

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 28, 2022

FROM

DAVID DOUBLET, Director, Land Use Services Department

SUBJECT

Lockhart Solar Zoning Amendment and Conditional Use Permits

RECOMMENDATION(S)

Conduct a public hearing for the Lockhart Solar Zoning Amendment and Conditional Use Permits on 722-acres in the community of Hinkley, and take the following actions:

1. Certify the Environmental Impact Report (SCH No. 2021070070), including the approval of the Water Supply Assessment.
2. Adopt the California Environmental Quality Act findings of fact and the mitigation monitoring and reporting program.
3. Consider a proposed ordinance amending the zoning designation from Rural Living to Resource Conservation on 722-acres.
4. Make alterations, if necessary, to the proposed ordinance.
5. Approve introduction of the proposed ordinance.
 - An ordinance of San Bernardino County, State of California, amending the San Bernardino County Land Use Zoning District Map EH06A.
6. **ADOPT ORDINANCE No. 4440.**
7. Adopt the findings as recommended by the Planning Commission for approval of the Zoning Amendment and Conditional Use Permits.
8. Approve four Conditional Use Permits for the construction of the Lockhart Solar PV II Facility that includes a utility scale, photovoltaic electric generation and energy storage facility that will produce up to 150 megawatts of solar power and a Battery Energy Storage System for up to four gigawatt hours of energy storage capacity on 722-acres, subject to the recommended Conditions of Approval.
9. Direct the Clerk of the Board of Supervisors to file the Notice of Determination.
 - Applicant: Kevin Butler/Lockhart Solar PV II, LLC
 - Community: Hinkley/First Supervisorial District
 - Location: 43880 Harper Lake Road Hinkley, California 92347

(Presenter: David Doublet, Director, 387-4431)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Create, Maintain and Grow Jobs and Economic Value in the County.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Sufficient appropriation and revenue to complete this action have been included

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in the Land Use Services Department, Planning Division 2021-22 budget. All costs of processing this application are paid by the applicant.

BACKGROUND INFORMATION

The applicant is proposing the Lockhart Solar PV II Facility and is requesting the following actions be taken by the Board of Supervisors (Board) for project implementation: (1) Certification of an Environmental Impact Report (EIR), including the approval of the Water Supply Assessment (2) Adopting a Zoning Amendment from Rural Living to Resource Conservation on 722-acres, and (3) Approving four Conditional Use Permits for the construction of the Lockhart Solar PV II Facility, which is a utility scale, photovoltaic electric generation and energy storage facility that will produce up to 150 megawatts of solar power and a Battery Energy Storage System for up to four gigawatt hours of energy storage capacity (Project). A detailed project description, planning analysis and environmental discussion is provided in the Planning Commission Staff Report included with this report/recommendation.

The Project is located at 43880 Harper Lake Road Hinkley, CA 92347, and is largely sited on land previously approved by the California Energy Commission (CEC) for development of Solar Energy Generating System (SEGS) X, a solar thermal power facility which was never fully constructed. The Project is bordered on the south by the approved Lockhart Solar PV I Facility and the existing SEGS VIII and IX Solar Thermal Plants. With the adoption of the Zoning Amendment, the Project satisfies all applicable standards of the Development Code for development in the Resource Conservation Land Use District and is found to be consistent with the Countywide Policy Plan, including the Renewable Energy and Conservation Element.

A Draft EIR was prepared and posted for a 45-day public review and comment period of November 16, 2021 through December 31, 2021. Comment letters were received from the California Department of Fish and Wildlife (CDFW), Lahontan Regional Water Control Board, and San Manuel Band of Mission Indians. Responses to the comment letters were prepared and incorporated into the Final EIR for the Project. The Final EIR was posted on the County environmental website with a link to the Final EIR and sent to the commenting agencies for review. The Final EIR concludes that the Project will have a less-than-significant effect, or a less-than-significant effect with the adoption of mitigation measures, on all resource areas analyzed in the EIR. California Environmental Quality Act (CEQA) Findings of Facts reflecting the Final EIR's analysis and conclusions have been prepared and were included for the Planning Commission's consideration and recommendation to the Board of Supervisors (Board).

The San Bernardino County Code requires a recommendation from the Planning Commission for final action by the Board on Zoning Amendments. At the Planning Commission hearing on April 21, 2022, no one spoke in opposition to the proposed Project and the Planning Commission recommended approval by unanimous vote of 5-0.

PROCUREMENT

Not Applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jason Searles, Deputy County Counsel, 387-5455) on May 24, 2022; Finance (Erika Rodarte, Administrative Analyst III, 387-4919) on May 31, 2022; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on May 31, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED

Moved: Janice Rutherford Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Joe Baca, Jr.
Absent: Curt Hagman

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 28, 2022



cc: File - LUSD/General w/ attachments
JLL 06/30/2022