

**FINAL REGPA
AS ADOPTED BY THE BOARD OF SUPERVISORS
PUBLIC HEARING MARCH 24, 2015**

Government Element

New Government Element Policy

- Policy Gov-2.3: Public Involvement: The County shall provide the opportunity for the public to engage in the planning process at the onset of any renewable energy solar facility project and for all other large or potentially controversial projects applied for in the County.
- Policy GOV-2.4: The County shall require that renewable energy solar facility developers notify local residents and/or landowners by direct mailings or other appropriate means announcing projects at the time an application is submitted.

Land Use Element

New Land Use Definitions

Renewable Energy Solar Facility

Any electric transmission line or photovoltaic (PV) power plant to be constructed in Inyo County. A renewable energy solar facility does not include small scale renewable energy solar facilities or a pilot or proof of a concept power plant.

Utility Scale Renewable Energy Solar Facility (more than 20 megawatts)

A renewable energy solar facility that produces more than 20 megawatts (MW) of electricity for off-site use, consumption and/or sale, including all equipment and accessory structures related to the facility, including but not limited to PV panels, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, appurtenant energy storage facilities and other accessory structures.

Commercial Scale Renewable Energy Solar Facility (20 megawatts or less)

A renewable energy solar facility that produces 20 MW or less of electricity for off-site use, consumption and/or sale.

Community Scale Renewable Energy Solar Facility (36 acres or less)

A renewable energy solar facility that uses renewable solar resources to generate energy for a specific community's use and located near the community it serves.

Small Scale Renewable Energy Solar Facility

A facility that uses renewable solar resources to generate energy for on-site use such as roof-top or ground mounted PV panels.

New Land Use Policies

- Policy LU-1.17: Utility Scale (more than 20 MW) and Commercial Scale Renewable Energy Solar Facilities (20 MW or less). The County shall consider utility scale and commercial scale renewable energy solar facilities within SEDA overlays or outside of SEDAs if the facility is proposed to be located over or along the Los Angeles Aqueduct. Within SEDAs or over or along the Los Angeles Aqueduct, the County may consider utility scale and commercial scale renewable energy solar facilities within any zoning district under Title 18 of the ICC and pursuant to ICC Title 21. Based on site-specific studies and appropriate environmental review, the County may process utility scale and commercial scale renewable energy solar facilities within the SEDA, or over and along the Los Angeles Aqueduct, pursuant to ICC Title 21. Potential social, economic, visual and environmental impacts from utility scale and commercial scale renewable energy solar facilities must be avoided, minimized, or mitigated to an acceptable level. Appurtenant transmission and storage facilities and related infrastructure may be constructed and operated within any Land Use Designation and any zoning district under Title 18 of the ICC and in accordance with the standards set forth by CEQA. Development standards, including minimum parcel size, may be specified in a Renewable Energy Permit or Renewable Energy Development Agreement in lieu of the standards specified herein, as permitted by ICC Title 21.
- Policy LU-1.18: Community Scale Renewable Energy Solar Development. The County shall consider community scale renewable energy solar facilities in and outside of a SEDA and within any zoning district under Title 18 of the ICC and pursuant to ICC Title 21. Community scale renewable energy solar facilities shall only generate electricity for the use of specified communities and may only export energy as part of a net-metering plan. Potential social, economic, visual and environmental impacts from community scale solar energy facilities must be avoided, minimized, or mitigated to an acceptable level. Development standards, including minimum parcel size, may be specified in a Renewable Energy Permit or Renewable Energy Development Agreement in lieu of the standards specified herein, as permitted by ICC Title 21.

- Policy LU-1.19: Renewable Energy Solar Development in the OVSA. Renewable Energy Solar Development in the OVSA will be subject to a set of criteria identified through further planning efforts for identifying and mapping areas appropriate within the OVSA for solar energy development, and pursuant to ICC Title 21.
- Policy LU-1.20: The County does not support new transmission in or through Inyo County above what is necessary for the megawatt cap placed on each Solar Development Group.
- Policy LU-1.21: The County does not support renewable energy solar development projects other than those that use PV technologies.

New Land Use Implementation Measures

1. The County shall coordinate with the Department of Defense, the United States Navy China Lake, and Edwards Air Force Base personnel on the siting of renewable energy solar facilities in a manner that does not significantly impact military readiness. Issues to be addressed in the coordination include: activities that produce electromagnetic and frequency spectrum interference, light and glare, dust and smoke, heat generation and the effects on military equipment testing and operations, including proposed development heights, personnel training, and flight activities.
2. The County shall coordinate with agencies managing lands within the County's boundary to avoid, minimize, or mitigate potential impacts from renewable energy solar facilities to an acceptable level as determined by the County.
3. The County shall work with utilities and renewable energy solar facility Developers to encourage collocation of transmission and intertie facilities.
4. The County shall encourage renewable energy solar facility development projects (a) on disturbed lands such as solid waste and wastewater treatment facilities, brownfields, including abandoned mine sites, and (b) commercial scale renewable energy solar facilities instead of utility scale renewable energy solar facilities.
5. The County shall encourage the development of small scale, community scale, and commercial scale renewable energy solar facilities.
6. The County shall encourage utilization of State Trust Lands for renewable energy solar facility development and/or mitigation from such development through land trades or other mechanisms.

Economic Development Element

New Economic Development Policies

- Policy ED-4.4: Offset the Cost to the County for Service Provision. Renewable energy solar facility development shall be required to provide the means to offset the costs to the County, including but not limited to, the cost of infrastructure improvements and County services, and lost economic development potential. Economic impacts from renewable energy solar facility development identified by the County shall be mitigated or offset.
- Policy ED-4.5: Employ and Train Local Labor. The County shall encourage renewable energy solar facility developers to employ the local labor force, during development and for long-term facility maintenance and provide educational and training opportunities, as practicable.
- Policy ED-4.6: Compensation to Local Communities. The County shall encourage renewable solar energy developers to provide compensation in the form of reduced rates for communities impacted by development.
- Policy ED-4.7: Provide Transient Housing. The County shall encourage renewable solar energy developers to help provide transient housing during the construction of solar energy facilities to minimize impacts to tourist accommodations.

Housing Element

- No change.

Circulation Element

- No change.

Conservation/Open Space Element

Modified Existing Agricultural Resources Policy

Policy AG-1.3: Conversion of Agricultural Land. Discourage conversions of productive agricultural lands for urban development, and encourage avoidance of the use of productive agricultural lands for renewable energy solar facility development.

New Cultural Resources Policy

Policy CUL-1.6: Protect Cultural Resources. The County shall require renewable energy solar facility developers recognize the Old Spanish Trail as a cultural resource and ensure that it and its immediate surroundings in the Charleston View SEDA are preserved and protected.

New Mineral and Energy Resources Definitions:

Community Scale Renewable Energy Solar Facility (36 acres or less)

A renewable energy solar facility that uses renewable solar resources to generate energy for a specific community's use and located near the community it serves.

Commercial Scale Renewable Energy Solar Facility (20 megawatts or less)

A renewable energy solar facility that produces 20 MW or less of electricity for off-site use, consumption and/or sale.

Small Scale Renewable Energy Solar Facility

A facility that uses renewable solar resources to generate energy for on-site use such as roof-top or ground mounted photovoltaic panels.

Solar Energy

Energy that is generated through the conversion of the sun's radiation into electricity.

Solar Energy Development Areas (SEDA)

General Plan Overlay Areas identified by the County, at a landscape scale, as potentially appropriate, for renewable solar energy development.

Utility Scale Renewable Energy Solar Facility

A renewable energy solar facility that produces more than 20 MW of electricity for off-site use, consumption and/or sale, including all equipment and accessory structures related to the facility, including but not limited to solar PV panels, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

Sustainable Water Use

The use of water for a renewable energy solar facility will not exceed the annual rate of replacement of that water so that groundwater mining is avoided and so that adverse impacts to biological resources (including wildlife) due to hydrological impacts caused by water use are avoided.

New Mineral and Energy Resources Goal

- Goal MER-2: Avoid, Minimize, Mitigate. Ensure that renewable energy solar facility development is conducted appropriately to avoid, minimize, or mitigate the impacts from such development on the social, economic, visual, and environmental resources of the County.

New Mineral and Energy Resources Policies

- Policy MER-2.1: Encourage Small Scale. The County shall continue to encourage small scale renewable energy solar facilities, such as roof-top and ground mounted solar; commercial scale; and community scale renewable energy solar facilities that serve specific communities.
- Policy MER-2.2: Solar Energy Development Areas (SEDA). The County shall maintain a Land Use Diagram of areas where utility scale and commercial scale solar facilities may be appropriate (SEDA Map).
- Policy MER-2.3: SEDA Land Inventory. As illustrated on Table 3-1, the total acreage that may be developed for utility and commercial scale renewable energy solar facilities within each SEDA is capped; and, the amount of megawatts that may be generated within each Solar Energy Group is capped (small scale and community scale solar energy facilities are excluded from the caps).

Table 3-1: Total Allowable Developable Acreage per Solar Energy Development Area and Total Allowed Megawatt Development per Solar Energy Group.

Solar Energy Group	Solar Energy Development Area	Total Allowable Capacity (MW)	Total Allowable Developable Area (acres)
Western*	Laws		120
	Owens Lake		1,500
	Rose Valley		600
	Pearsonville		600
	Owens Valley Study Area		1,500
	Western Solar Energy Group Total	250	1,500
Southern	Trona		600
	Southern Solar Energy Group Total	100	600
Eastern	Charleston View		2,400
	Sandy Valley		600
	Eastern Solar Energy Group Total	500	3,000
MW = megawatts *The Western Solar Energy Group includes four Solar Energy Development Areas (SEDAs) – Laws, Owens Lake, Rose Valley, and Pearsonville – and the Owens Valley Study Area which is not a SEDA. The Owens Valley Study Area has been identified for potential development equaling the total allowable capacity for the Western Solar Energy Group. The SEDAs or Owens Valley, or a combination may be developed to not exceed the total allowable capacity of 250 megawatts based on transmission availability or 1,500-acres.			

- Policy MER-2.6: Avoid, Minimize, or Mitigate Impacts. The County shall work with renewable energy solar developers and other agencies to avoid, minimize, or mitigate impacts to the social, economic, visual, and environmental resources of the County from renewable energy solar facility development.
- Policy MER-2.7: Dust Control. The County shall work with renewable energy solar developers to ensure that dust creation during the construction and operations of a renewable energy solar facility are avoided to the extent practicable.
- Policy MER-2.8: Reclamation Planning. The County shall work with renewable energy solar facility developers to provide and implement a reclamation plan to return the site of each project to pre-project conditions or another appropriate state (i.e., native, reuse, etc.). The reclamation plan shall include financial assurances, such as bonding, for the cost of decommissioning, reclaiming and re-vegetating (if required) each renewable energy solar facility including removal of all equipment and accessory structures related to the facility, including but not limited to PV panels, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, appurtenant energy storage facilities and other accessory structures.

- Policy MER-2.9: Renewable Energy Solar Facility Development along the Los Angeles Aqueduct. The County shall encourage the use of land over and along the Los Angeles Aqueduct for renewable energy solar facility development. These areas may not be included in the SEDA, but are subject to the Western Solar Energy Group cap on the total megawatts that may be produced with the Western Solar Energy Group.
- Policy MER-2.10: Protect Vegetation. The County shall require that renewable energy solar facility developers use mowing and/or other methods that do not include ground scraping during the construction and/or operation of solar facility developments (access roads and infrastructure are excluded from this requirement).

New Mineral and Energy Resources Implementation Measures

1. Continue the Expedited Permitting Process for small scale Photovoltaic Systems and continue providing how-to information for small scale renewable energy solar facilities.
2. Create and maintain a SEDA Overlay land use diagram and an inventory of the lands included in it.
3. Create and maintain a SEDA table of acreage caps and megawatt caps for Solar Energy Groups, for utility scale and commercial scale renewable energy solar facility development.
4. Review renewable energy solar facility proposals for ways to avoid, minimize or mitigate the potential impacts to the County's social, economic, visual and environmental resources, in consultation with other local, regional, state, out-of-state and federal agencies, local Tribes, and Inyo County citizens.
5. Collect and disseminate strategies to avoid, minimize or mitigate impacts from renewable energy solar facilities.
6. Periodically review, and as necessary update, the SEDA Overlay and Table.
7. Work with applicants to maintain pre-project vegetation during the construction and operation of renewable energy solar facilities and/ or to plant new native, low-water-use vegetation, or agriculture crops as dust control measures.
8. Encourage the use of new materials and technologies as they evolve for dust control measures.
9. Encourage the exploration and feasibility of onsite energy storage including potential adverse impacts.

10. Review and approve reclamation plans and financial assurances at the onset of renewable energy solar facility development projects and oversee the full implementation of reclamation plans at the decommissioning and termination of renewable energy solar facilities.
11. Encourage development of energy storage technologies to maximize efficient renewable solar energy generation.
12. Encourage mitigation for renewable energy solar facility projects to be located on public lands, and particularly in designated wilderness areas.
13. Encourage development that maximizes the amount of megawatts on each SEDA to reduce the number of facilities throughout the County, while not exceeding megawatt caps per Solar Development Group.

New Water Resources Policy

- Policy WR-3.5: Sustainable Renewable Energy Solar Development. The County shall require renewable energy solar facility development to incorporate measures to minimize water consumption and use of potable water and encourage the use of reclaimed water and/or practices that do not require water during construction, the life of the facility, and during reclamation.
- Policy WR-3.6: Sustainable Water Practices. Renewable energy solar facility development proposed in the Laws and Sandy Valley SEDAs shall be required to show that the proposed project will be water sustainable.
- Policy WR-3.7: Charleston View. Projects proposed in Charleston View shall be water sustainable and shall require project applicants to purchase and retire water rights along the same flow path for the water that will be used for the project (construction and maintenance) at a minimum of a 1 to 1 ratio.

New Visual Resources Policies

- Policy VIS-1.8: Renewable Energy Solar Development, Light and Glare, Night Skies. The County shall encourage siting, orientation and screening to avoid, minimize or mitigate significant changes to the visual environment from renewable energy solar facility development during construction and operations including avoiding or minimizing light and glare, and impacts inconsistent with Death Valley National Park's International Night Skies designation.

- Policy VIS-1.9: Economic Impacts from lost Visual Resources. The County shall balance renewable energy solar facility development opportunities with the potential loss of tourist based economic opportunities from impacts to visual resources.
- Policy VIS-1.10: Old Spanish Trail Highway. Provide for setbacks, siting, orientation, screening and buffers, on a project by project basis, to avoid impacts to views of the Old Spanish Trial Highway located in the Charleston View SEDA.

New Visual Resources or Economic Development Implementation Measure

1. Work with applicants, economists, and visual resource experts to develop a standardized method to quantify economic impacts from lost visual resources due to renewable energy solar facility development to the County’s tourist economy.

New Recreation Implementation Measures

1. Work with developers and other agencies to minimize impacts to recreational access resulting from renewable energy solar facility development.
2. Work with renewable energy solar facility developers to provide educational recreation opportunities based on renewable energy solar development.

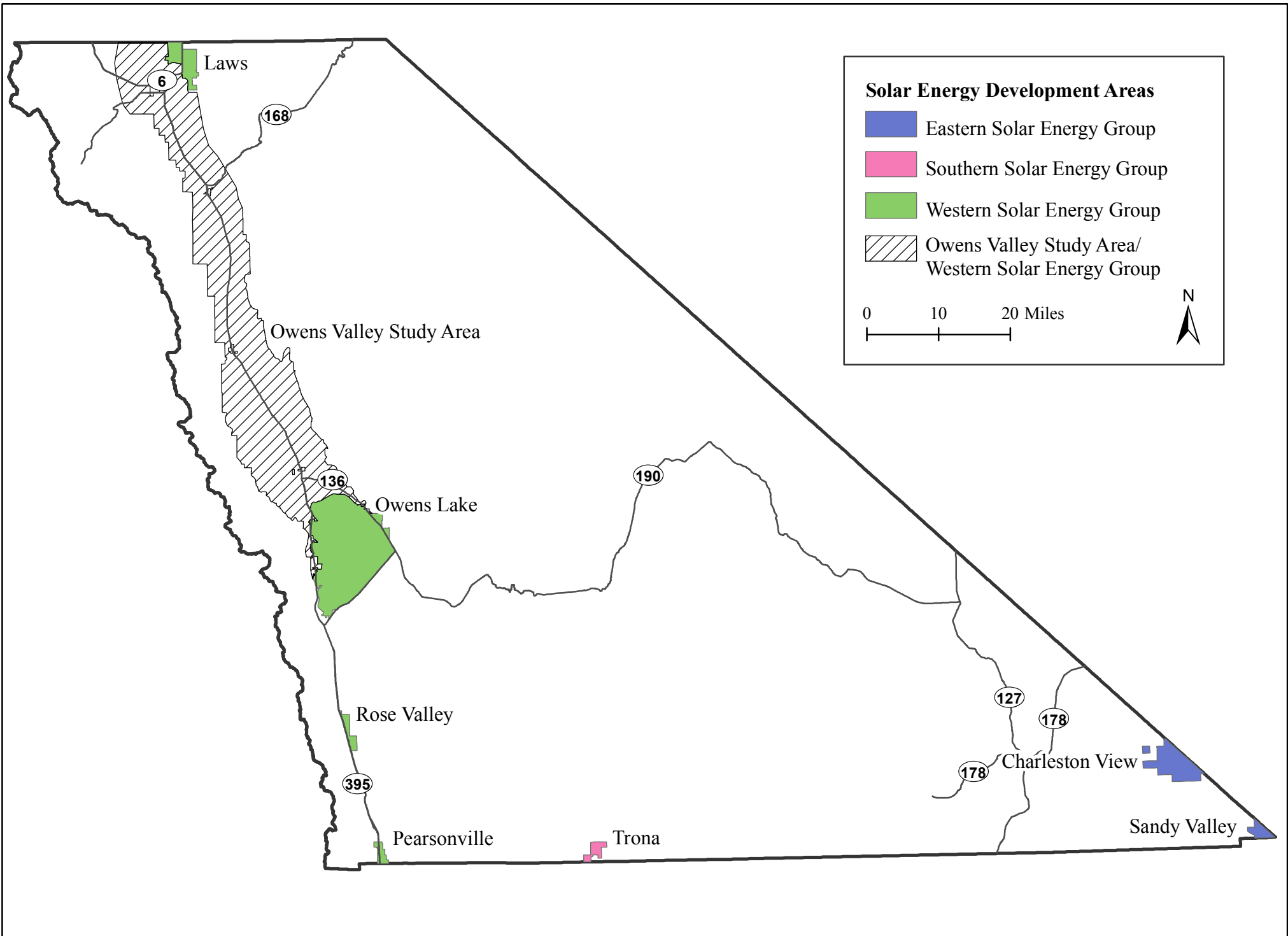
Public Safety Element

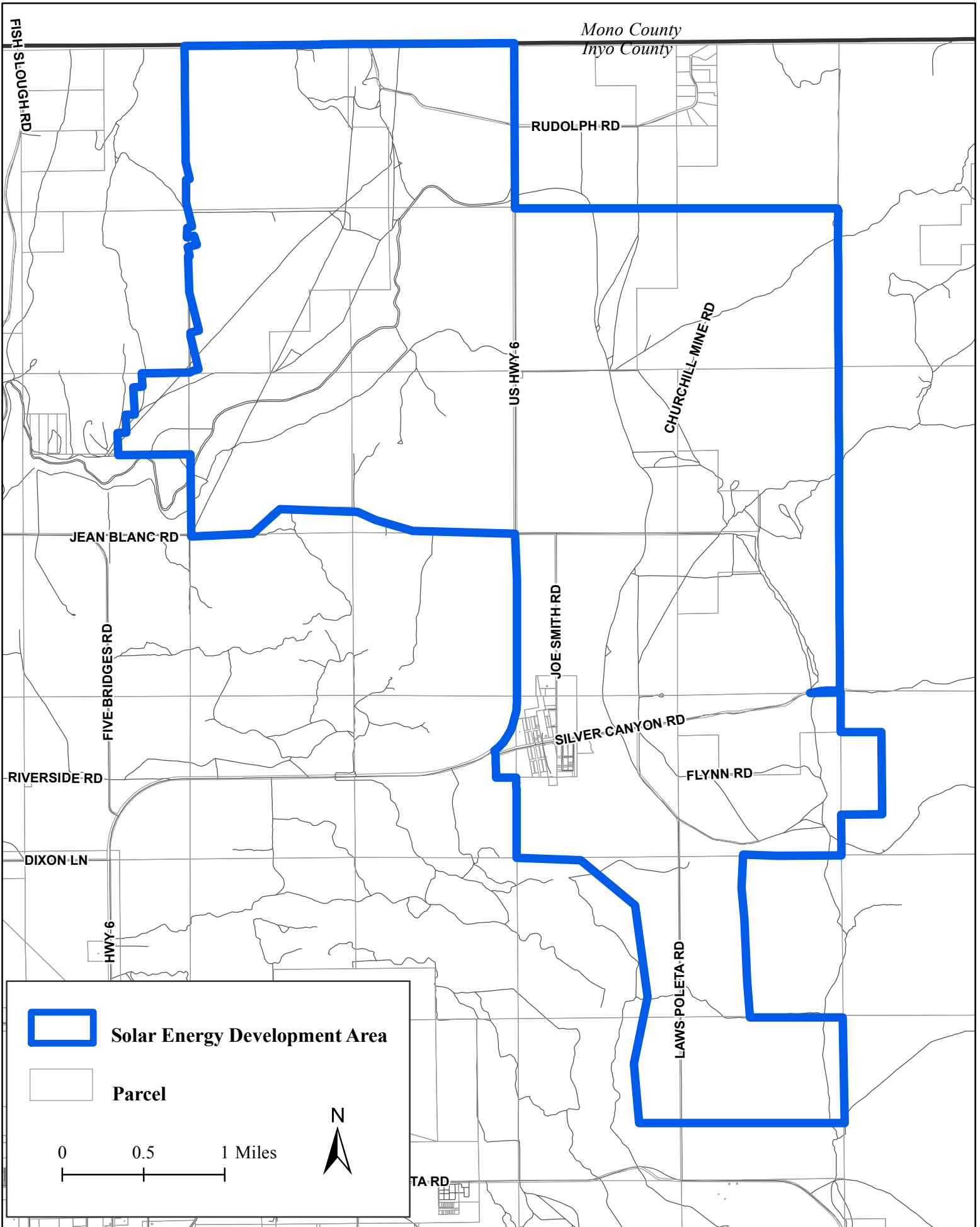
New Air Quality Implementation Measure

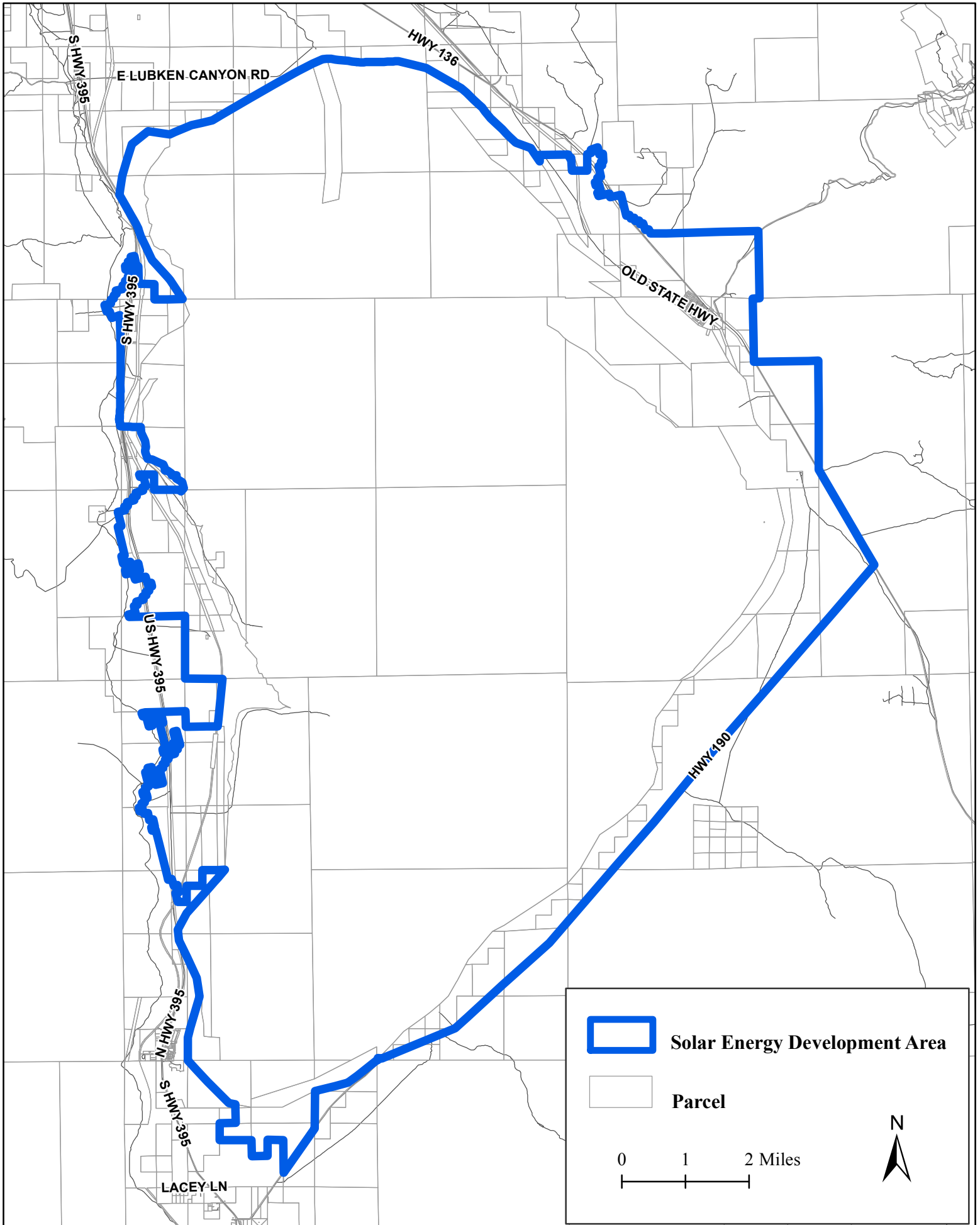
1. Support appropriate efforts to combine air quality improvements with other social, cultural, and environmental goals, including renewable energy solar facility development.

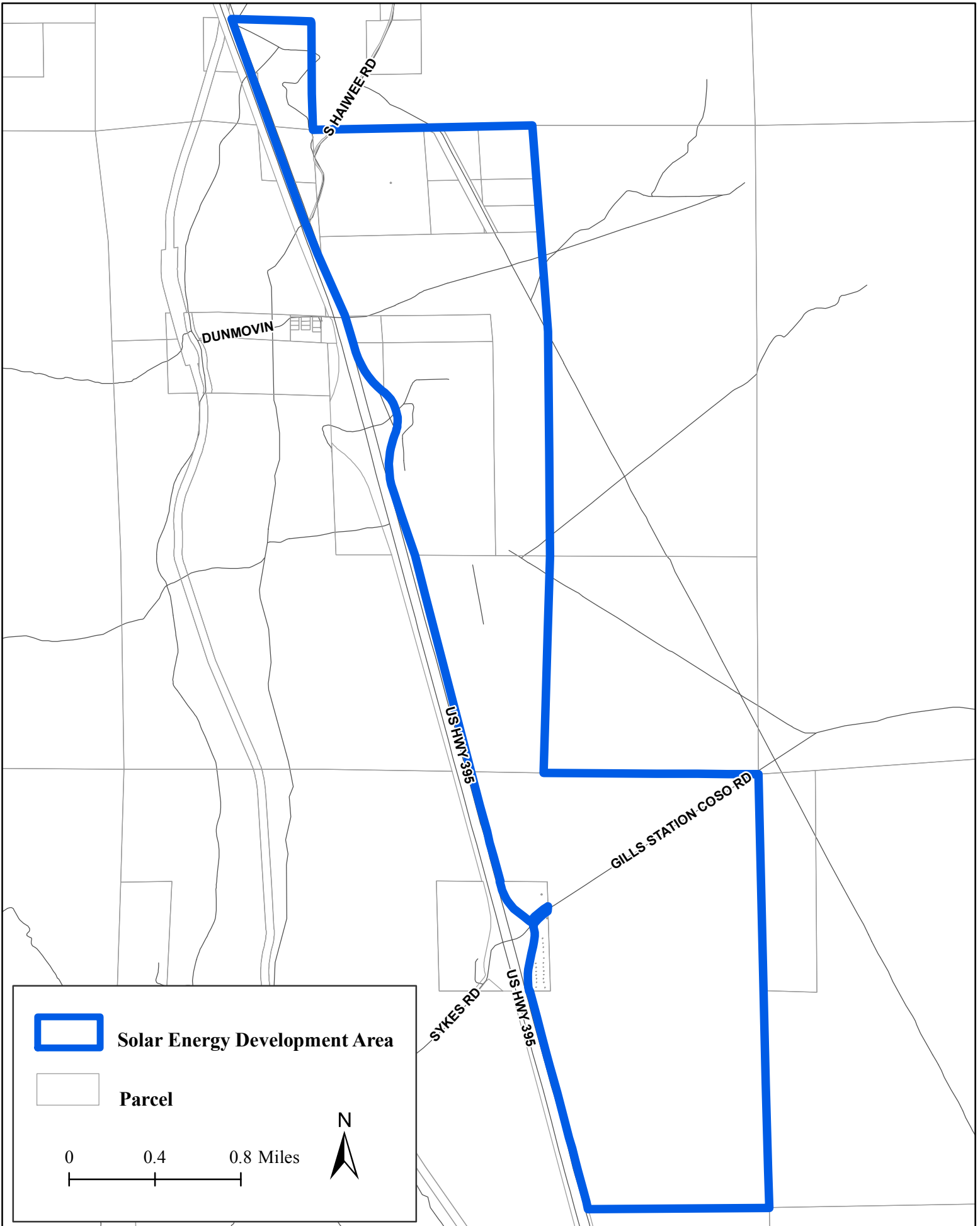
New Noise Implementation Measure

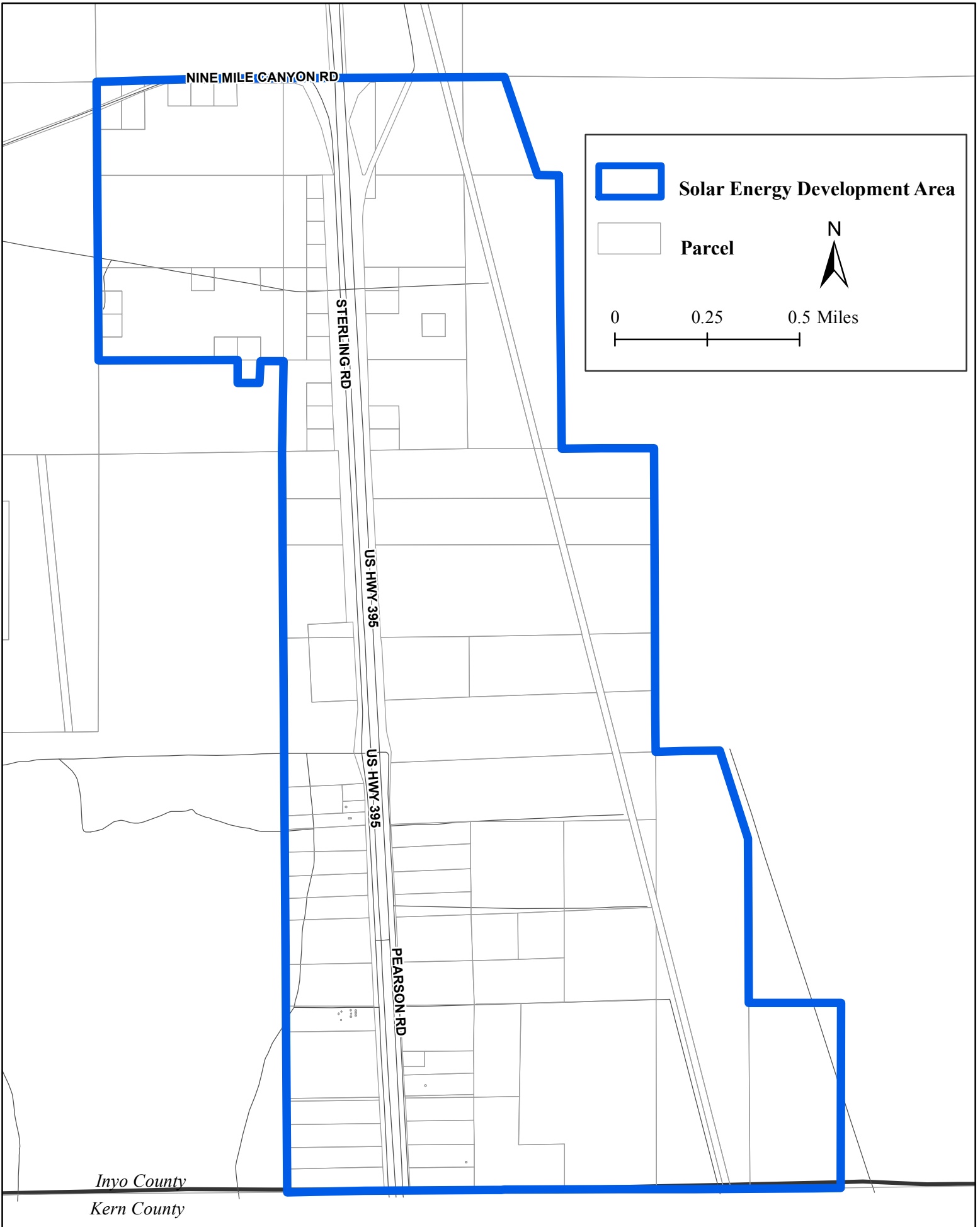
1. Work with developers and other agencies to minimize noise from renewable energy solar facility development.



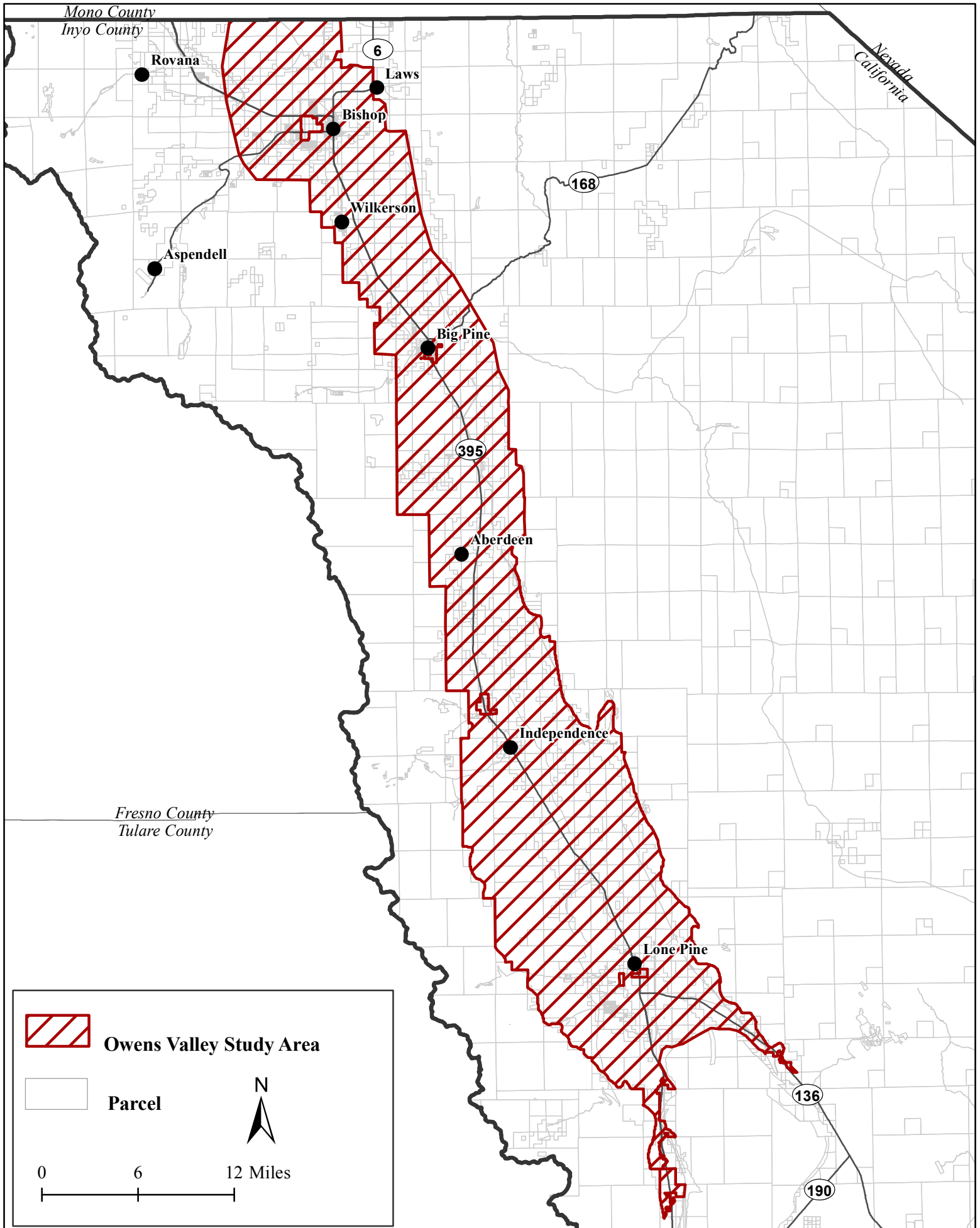


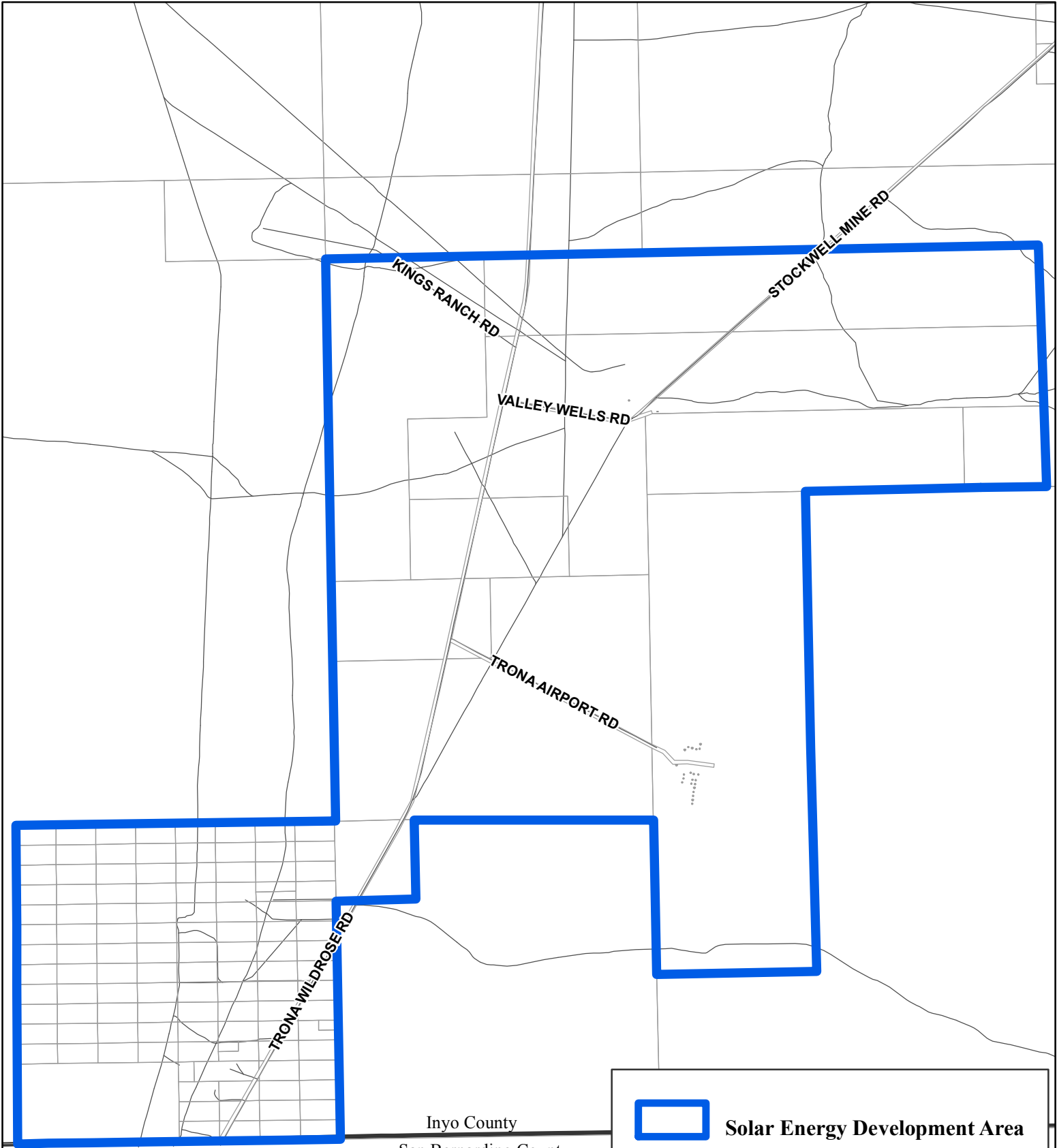








Inyo County
Kern County






 **Solar Energy Development Area**

 **Parcel**

0 0.3 0.6 Miles







Solar Energy Development Area

Parcel

N

0 0.4 0.8 Miles