

STAFF REPORT

54

A 36

06/23/20

A2599

S 16

R. B. Greenwood

NON-EXCLUSIVE GEOLOGICAL SURVEY PERMIT

APPLICANT:

Big Beau Solar, LLC

BACKGROUND:

Big Beau Solar, LLC, has applied for a 3-month Geological Survey Permit to collect geological and geotechnical information by drilling six shallow borings and by driving six steel piles on State-owned school land. The proposed sampling and testing are associated with the proposed Big Beau Solar Project near the city of Rosamond, Kern County. In addition to approximately 2,700 acres of privately-owned land, the proposed solar project area includes approximately 160 acres of state-owned school land. Kern County, as the lead agency under the California Environmental Quality Act, prepared an Environmental Impact Report (EIR) ([SCH# 2019071059](#)) for the proposed project in January 2020. As described in the EIR, before proceeding with any installation or development of the project facilities, site preparation activities, including preparation of a final design level geotechnical report (as required by the Kern County Code of Building Regulations) that includes an evaluation of onsite soils and recommendations to ensure their ability to support the proposed improvements, must be completed.

The data collected under this permit will be used to evaluate and provide recommendations for the final geotechnical report related to foundations, road, and electrical infrastructure design and constructability for the part of the project proposed to be located on school land. Soil borings will be drilled at six locations and six piles will be driven at two of the same boring locations, as shown on the Location Map, Exhibit A. Investigation equipment will traverse the parcel from existing routes via one-way traffic, as shown on Exhibit A, while avoiding larger vegetation or any sensitive species. Desert tortoise surveys were completed in 2018 and are referenced in the Biological Technical Report that was completed in preparation of the EIR. No desert tortoise, tortoise burrows, or other sign were detected during the protocol surveys. Kern county conducted tribal outreach and consultation which, as documented in the EIR, included a negative finding of the Sacred Lands File search, and measures developed during consultation to ensure avoidance of currently undiscovered resources should a discovery be made during construction. All outreach and public participation have been

STAFF REPORT NO. 54 (CONT'D)

initiated and conducted by the Applicant for Kern County in accordance with regulatory and statutory requirements.

Six soil borings, 6 inches in diameter and less than 20 feet deep, will be drilled via truck-mounted continuous flight auger. Soil samples will be collected, and standard penetration tests will be conducted. All bore holes will be backfilled with native soil cuttings, immediately after extraction of the augers. Six steel piles, six inches diameter, will also be driven to depths of 5 to 10 feet deep, via truck or trailer-mounted hydraulic hammer. Driven piles will be used to conduct axial load and lateral load soil tests. Each pile will be removed by backhoe or excavator and will immediately be backfilled and leveled using native soils. Investigations will occur during 6 days within a time of 6 weeks. The general terms of this Geological Survey Permit require the permittee to provide staff with advance notification of operations and the specifications of the equipment to be employed. Staff may obtain copies of all geological data derived from any and all surveys under this permit upon request.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6212.2, 6216, and 6301; California Code of Regulations, title 2, section 2100.

State's Best Interests Analysis:

Big Beau Solar, LLC, is a renewable energy company that has applied for a permit to conduct geological surveys on State-owned school land. The geological surveys are a necessary first step in determining site and soil constraints for the proposed solar project; information collected for this step will be part of the County's final geotechnical report and will ensure proper design, function, and safety of the facilities. Should Kern County certify the EIR and approve the project, the Applicant would need a lease from the Commission in order to construct the portion of the proposed project on school land. The School Land Bank Act states that school lands are to be proactively managed and enhanced to provide an economic base in support of public schools and requires the Commission to take all action necessary to fully develop school lands, indemnity interests, and attendant mineral interests into a permanent and productive resource base. As a complement to the provisions of the School Land Bank Act, in 2008, the Commission adopted a [Resolution](#) supporting the environmentally responsible development of school lands for renewable energy projects.

As part of the State's overall energy policy goals, the proposed geologic data gathering is in the State's best interests because it provides

STAFF REPORT NO. 54 (CONT'D)

information important to the eventual development of a solar facility, which would help achieve the State's ambitious greenhouse gas emission reduction target of 40 percent below 1990 levels by 2030 (SB 32, 2016) and renewable energy procurement targets of 60 percent by 2030 and 100 percent by 2045 (SB 100, 2018). Therefore, staff believes the approval of the permit application is consistent with the State's best interests. Staff recommends approval of this Non-Exclusive Geological Survey Permit application.

TERM OF PROPOSED PERMIT:

3 months, beginning June 23, 2020, through September 22, 2020.

OTHER PERTINENT INFORMATION:

1. Staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 6, Information Collection; California Code of Regulations, title 2, section 2905, subdivisions (e)(1) and (e)(3).

Authority: Public Resources Code section 21084; California Code of Regulations, title 14, section 15300; and California Code of Regulations, title 2, section 2905.

2. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation and responsible economic use of the lands and resources under the Commission's jurisdiction. The action is also consistent with Key Action 2.1.2 to promote renewable energy and environmentally responsible resource and energy development projects.

EXHIBIT:

- A. Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a categorically exempt project, Class 6, Information Collection; California Code of Regulations, title 2, section 2905, subdivisions (e)(1) and (e)(3).

STAFF REPORT NO. 54 (CONT'D)

STATE'S BEST INTERESTS:

Find that the proposed permit is in the best interests of the State.

AUTHORIZATION:

Authorize issuance of a Non-Exclusive Geological Survey Permit to Big Beau Solar, LLC, to conduct geological surveys for the period June 23, 2020, through September 22, 2020, on State-owned school land within Kern County as shown on Exhibit A, State Land Parcel, attached and incorporated by reference herein.

Exhibit A: Location Map

A2599

