



INYO COUNTY BOARD OF SUPERVISORS

TRINA ORRILL • JEFF GRIFFITHS • SCOTT MARCELLIN • JENNIFER ROESER • MATT KINGSLEY

NATE GREENBERG
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS
ASST. CLERK OF THE BOARD



Revised AGENDA

Board of Supervisors Room - County Administrative Center
224 North Edwards, Independence, California

NOTICES TO THE PUBLIC: (1) This meeting is accessible to the public both in person and, for convenience, via Zoom webinar. The Zoom webinar is accessible to the public at <https://zoom.us/j/868254781>. The meeting may also be accessed by telephone at the following numbers: (669) 900-6833; (346) 248-7799; (253) 215-8782; (929) 205-6099; (301) 715-8592; (312) 626-6799. Webinar ID: 868 254 781. Anyone unable to attend the Board meeting in person who wishes to make either a general public comment or a comment on a specific agenda item may do so by utilizing the Zoom "hand-raising" feature when appropriate during the meeting (the Chair will call on those who wish to speak). Generally, speakers are limited to three minutes. Remote participation for members of the public is provided for convenience only. In the event that the remote participation connection malfunctions for any reason, the Board of Supervisors reserves the right to conduct the meeting without remote access. Regardless of remote access, written public comments, limited to 250 words or fewer, may be emailed to the Assistant Clerk of the Board at boardclerk@inyocounty.us. (2) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373 (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (3) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

SPECIAL MEETING

May 3, 2024

Start Time

9 A.M.

- 1) **Pledge of Allegiance**
- 2) **Continuance of Appeal No. 2023-02/Barker Solar - Continued Public Hearing to Consider the Appeal of Renewable Energy Permit (REP) 2022-01/Barker**
Planning Department | Cynthia Draper
60 min (15min Presentation / 45min Discussion)

Recommended Action:

- 1) Proceed with the continued Public Hearing regarding Appeal No. 2023-02 of Renewable Energy Permit (REP) 2022-01/Barker and based on all information presented in writing and orally;
- 2) Deny the appeal and uphold the Planning Commission's decision to approve REP 2022-01/Barker, subject to all conditions of approval outlined in the material;
- 3) Approve the Recirculated Mitigated Negative Declaration for the Project; as presented and certify that it is an adequate and complete document prepared in compliance with CEQA;
- 4) Adopt the Mitigation Monitoring and Reporting Program, as revised, and set forth in the Recirculated Mitigated Negative Declaration, as the Mitigation Monitoring and Reporting Program for the Project, prepared in accordance with CEQA; and
- 5) Make findings a-d as follows:

- a. All previous findings made by the Planning Commission in its October 25, 2023 public hearing are incorporated herein as findings;
- b. The Project will not have a potentially significant effect on the environment with mitigation measures incorporated based on the reasons documented in the Recirculated Mitigated Negative Declaration; that mitigation measures are needed for this project which have been incorporated in the project; and that there is no substantial evidence that the project, with the mitigation measures incorporated, could have a significant effect on the environment;
- c. The Project is consistent with the plans for which the Program EIR was prepared; that any new effects which had not previously been considered in the Program EIR have been reduced to less than significant by mitigation measures or revisions incorporated into the project; and that the project incorporates all applicable mitigation measures identified in the Program EIR; and
- d. Through the imposition of the mitigation measures, the conditions of approval including the conditions pertaining to the requirement for an approved reclamation plan and corresponding receipt of adequate financial assurances, and by other conditions incorporated into the determination or imposed upon the permit, the health, safety and welfare of the county's citizens, the county's environment, including its public trust resources, and the county's financial well-being, have been adequately safeguarded.

3) **Continuance of Appeal No. 2023-03/Barker Solar - Continued Public Hearing to Consider the Appeal of Renewable Energy Permit (REP) 2022-02/Barker**

Planning Department | Cynthia Draper

60 minutes (15min. Presentation / 45min. Discussion)

Recommended Action:

1. Proceed with the continued Public Hearing regarding Appeal No. 2023-03 of Renewable Energy Permit (REP) 2022-02/Barker and based on all information presented in writing and orally;
2. Deny the Appeal, uphold the Planning Commission's decision to approve REP 2022-02/Barker, subject to all conditions of approval outlined in the material;
3. Approve the Recirculated Mitigated Negative Declaration for the Project, as presented and certify that it is an adequate and complete document prepared in compliance with CEQA;
4. Adopt the Mitigation Monitoring and Reporting Program, as revised, and set forth in the Recirculated Mitigated Negative Declaration, as the Mitigation Monitoring and Reporting Program for the Project, prepared in accordance with CEQA; and
5. Make findings a-d as follows:
 - a. All previous findings made by the Planning Commission in its October 25, 2023 public hearing are incorporated herein as findings;
 - b. The Project will not have a potentially significant effect on the environment with mitigation measures incorporated based on the reasons documented in the Recirculated Mitigated Negative Declaration; that mitigation measures are needed for this project which have been incorporated in the project; and that there is no substantial evidence that the project, with the mitigation measures

incorporated, could have a significant effect on the environment;

- c. The Project is consistent with the plans for which the Program EIR was prepared; that any new effects which had not previously been considered in the Program EIR have been reduced to less than significant by mitigation measures or revisions incorporated into the project; and that the project incorporates all applicable mitigation measures identified in the Program EIR; and
- d. Through the imposition of the mitigation measures, the conditions of approval including the conditions pertaining to the requirement for an approved reclamation plan and corresponding receipt of adequate financial assurances, and by other conditions incorporated into the determination or imposed upon the permit, the health, safety and welfare of the county's citizens, the county's environment, including its public trust resources, and the county's financial well-being, have been adequately safeguarded.