mi) Proposed Wastewater Discharge Line
	Route 5 (0.85 mi) Proposed Access Road



Source: Base Maps from U.S.G.S.
7.5 Minute Topographic:
Pastoria Creek, CA; Tejon Ranch, CA; Tejon Hills, CA; and Arvin, CA
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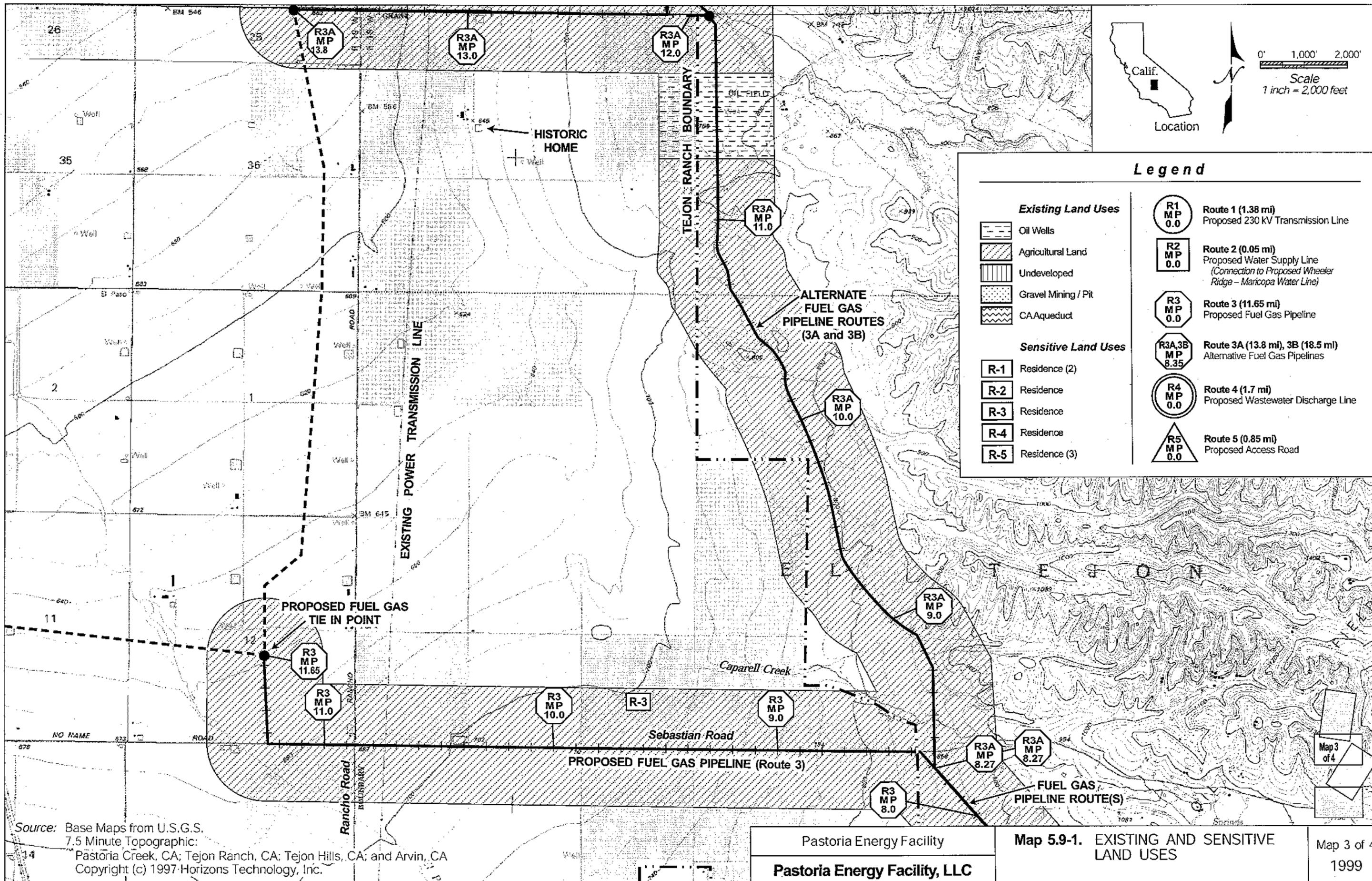


Legend

	Route 1 (1.38 mi) Proposed 230 kV Transmission Line
	Route 2 (0.05 mi) Proposed Water Supply Line <i>(Connection to Proposed Wheeler Ridge - Maricopa Water Line)</i>
	Route 3 (11.65 mi) Proposed Fuel Gas Pipeline
	Route 3A (13.8 mi), 3B (18.5 mi) Alternative Fuel Gas Pipelines
	Route 4 (1.7 mi) Proposed Wastewater Discharge Line
	Route 5 (0.85 mi) Proposed Access Road

Existing Land Uses	Sensitive Land Uses
Oil Wells	R-1 Residence (2)
Agricultural Land	R-2 Residence
Undeveloped	R-3 Residence
Gravel Mining / Pit	R-4 Residence
CA Aqueduct	R-5 Residence (3)

Source: Base Maps from U.S.G.S. 7.5 Minute Topographic; Pastoria Creek, CA; Tejon Ranch, CA; Tejon Hills, CA; and Arvin, CA
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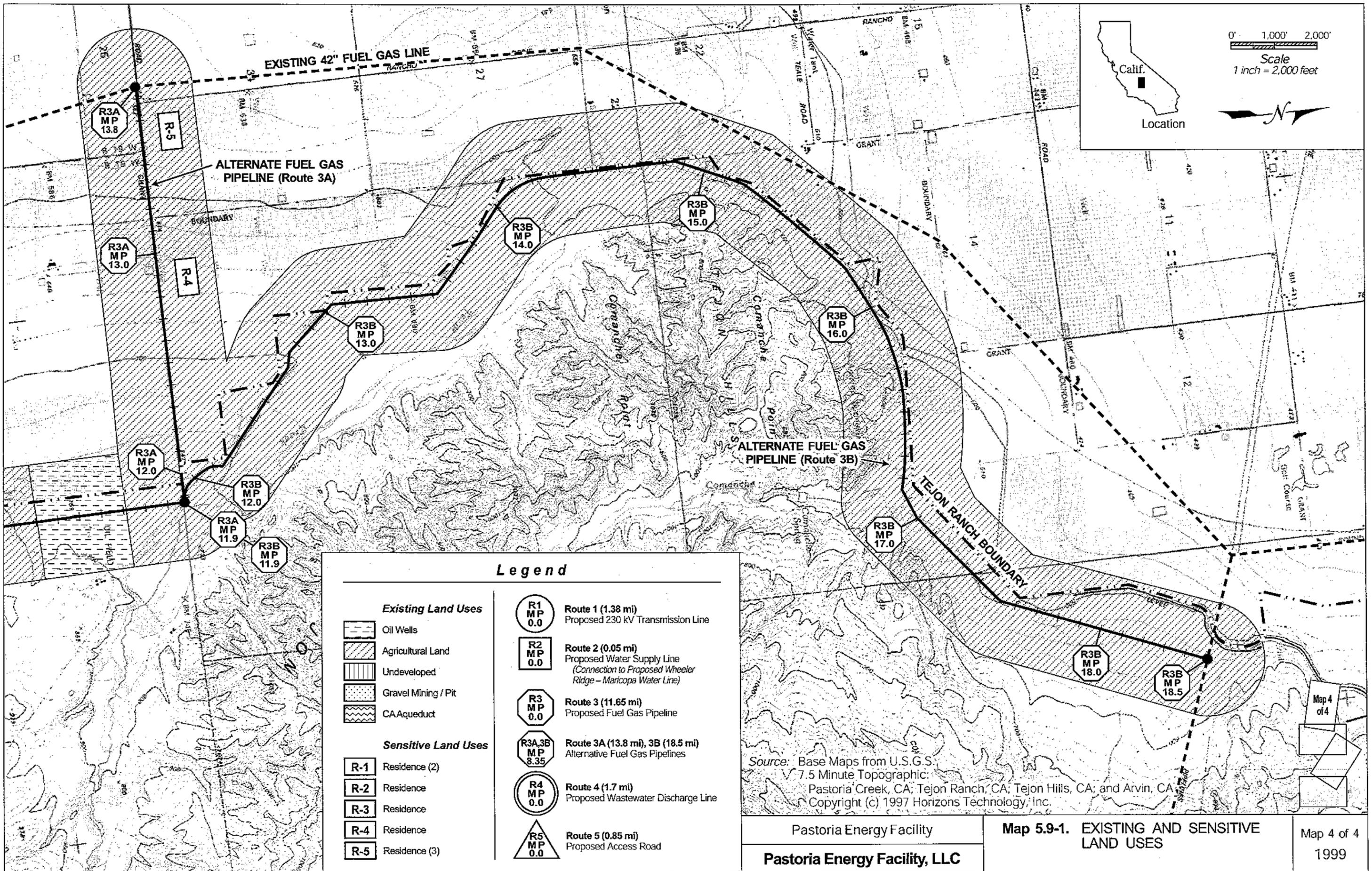
Legend

Existing Land Uses	
	Oil Wells
	Agricultural Land
	Undeveloped
	Gravel Mining / Pit
	CA Aqueduct

Sensitive Land Uses	
	R-1 Residence (2)
	R-2 Residence
	R-3 Residence
	R-4 Residence
	R-5 Residence (3)

	Route 1 (1.38 mi) Proposed 230 kV Transmission Line
	Route 2 (0.05 mi) Proposed Water Supply Line (Connection to Proposed Wheeler Ridge - Maricopa Water Line)
	Route 3 (11.65 mi) Proposed Fuel Gas Pipeline
	Route 3A (13.8 mi), 3B (18.5 mi) Alternative Fuel Gas Pipelines
	Route 4 (1.7 mi) Proposed Wastewater Discharge Line
	Route 5 (0.85 mi) Proposed Access Road

Source: Base Maps from U.S.G.S.
7.5 Minute Topographic:
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0' 1,000' 2,000'

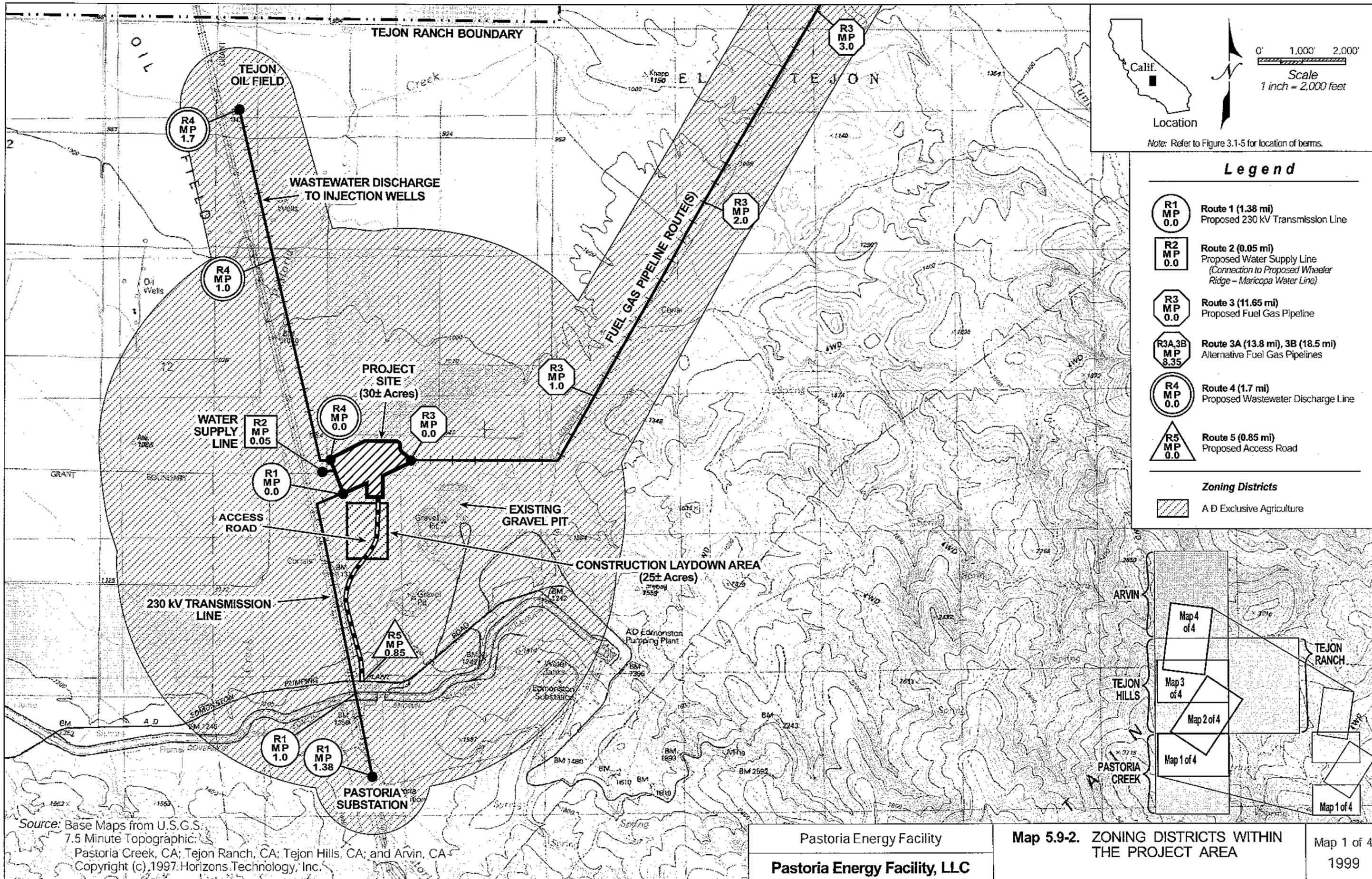
Scale
1 inch = 2,000 feet

Calif.
Location

Legend

- Existing Land Uses**
- Oil Wells
 - Agricultural Land
 - Undeveloped
 - Gravel Mining / Pit
 - CA Aqueduct
- Sensitive Land Uses**
- R-1 Residence (2)
 - R-2 Residence
 - R-3 Residence
 - R-4 Residence
 - R-5 Residence (3)
- R1 MP 0.0** Route 1 (1.38 mi) Proposed 230 kV Transmission Line
 - R2 MP 0.0** Route 2 (0.05 mi) Proposed Water Supply Line (Connection to Proposed Wheeler Ridge - Maricopa Water Line)
 - R3 MP 0.0** Route 3 (11.65 mi) Proposed Fuel Gas Pipeline
 - R3A,3B MP 8.35** Route 3A (13.8 mi), 3B (18.5 mi) Alternative Fuel Gas Pipelines
 - R4 MP 0.0** Route 4 (1.7 mi) Proposed Wastewater Discharge Line
 - R5 MP 0.0** Route 5 (0.85 mi) Proposed Access Road

Source: Base Maps from U.S.G.S. 7.5 Minute Topographic: Pastoria Creek, CA; Tejon Ranch, CA; Tejon Hills, CA; and Arvin, CA
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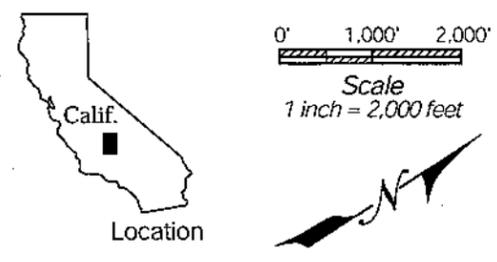
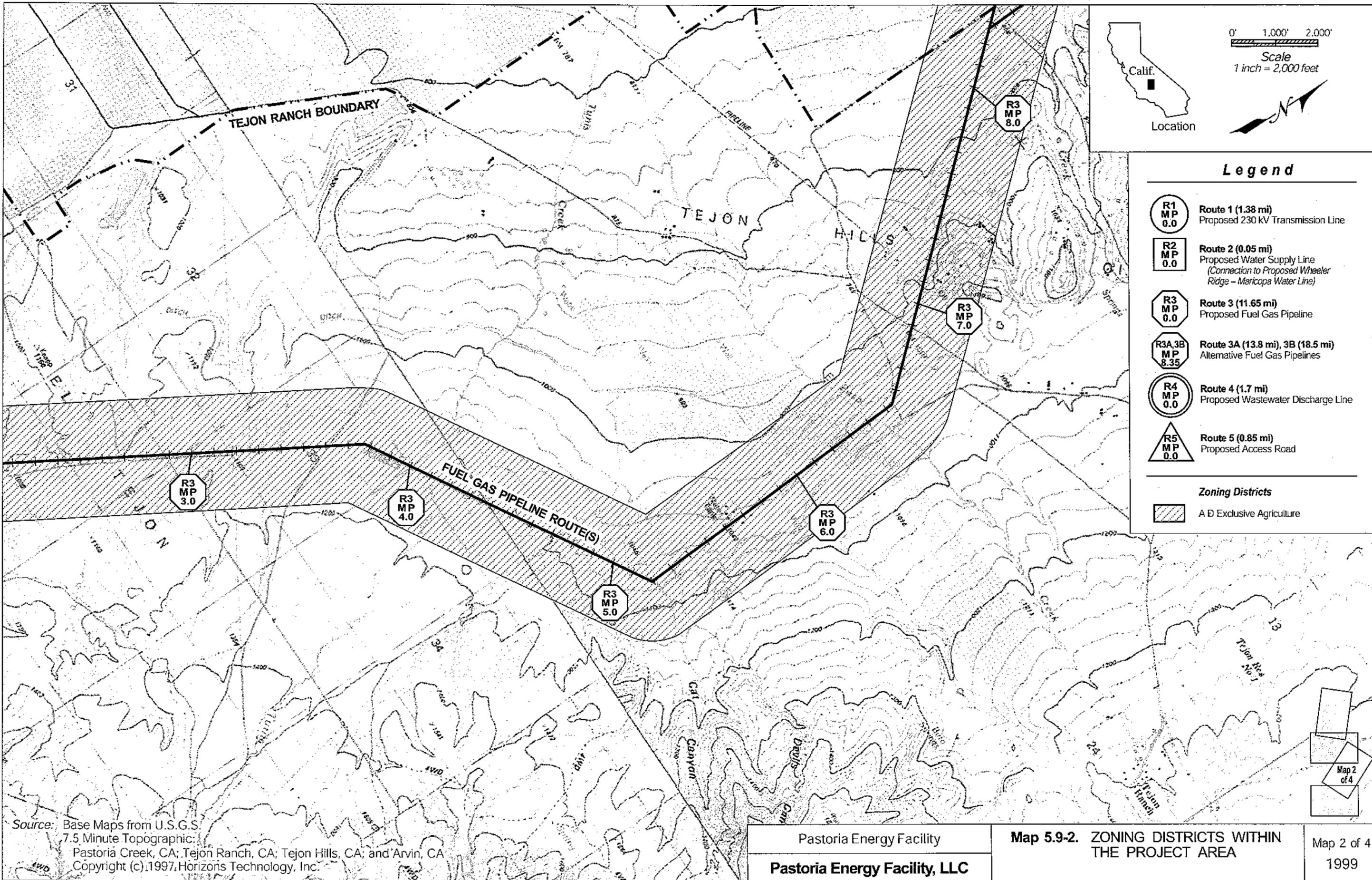


Source: Base Maps from U.S.G.S.
 7.5 Minute Topographic:
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Pastoria Energy Facility
Pastoria Energy Facility, LLC

Map 5.9-2. ZONING DISTRICTS WITHIN THE PROJECT AREA

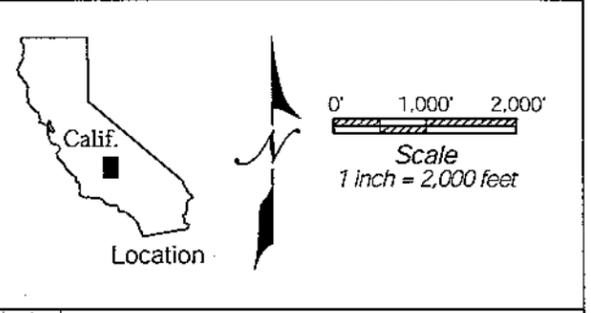
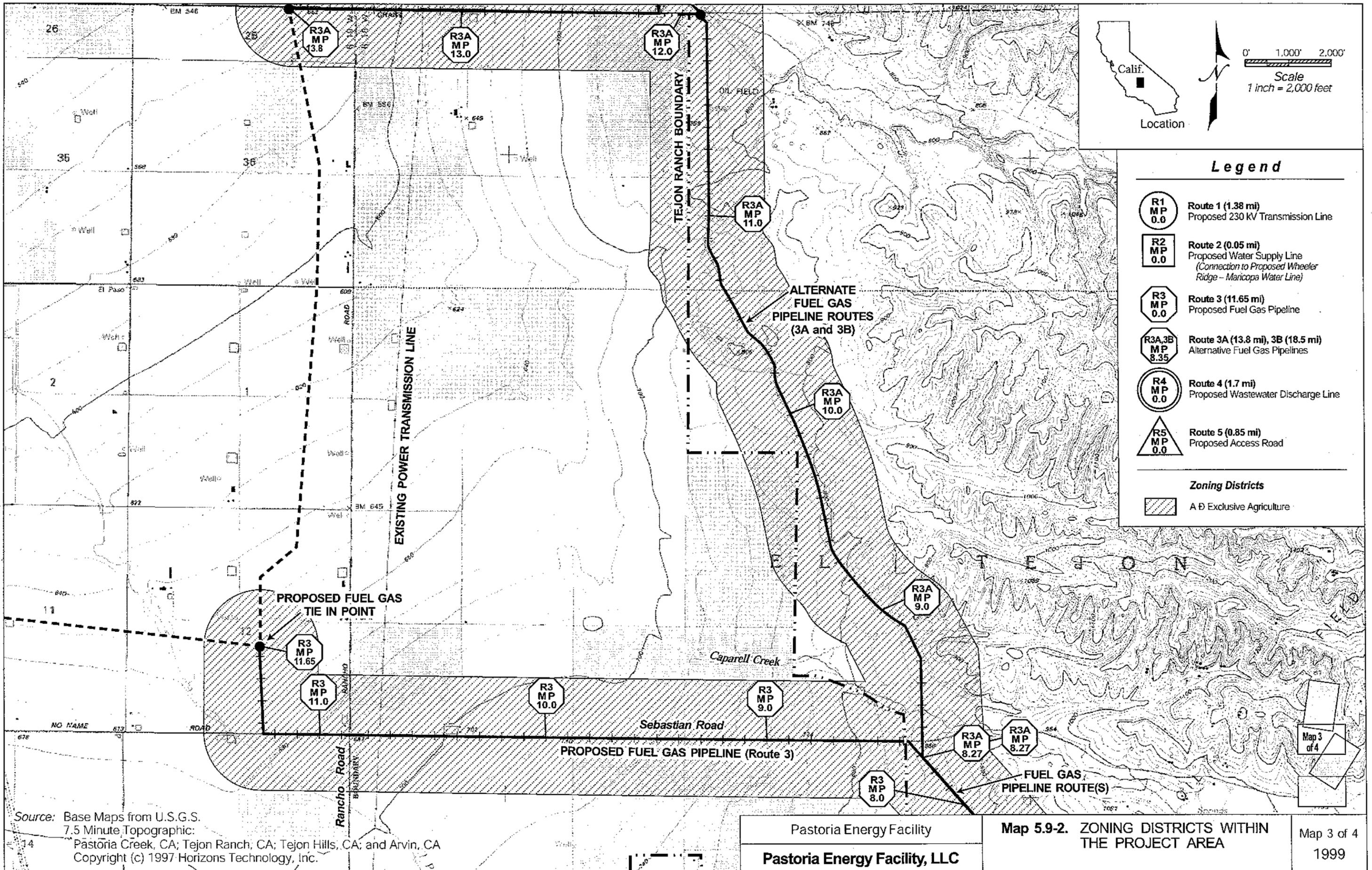
Map 1 of 4
 1999



Legend

R1 MP 0.0	Route 1 (1.38 mi) Proposed 230 kV Transmission Line
R2 MP 0.0	Route 2 (0.05 mi) Proposed Water Supply Line (Connection to Proposed Wheeler Ridge - Maricopa Water Line)
R3 MP 0.0	Route 3 (11.65 mi) Proposed Fuel Gas Pipeline
R3A,3B MP 8.35	Route 3A (13.8 mi), 3B (18.5 mi) Alternative Fuel Gas Pipelines
R4 MP 0.0	Route 4 (1.7 mi) Proposed Wastewater Discharge Line
R5 MP 0.0	Route 5 (0.85 mi) Proposed Access Road
Zoning Districts	
[Hatched Box]	A D Exclusive Agriculture

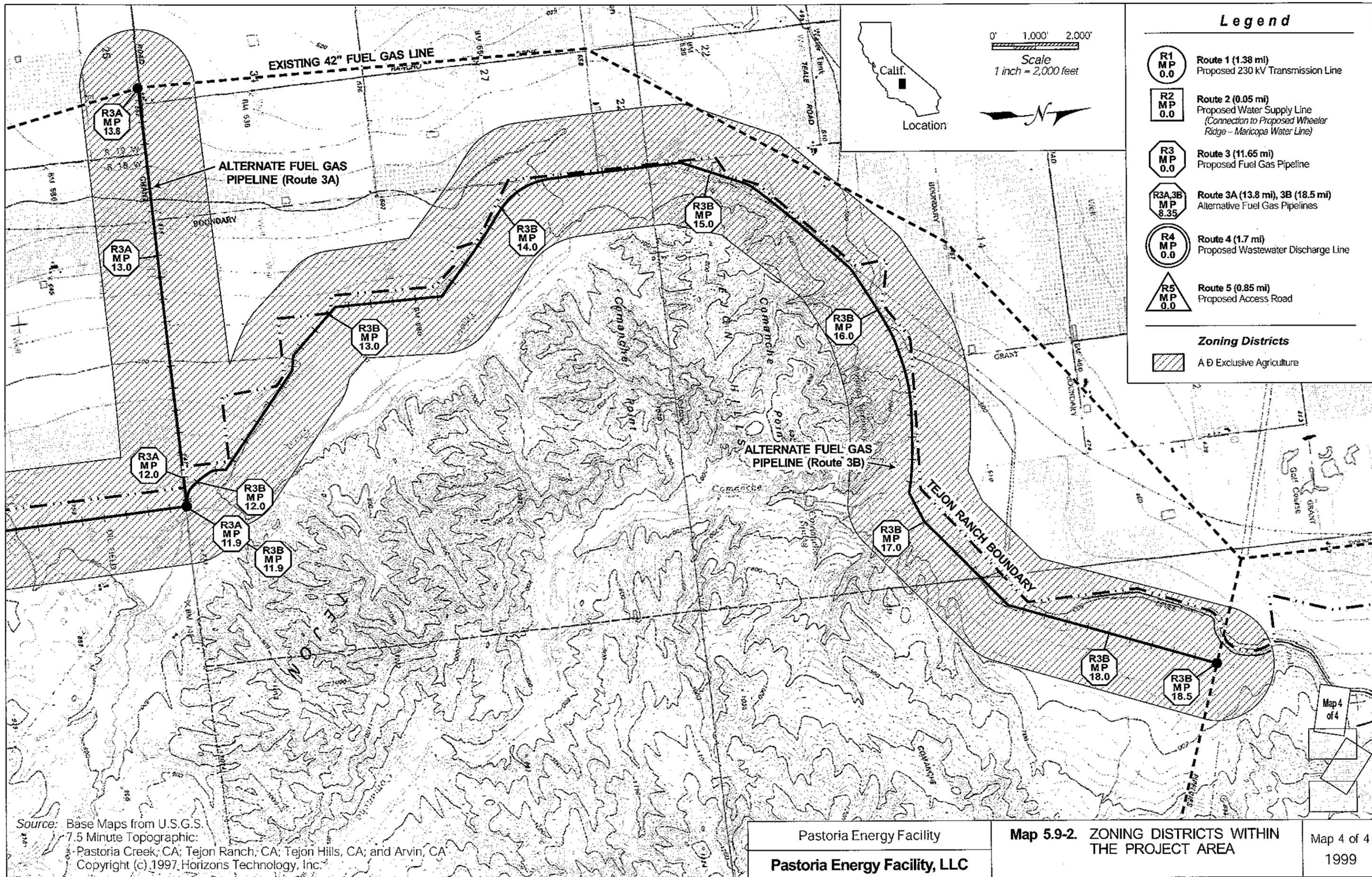
Source: Base Maps from U.S.G.S.
7.5 Minute Topographic:
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Legend

R1 MP 0.0	Route 1 (1.38 mi) Proposed 230 kV Transmission Line
R2 MP 0.0	Route 2 (0.05 mi) Proposed Water Supply Line (Connection to Proposed Wheeler Ridge - Manicopa Water Line)
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R5 MP 0.0	Route 5 (0.85 mi) Proposed Access Road
Zoning Districts	
[Hatched Box]	A D Exclusive Agriculture

Source: Base Maps from U.S.G.S.
7.5 Minute Topographic:
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Source: Base Maps from U.S.G.S.
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Pastoria Energy Facility
Pastoria Energy Facility, LLC

Map 5.9-2. ZONING DISTRICTS WITHIN THE PROJECT AREA

Map 4 of 4
 1999