

5.10 Land Use and Planning

LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significance criteria established by CEQA Guidelines, Appendix G.

5.10.1 Setting

The proposed substation and the surrounding area are largely rural and agricultural. Most of the project corridor for the telecommunication routes is in unincorporated Kern County, but a small portion is in the City of Tehachapi (see Figure 4-5, Proposed Telecommunications Routes). The proposed telecommunication routes are near several residences. The telecommunication routes also include two road crossings that are within the jurisdiction of Caltrans (State Route 202 and State Route 58) and three crossings of the Union Pacific Railroad right-of-way.

The proposed substation site would be approximately 1.6 miles from the nearest location of sensitive receptors, the California Correctional Institution; the nearest residential development would be in the community of Stallion Springs, approximately 2 miles from the site. Three residences are within 0.5 miles of the substation site, with the nearest being 0.25 miles to the south on Pelliser Road.

The community of Bear Valley Springs is approximately 3 miles northwest of the proposed Banducci Substation site, and the California Correctional Institution is approximately 1.6 miles northeast and east of the site within the City of Tehachapi.

General Plan designations for the substation and surrounding area are shown in Figure 5.10-1 (General Plan Land Uses); zoning is shown in Figure 5.10-2 (Kern County Zoning). The proposed Banducci Substation site is designated as Intensive Agriculture, and the proposed telecommunication routes are largely designated as Residential, Incorporated Cities, Resource Reserve, and Intensive Agriculture. The proposed substation site is zoned for Exclusive Agriculture. Zoning designations along the proposed telecommunication routes include Agriculture (both Exclusive and Limited), Residential, Resource Reserve, Commercial, Industrial, and Manufacturing.

Construction of the Proposed Project would require several temporary staging areas. The land use designations and zoning classifications for each of these staging yards are described below.

- **Banducci Substation:** One acre within the boundaries of the proposed Banducci Substation site. The land use designation is Intensive Agriculture, and the zoning designation is Exclusive Agriculture.
- **Tehachapi Service Center:** 0.5 acres within the boundaries of the SCE Tehachapi Service Center in the City of Tehachapi. This area includes light industrial, residential, and manufacturing uses. The current use of this site is commercial and utility-related.

- **North of Highline Road:** Approximately 1 acre northwest of the proposed Banducci Substation site at the northwest corner of the intersection of Pelliser Road and Highline Road. The current land use designation is Intensive Agriculture, and the zoning designation is Exclusive Agriculture.
- **Highwind Substation:** One-acre site within the boundaries of SCE's existing Highwind Substation. This area is located at the southwest corner of Steuber Road and Highline Road. The current land use designation is Intensive Agriculture, and the zoning designation is Exclusive Agriculture.

Regulatory Background

The regulatory framework provided in this section identifies federal, State, regional, or local statutes, ordinances, or policies regarding land use planning in the Proposed Project area.

CPUC General Order 131-D, Section XIV.B states that "local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters." As a public utility project that is subject to the jurisdiction of the CPUC, the Proposed Project is exempt from local regulation and discretionary permits. As such, the regional and local regulatory standards are provided in this analysis for informational purposes only.

Kern County General Plan. The following goals and policies of the Kern County General Plan (Kern County, 2009) are relevant to the Proposed Project.

- Goal: 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 (Energy Element).
- Goal 2: Protect areas of important mineral, petroleum, and agricultural resource potential for future use (Goals: Resource; Land Use, Open Space, and Conservation Element).
- Goal 5: Conserve prime agriculture lands from premature conversion (Goals: Resource; Land Use, Open Space, and Conservation Element).
- Goal 7: Facilitate the provision of reliable and cost effective utility services to residents of Kern County (Goals: Public Facilities and Services; Land Use, Open Space, and Conservation Element).
- Policy 1: The County should 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 (Energy Element).
- Policy 2: The County shall review all proposed transmission lines and their alignments for conformity with the Land Use, Conservation, and Open Space Element of this General Plan (Energy Element).
- Policy 3: In reviewing proposals for new transmission lines and/or capacity, the County should assert a preference for upgrade of existing lines and use of existing corridors where feasible (Energy Element).

Greater Tehachapi Area Specific and Community Plan. The Greater Tehachapi Area (GTA) is a term used to describe a collection of unincorporated communities located in eastern Kern County along State Route 58 between the San Joaquin Valley and the Mojave Desert. The GTA generally encompasses the rural communities of Alpine Forest, Bear Valley Springs, Brite Valley, Cummings Ranch, Cummings Valley, Golden Hills, Mendiburu Springs, Monolith, Old Towne, and Stallion Springs, but does not include the incorporated City of Tehachapi. Kern County has adopted a GTA Specific and Community Plan (GTASCP)

that includes a land use plan, goals, policies, and implementation measures designed to ensure that future development in the GTA is consistent with the goals and policies of Kern County's General Plan, while recognizing the unique features of the region. The proposed Banducci Substation would be located within the GTASCP.

The Land Use chapter of the GTASCP describes the Intensive Agriculture designation as follows: Areas devoted to the production of irrigated crops or having a potential for such use. Other agricultural uses, while not directly dependent on irrigation for production, may also be consistent with the intensive agriculture designation. Minimum parcel size is 40 acres gross. Uses shall include, but are not limited to, the following: irrigated cropland; orchards; vineyards; horse ranches; raising of nursery stock ornamental flowers and Christmas trees; fish farms; bee keeping; ranch and farm facilities and related uses; one single-family dwelling unit; cattle feed yards; dairies; dry land farming; livestock grazing; water storage; ground water recharge acres; mineral; aggregate; and petroleum exploration and extraction; hunting clubs; wildlife preserves; farm labor housing; public utility uses; and agricultural industries pursuant to provisions of the Kern County Zoning Ordinance, and land within development areas subject to significant physical constraints.

5.10.2 Environmental Impacts and Mitigation Measures

a. Would the project physically divide an established community?

NO IMPACT. The proposed Banducci Substation would be located in a sparsely populated rural area. The main roadways in the vicinity include Pelliser Road and Banducci Road. Construction of the proposed Banducci Substation would not block Pelliser Road or Banducci Road or any other established roadway within an established community. The proposed substation would be surrounded by walls and security gates, but it would not create any substantial barriers for the existing community or physically divide an established community. The telecommunications lines would be located within the existing SCE right-of-way on existing or replaced poles or in underground conduits. Installation of telecommunications infrastructure would temporarily disrupt some local traffic during safety-related lane closures, but these disruptions would be short-term and would not divide any community. Therefore, there would be no impact.

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

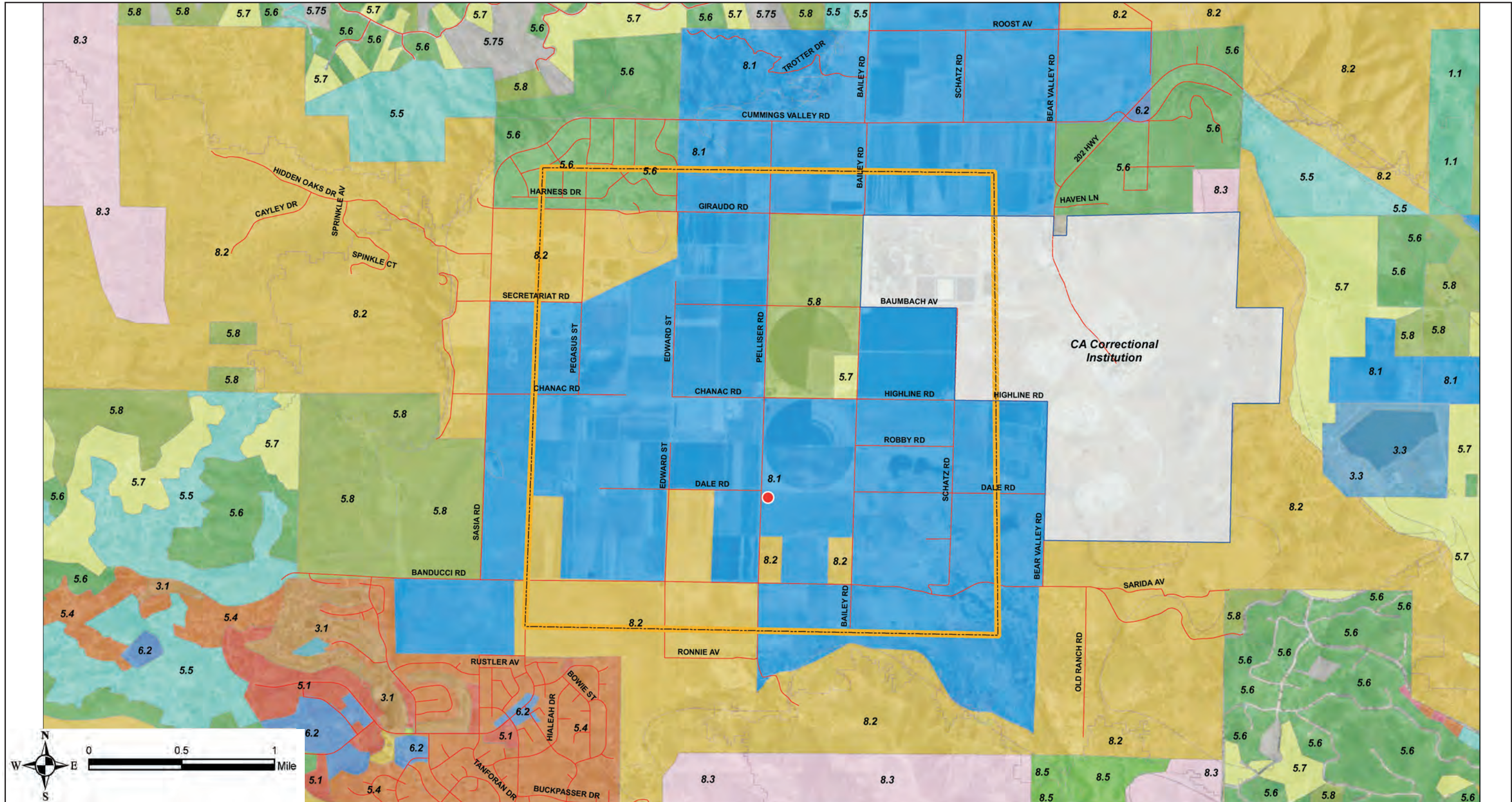
NO IMPACT. The Banducci Substation would be built on land designated as Intensive Agriculture and zoned as Exclusive Agriculture. However, both the Intensive Agriculture designation and the Exclusive Agriculture zone allow public utility infrastructure, including substations. The proposed telecommunications routes pass through areas designated as Intensive Agriculture, Resource Reserve, and Residential and zoned as Exclusive Agriculture, Limited Agriculture, and Estate. A portion of the telecommunications routes would pass through the City of Tehachapi. Telecommunications routes would be within existing SCE rights-of-way in areas where utility-related uses are allowed.

Routes for the Proposed Project's telecommunications components include two crossings of roadways that are within Caltrans jurisdiction and three railroad crossings within Union Pacific Railroad jurisdiction. Easements and exclusionary permits would be required for these crossings. However, the telecommunications components would not conflict with the use of the railroad, highways, or any existing or proposed plans or uses. See Section 5.16 (Transportation and Traffic) for more detail.

By improving the electrical infrastructure within Kern County, the Proposed Project would be consistent with most of the goals and policies listed in the Regulatory Background section above. Although the project would convert Prime Farmland to non-agricultural use, construction of utility infrastructure on the substation site would not conflict with local land use policies (see Section 5.2 [Agricultural Resources] for more detail regarding potential conflicts with agriculture). Therefore, there would be no conflict with local land use plans or policies.

c. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

NO IMPACT. As discussed in Section 5.4.2 (Biological Resources, Environmental Impacts and Mitigation Measures), the Proposed Project is not within the boundaries of any adopted habitat conservation plans or natural community conservation plans. Therefore, there would be no impact.

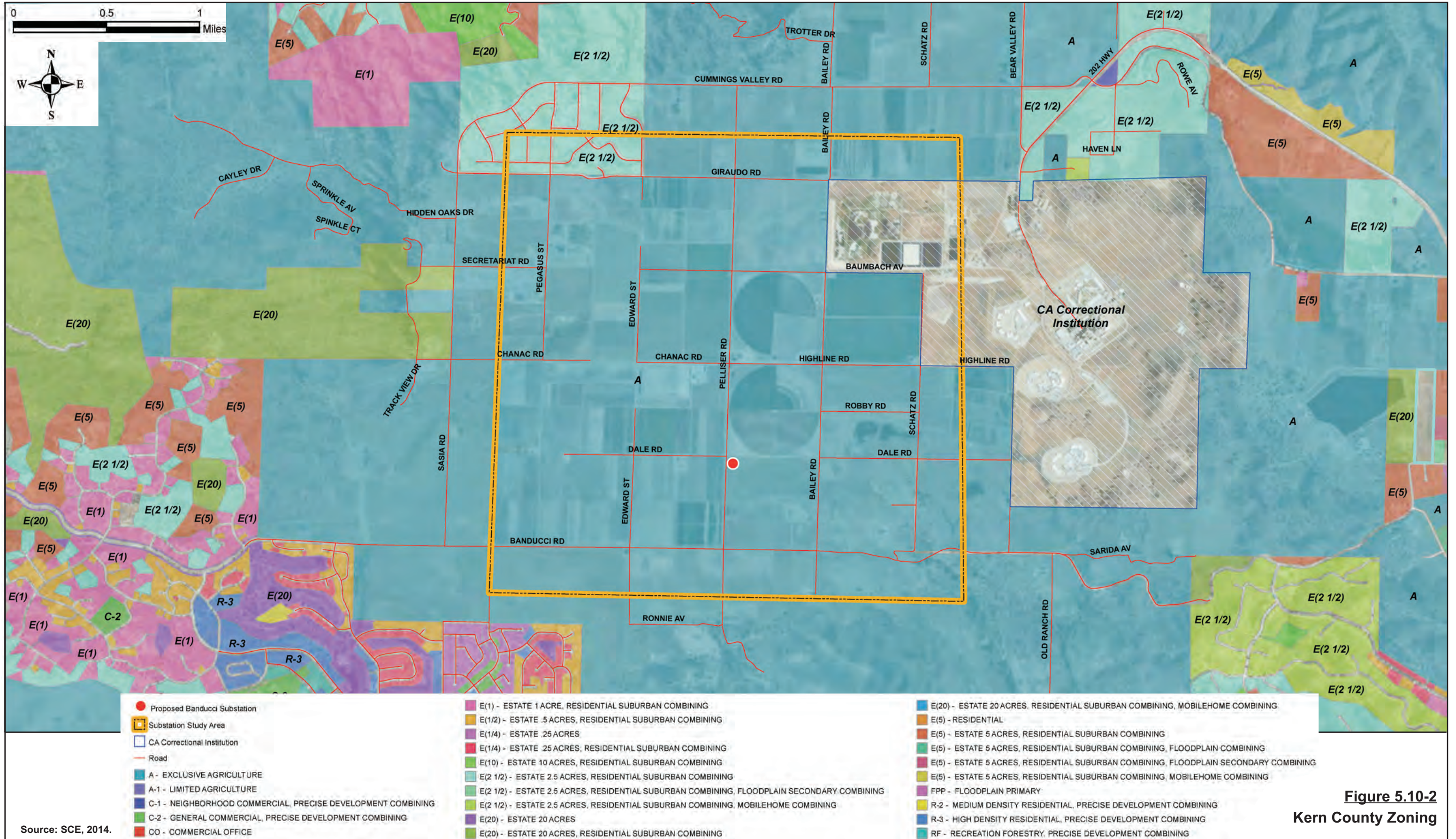


- Proposed Banducci Substation
- Substation Study Area
- CA Correctional Institution
- Road
- 1.1 State or Federal Land
- 1.2 Incorporated Cities
- 3.1 Public or Private Recreation Areas
- 3.3 Other Facilities
- 5.1 Maximum 29 Units/Net Acre
- 5.2 Maximum 16 Units/Net Acre
- 5.4 Maximum 4 Units/Net Acre
- 5.45 Maximum 2 Units/Net Acre
- 5.5 Maximum 1 Unit/Net Acre
- 5.6 Minimum 2.5 Gross Acres/Unit
- 5.7 Minimum 5 Gross Acres/Unit
- 5.75 Minimum 10 Gross Acres/Unit
- 5.8 Minimum 20 Gross Acres/Unit
- 6.1 Major Commercial
- 6.2 General Commercial
- 8.1 Intensive Agriculture (Min. 20 Acre Parcel Size)
- 8.2 Resource Reserve (Min. 20 Acre Parcel Size)
- 8.3 Extensive Agriculture (Min. 20 Acre Parcel Size)
- 8.5 Resource Management (Min. 20 Acre Parcel Size)

Source: SCE, 2014.

Figure 5.10-1
General Plan Land Uses

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Source: SCE, 2014.

Figure 5.10-2
Kern County Zoning

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