

ATTACHMENT TO PC RESOLUTION NO. 22-35
CONDITIONAL USE PERMIT NO. 21-06
CONDITIONS LIST
December 12, 2022

GENERAL

1. Unless otherwise indicated herein, the development of the site shall be in substantial conformance with approved site plans on file in the Community Development Division.
2. This Conditional Use Permit must be used within two (2) years from the date of approval; otherwise the Conditional Use Permit will expire. The applicant may, not less than sixty (60) days prior to the expiration date, request a total of three one (1) year extensions in writing to the Community Development Manager. Modifications to the plan, including timing of on- and off-site improvements that do not raise significant new issues or extend the overall time frame beyond the approval period may be approved by the Community Development Manager.

Note: Issuance of building permits, installation of off-site improvements, and grading of the site do not constitute “use” of the Conditional Use Permit. Under the Zoning Ordinance, construction or other development authorized by the Conditional Use Permit must have commenced. Generally, the City requires that the slab of a major building in the project be poured and inspected in order to consider the permit used, although the circumstances of each case may vary depending on the land use involved.

3. This Conditional Use Permit will not be effective until ten (10) working days after the date upon which it is granted approval and until the applicant has executed and returned to the Community Development Division an authorized acceptance of the conditions of approval applicable to said permit.
4. The applicant shall defend, indemnify, and hold harmless the City, its elected officials, officers, employees and representatives from any claim, action, or proceeding against the City or its elected officials, officers, employees and representatives to attack, set aside, void, or annul, an approval of the City concerning this conditional use permit and the use(s) and development permitted by its approval. The City shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense; this condition shall not be imposed if the City fails to promptly notify the applicant or fails to cooperate fully in the defense.
5. Expansion or intensification of the use beyond the approval specified herein would require subsequent review and possible application for amendment. The Community Development Manager is authorized to approve modifications to the site plan provided such modifications do not substantially change the intent of the approved use, avoid issues raised at the public hearing, or raise new issues not previously addressed.

6. If the project is developed in phases, all the development requirements shall be met for each phase including parking, landscaping, trash enclosures, drainage, etc. The developer shall provide a phasing plan and phasing condition/mitigation measure matrix to the Community Development Division for approval prior to the issuance of construction-related permits.
7. All requirements of the Municipal Code and the specific zoning of the subject property must be complied with unless otherwise set forth in the permit or shown on the approved site plan.
8. All construction and/or installation of improvements shall be undertaken to the specification of the Lancaster Municipal Code.
9. The applicant shall contact the Los Angeles County Fire Department to determine the improvements that may be required to protect the property from fire hazards and shall provide and install at their expense such improvements as may be deemed necessary by the Los Angeles County Fire Department. Fire protection improvements shall be completed to the satisfaction of the Development Services Director prior to certification of completion and occupancy of the subject buildings.
10. The following items/plans shall be submitted to the Development Services Department, which shall route them to the Community Development Division for concurrent review and approval prior to issuance of permits:
 - a. Lighting Plan
 - b. Building Plan
 - c. Grading Plan
 - d. Landscape Plan
 - e. Trash Enclosure Plan
11. All necessary permits shall be obtained from the Development Services Department prior to any construction, remodeling, or replacement of buildings or other structures.
12. An encroachment permit shall be obtained from the Development Services Department prior to doing any work within the public right-of-way.
13. Prior to building permit issuance, the applicant shall pay all applicable development fees including, but not limited to, the following: 1) Los Angeles County Sanitation District Sewer Connection Fee; 2) Interim School Facilities Financing Fee; 3) Traffic Signal Fee; 4) Planned Local Drainage Facilities fee; 5) Dwelling Unit Fee; 6) Traffic Impact Fees; 7) Urban Structure Program Fee (Park Development Fee, Administrative Office Fee, Corporate Yard Fee, and Operations Impact Fee, etc.); and 8) Landscape Fee.
14. If any provision of this permit is held or declared to be invalid, the permit shall be void, and the privileges granted hereunder shall lapse.
15. It is further declared and made a condition of this permit that if any condition hereof is violated, or if any law, statute, or ordinance is violated, the permit shall be suspended and

the privileges granted hereunder shall lapse provided that the applicant has been given written notice to cease such violation and has failed to do so within the time period set forth in the notice.

16. Prior to building/grading permit issuance, whichever comes first, the applicant shall submit a geotechnical report as detailed in Chapter 18 of the latest edition of the California Building Code and as required by the Development Services Department. The geotechnical report shall be completed in accordance with the County of Los Angeles, Department of Public Work, Manual for Preparation of Geotechnical Reports.
17. Prior to occupancy of any buildings or structures, the permittee shall request, no less than forty-eight (48) hours in advance, that on-site inspection be made by the Community Development Division to verify that development of the property has occurred in conformity with conditions as enumerated in this permit.
18. The applicant shall be responsible for notifying the Community Development Division in writing of any change in ownership, designation of a new engineer, or change in the status of the developer, within thirty (30) days of said change.
19. Prior to permit issuance, the applicant by agreement with the Development Services Director, may guarantee installation of improvements as determined by the Development Services Director through faithful performance bonds, letters of credit, or any other acceptable means acceptable to the Development Services Director, Finance Director, and/or City Attorney.

FEES, ASSESSMENTS, AND ANNEXATIONS

20. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Lighting Maintenance District.
21. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Drainage Maintenance District.
22. Prior to final map recordation and/or building occupancy, the property shall be annexed into the Lancaster Landscape Maintenance District.
23. The applicant is hereby advised that this project is subject to 1st year's assessment fees for the following maintenance districts, as applicable, prior to issuance of related permits (grading, building, sewer, etc.): 1) Lancaster Drainage Maintenance District, 2) Lancaster Lighting Maintenance District, 3) Lancaster Landscape Maintenance District, and 4) Lancaster Sewer Maintenance District.

STREETS

24. Prior to issuance of building permit, the applicant shall dedicate sidewalk easements sufficient to encompass ADA requirements for sidewalks installed with drive approaches.

25. Prior to building occupancy, the applicant shall repair or replace any broken, damaged, and/or non-ADA compliant pavement, curb, gutter, and sidewalk on streets within or abutting the project to street centerline to the satisfaction of the Development Services Director.
26. The applicant shall comply with City Municipal Code, Chapter 13.20, Article II, entitled Installation/Relocation for New/Expanded Development of Overhead Utilities as directed by the Development Services Director. (Ordinance No. 361)
27. The proposed project shall comply with the City of Lancaster Holiday Moratorium Policy. No excavation or work shall occur within the public right-of-way on Primary Arterials, Secondary Arterials, and Collector Streets between November 15th and January 2nd, except work pertaining to public safety or with the written permission of the City Manager. Work commenced prior to the restriction period must be in such a condition that it will be resurfaced prior to November 15th.

TRAFFIC IMPROVEMENT PLANS

28. Prior to issuance of the street improvement encroachment permit, the applicant shall obtain approval of a signing and striping plan. The signing and striping plan shall be completed in accordance with all City of Lancaster standards, as directed by the City Engineer.
29. Prior to issuance of the street improvement encroachment permit, the applicant shall obtain approval of temporary traffic control plan and allowable working hours, as directed by the City Engineer.

STREET RIGHT-OF-WAY

30. Prior to issuance of building permits, the applicant shall dedicate additional street right-of-way for a total of 56 feet from centerline on Avenue M fronting the project site, as directed by the City Engineer.
31. Prior to issuance of building permits, the applicant shall dedicate additional street right-of-way for a total of 40 feet from centerline on Avenue L-12 fronting the project site, as directed by the City Engineer.
32. Prior to issuance of building permits, the applicant shall dedicate a corner cutoff at all intersections, as defined in the City of Lancaster Engineering Design (Section 2.2.10.6.2).
33. Prior to issuance of building permits, the applicant shall vacate current dedicated right-of-way along the project frontage on 5th Street East.
34. Prior to issuance of building permits, the applicant shall vacate current dedicated right-of-way along the project frontage on 6th Street East.

STREET IMPROVEMENTS

35. Prior to building occupancy, the applicant shall construct the following street improvements within/along the frontage of the project site, as directed by the City Engineer:

Street Name	Curb & Gutter	Base & Paving	Street Lights	Street Trees	Sidewalk (5'min)	Landscaped Median	Curb-Delineated Median	Class II Bike Lanes	LMD Easement
Avenue M	X	X	X	X	X	X			X
Avenue L-12	X	X	X	X	X				
5 th Street East/ 6 th Street East	X	X							

36. The following private streets shall be constructed to public street standards:

- 5th Street East and 6th Street East

37. Prior to building occupancy, the applicant shall construct additional pavement as required to transition to the existing pavement in accordance with City of Lancaster Engineering Design Guidelines (Section 2.2.10.24), to the satisfaction of the City Engineer.
38. Prior to building occupancy, the applicant shall extend the construction of all improvements required along the project's frontage on 5th Street East from the project's southern boundary to Avenue M.
39. Prior to building occupancy, the applicant shall install conduit, pull rope, and pull boxes along regional, primary and secondary arterials to the nearest arterial intersection to be used for future Traffic Signal Communication Interconnect. The interconnect system shall be installed in accordance with the specifications approved by the Traffic Section, to the satisfaction of the City Engineer.
40. Prior to occupancy, the applicant shall design and construct City owned and maintained street lighting systems. The street lighting system shall be designed using a LS-3 rate schedule unless the new lights can be connected to an existing LS-2 rate schedule system **and** Southern California Edison will not require the installation of a pedestal. The Developer's engineer shall prepare all plans necessary to build said street lighting system in accordance with Southern California Edison and City of Lancaster standards.
41. Prior to issuance of building permits, the applicant shall dedicate a total of 4' along Avenue M as a Landscape Maintenance District easement.

DRIVEWAY REQUIREMENTS

42. Prior to issuance of the street improvement encroachment permit, the applicant shall show on the street plan all drive approaches located on an arterial street using a modified commercial driveway design (SPPWC 110-1, Type C or equivalent) with a minimum radius of 15 feet and that will provide a street/drive approach transition with a maximum algebraic grade difference of 10%. Construction details shall be shown on the street plan providing a transition no greater than this maximum.
43. Prior to building occupancy, the applicant shall design and construct ADA “walk arounds” at the following driveway locations, to the satisfaction of the Development Services Director:
 - All project driveways
44. Prior to issuance of building permits, the applicant shall dedicate the right to restrict direct vehicular ingress and egress on all streets having a projected volume of 2,000 vehicles trips each day and within 100 feet of any secondary or primary arterial, on the Tract Map or by separate document.
45. If at any time during the operation of any business on this parcel there are frequent and/or persistent situations where vehicles attempting to access said business queue back onto a public facility, the property/business owner is required to submit a mitigation plan to the City. The plan will be implemented and monitored by and at the expense at the property/business owner until conditions are deemed acceptable by the City Traffic Engineer.

INTERSECTION IMPROVEMENTS

46. Prior to building occupancy, the applicant shall provide and install street name signs, as directed by the City Engineer.
47. Prior to building occupancy, the applicant shall design and construct ADA-compliant curb ramps at the following locations, to the satisfaction of the City Engineer:
 - Southeast corner of Avenue L-12 and 5th Street East
 - Southwest corner of Avenue L-12 and 6th Street East
 - Northwest corner of Avenue M and 6th Street East
 - Northeast corner of Avenue M and 5th Street East

The curb ramp(s) shall comply with the requirements of Title II of the American with Disabilities Act (ADA) relating to curb ramps and pedestrian crossings.

DRAINAGE/GRADING

48. Prior to grading permit issuance, and/or storm drain permit issuance, the applicant shall acquire and dedicate all required easements for drainage improvements as identified in the hydrology/hydraulic report by separate instrument. All right-of-way dedications will be to the satisfaction of the City Engineer.
49. Provide for contributory drainage from adjoining properties and return drainage to its natural conditions or secure off-site drainage acceptance letters from affected property owners.
50. Prior to issuance of a grading permit, the applicant shall submit a grading plan consistent with the approved site plan and conditions of approval. The grading plan shall be based on an approved drainage area study and hydrology/hydraulic report, detailed recent topographic survey, and a detailed engineering soils report specifically approved by the geologist and/or soils engineer that addresses all submitted recommendations.
51. Prior to final map approval or grading permit issuance, whichever comes first, the applicant shall obtain approval of the final hydrology/hydraulic study. The final drainage facilities shall be based on the approved hydrology/hydraulic study and will be designed based on the City of Lancaster Engineering Design Guidelines Policies and Procedures Sections 2.7 and 3, and/or to the satisfaction of the Development Services Director. Any on-site and/or off-site mitigation measures required by the approved hydrology/hydraulic study shall be constructed prior to first occupancy.
52. Prior to building occupancy, all drainage facilities and streets with secondary overflow are to be constructed and approved prior to occupancy of any structure within the project to the satisfaction of the Development Services Director.
53. Prior to first occupancy, the applicant shall design and construct an on-site drainage basin or underground retention or other approved drainage solution as warranted to mitigate the developed runoff per an approved hydrology study to the satisfaction of the Development Services Director.
54. Prior to final map approval or grading permit issuance, the streets shall be designed to avoid creating sump conditions to the satisfaction of the Development Services Director. If a sump condition is unavoidable, design streets so that secondary overflow is through the streets and, as needed, design and install redundant drainage systems (i.e., additional storm drain line and catch basin systems). Secondary overland overflow shall not be allowed through lot easements. Secondary overland overflow shall be allowed through fee title dedicated drainage paths, paseos or other pedestrian walkways and passageways.
55. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
56. Prior to building occupancy, install BMPs to treat first flush.

57. Prior to issuance of any construction related permits (grading, building, etc.), a Dust Control Plan shall be prepared and submitted to the Antelope Valley Air Quality Management District (AVAQMD) in accordance with Rule 403 of the AVAQMD. An approved copy of the Dust Control Plan shall be submitted to the Development Services Department for residential projects of 10 acres and larger and for commercial/industrial projects of 5 acres and larger. In lieu of an approved plan, a letter from the AVAQMD waiving this requirement shall be submitted.
58. Prior to commencing hauling operations for this project, the applicant shall obtain a hauling permit for an import/export of > 100 CY of hauling material to/from the project within the public right-of-way including the export/receiving site and an exhibit of the proposed haul route. The applicant is responsible to obtain approval from all applicable agencies for the material hauling operation. The designated haul route shall be designed to the requirements of the City of Lancaster Design Guidelines, Standards, and Municipal Code and to the satisfaction of the Development Services Director.
- a. The applicant shall comply with the following requirements for the material hauling operation:
 - i. The hours of operation shall be approved by the Development Services Director.
 - ii. Provide non-stop street sweeping service on all City streets along the haul route during all hours of work to the satisfaction of the Development Services Director.
 - iii. Provide traffic control and flagging personnel along the haul route to the satisfaction of the Development Services Director.
 - iv. When required by the Development Services Director, the applicant shall post a security to serve as surety of repair in the event facilities within the City right-of-way are adversely impacted by the hauling operations.
 - b. Prior to building occupancy/release of security, the applicant shall repair any pavement damaged by the material hauling operation to the satisfaction of the Development Services Director. The security will not be reduced or released or building occupancy given until the completion of the repair work. The limits of the road repairs shall be consistent with the approved haul route and determined by the Development Services Director.

SEWER

59. Prior to sewer plan/lateral connection approval, and/or sewer permit issuance, the applicant shall acquire and dedicate all required easements for sewer improvements as identified in the final sewer area study report by separate instrument. All right-of-way dedications will be to the satisfaction of the City Engineer.
60. Prior to issuance of a sewer plan/lateral connection approval, and/or sewer encroachment permit issuance, the applicant shall submit a public sewer plan consistent with the approved site plan and conditions of approval. The sewer plan shall be based on an approved Sewer Area Study.

61. Prior to sewer plan/lateral connection approval, and/or sewer encroachment permit issuance, whichever comes first, the applicant shall obtain approval of the final sewer area study. The final sewer facilities shall be based on the approved sewer area study and will be designed based on the City of Lancaster Engineering Design Guidelines Policies and Procedures Section 2.4, and/or to the satisfaction of the Development Services Director. Any on-site and/or off-site mitigation measures required by the approved sewer area study shall be constructed prior to first occupancy.
62. Prior to sewer encroachment permit issuance, the applicant shall obtain a sewer encroachment permit from the City of Palmdale.
63. Prior to building occupancy, approval of this project is contingent upon the installation of local main line sewers and separate laterals to serve each structure at such time as the permanent structures are constructed on the site.
64. Prior to sewer plan approval, the streets shall be designed to avoid creating sump conditions to the satisfaction of the Development Services Director. Local main line sewers shall not be allowed through lot easements. Local main line sewers shall be allowed through fee title dedicated drainage paths, paseos or other pedestrian walkways and passageways.

WATER

65. The project shall be served by adequately sized water system facilities, including fire hydrants, of sufficient size to accommodate the total domestic and fire flows required for the land division. Domestic flows required are to be determined by the Development Services Director. Fire flows required are to be determined by the Fire Chief.
66. There shall also be filed with this project a statement from the water purveyor indicating that water service shall be provided to each lot and that the proposed water mains and any other required facilities will be operated by the purveyor and that under normal operating conditions the system will meet requirements for the land division.
67. Per the direction of the Community Development Manager and the Development Services Director, the applicant shall be required to comply with all Ordinances in effect at the time of project construction to address the balance of water supply to water demand.
68. In order to obtain a conditional will-serve letter, the Project applicant must secure permanent water supply entitlements sufficient to meet the Project's annual water demands as determined by the Landale Mutual Water Company (Company). This entitlement may be secured through entering an agreement with the Company to purchase new State Water Project Table A or other permanent water supply through the Antelope Valley-East Kern Water Agency.
69. In addition to the condition above, the Company may require that: (1) various charges/fees be paid by the owner/developer of the property; (2) on-site and off-site water system facilities be installed by a State licensed contractor retained by the owner/developer, and inspected and accepted by the District, using plans prepared by a licensed engineer that are reviewed by the District; or (3) a combination of (1) and (2). Once constructed to the

satisfaction of the Company, the water system facilities are to be dedicated gratis to the Company for subsequent operation and maintenance.

70. The project applicant shall comply with all rules, regulations, and procedures of the Landale Mutual Water Company.
71. Water for the proposed project shall be obtained in accordance with existing water law. The City of Lancaster Economic Development Division plans on selling sufficient water to the Landale Mutual Water Company from existing water rights to be sold to the project applicant for use at this hydrogen facility. This transfer shall be subject to approval by the City of Lancaster, Los Angeles County Sanitation Districts and the Antelope Valley Water Master.

COMMUNITY DEVELOPMENT

72. The applicant is hereby advised that the use of any signs, strings of pennants, banners or streamers, clusters of flags and similar attention-getting devices are prohibited, except where there has been prior written approval from the Community Development Division.
73. All structures on the project site shall be 70 feet or less in height with the exception of the ASU which shall not exceed 90 feet in height.
74. All mechanical equipment (rooftop) shall be enclosed or screened from view.
75. No outside storage is permitted on the project site.
76. A signage plan shall be submitted for approval by the Community Development Manager at the time of building permit issuance. Such plan shall be comprehensive and shall include location, height, square foot-age, method of attachment, construction materials and colors of each sign proposed. These signs shall be in accordance with the Lancaster Municipal Code.
77. The buildings constructed as a result of project approval shall comply with the City of Lancaster's Architectural and Design Guidelines. Any changes in elevations are subject to further review by the Community Development Division.
78. Prior to certificate of occupancy, the applicant shall obtain any required AVAQMD permits for generators and other stationary equipment onsite. A copy of the permits shall be provided to the City of Lancaster.
79. Prior to issuance of grading permits, the applicant shall receive approval from the Los Angeles County Fire Department.

BUILDING AND SAFETY

80. All electrical materials and equipment shall be new and shall be listed by Underwriter's Laboratories (UL) and bear their label or listed and certified by a nationally recognized testing authority acceptable to the City of Lancaster. Where UL does not have a listing,

custom made equipment shall be evaluated by a nationally recognized testing laboratory acceptable to the City of Lancaster and be field labeled indicating equipment is safe and suitable for the use intended. All reports shall be submitted to the City of Lancaster prior to final inspection and energizing. In addition, the materials, equipment, and installation shall comply with the requirements of the following:

- American Society of Testing Materials (ASTM)
- Insulated Power Cable Engineers Association (IPCEA)
- National Electrical Manufacturers Association (NEMA)
- American Standard Association
- National Fire Protection Agency (NFPA)
- American National Standard Institute (ANSI)
- California Electric Code (CEC) – 2022
- National Electrical Safety Code – Current Edition
- Institute of Electrical and Electronic Engineers (IEEE)
- All local codes having jurisdiction

Engineer of record shall periodically make site visits to verify equipment and installation is per design.

LANDSCAPING

81. Prior to landscape encroachment permit, landscape plans shall be prepared in accordance with Ordinance No. 1070 and submitted to the Development Engineering Section of Development Services Department, along with required plan check fees, for review and approval prior to the installation of landscaping or irrigation systems. Such plans are to be incorporated into development of the site and shall show size, type, and location of all plants, trees, and irrigation facilities.
82. Prior to building occupancy, provide landscape easement and maintenance district along primary and secondary arterials, in accordance with City policy. The irrigation system, landscape plan, and plant materials are subject to approval by the Development Services Director. The construction materials, color, and design of the decorative (i.e., slump stone, split faced with brick pilasters, and decorative brick cap) masonry wall abutting the landscape maintenance district and entry street is subject to approval of the Community Development Manager. The irrigation and plant materials shall be installed and completed to the satisfaction of the Development Services Director prior to occupancy of any residence within the development.
83. Prior to building occupancy, the developer shall install a “purple pipe” irrigation system in all landscape maintenance districts to provide for future connection to a recycled water system to the satisfaction of the Development Services Director.

84. Once installed, all landscaping shall remain in perpetuity.
85. The applicant shall submit a landscape and irrigation plan to the Building and Safety Division.

OTHER

86. Prior to building permit issuance, the applicant shall obtain approval and record a lot line adjustment to adjust/merge all lots.
87. The applicant shall pay a fee to the City of Lancaster in the sum of \$770.00 per gross acre, to be held in the biological mitigation fund as established by the City Council. Payment of said fee shall occur prior to Final Map for Parcel/Tract Maps and prior to or concurrent with the approval of a grading permit for all other projects. Additionally, should the applicant be required to pay mitigation fees under the California Department of Fish and Wildlife, these fees can be deducted from the amount collected by the City of Lancaster.

ENVIRONMENTAL/MITIGATION MEASURES

88. During the final design phase of the project, the applicant shall prepare a plan that addresses the color of the equipment, wall, lighting, and landscaping to reduce visual intrusion that could result from the facility, as well as minimize the potential for lighting to adversely affect views in the area. The plan shall be submitted to the City of Lancaster to demonstrate compliance with this measure.
89. Prior to ground disturbance activities, the project operator shall provide evidence to the Development Services Director that the project operator and/or construction manager has developed a “Valley Fever Training Handout”, training, and schedule of sessions for education to be provided to all construction personnel. All evidence of the training session materials, handout(s) and schedule shall be submitted to the Development Services Director within 24 hours of the first training session. Multiple training sessions may be conducted if different work crews will come to the site for different stages of construction; however, all construction personnel shall be provided training prior to beginning work. The evidence submitted to the Development Services Director regarding the “Valley Fever Training Handout” and Session(s) shall include the following:
 - A sign-in sheet (to include the printed employee names, signature, and date) for all employees who attended the training session.
 - Distribution of a written flier or brochure that includes educational information regarding the health effects of exposure to criteria pollutant emissions and Valley Fever.
 - Training on methods that may help prevent Valley Fever infection.
 - A demonstration to employees on how to use personal protective equipment, such as respiratory equipment (masks), to reduce exposure to pollutants and facilitate recognition of symptoms and earlier treatment of Valley Fever. Where respirators are required, the equipment shall be readily available and shall be provided to

employees for use during work. Proof that the demonstration is included in the training shall be submitted to the county. This proof can be via printed training materials/agenda, DVD, digital media files, or photographs.

The project operator also shall consult with the Los Angeles County Public Health to develop a Valley Fever Dust Management Plan that addresses the potential presence of the *Coccidioides* spore and mitigates for the potential for *Coccidioidomycosis* (Valley Fever). Prior to issuance of permits, the project operator shall submit the Plan to the Los Angeles County Public Health for review and comment. The Plan shall include a program to evaluate the potential for exposure to Valley Fever from construction activities and to identify appropriate safety procedures that shall be implemented, as needed, to minimize personnel and public exposure to potential *Coccidioides* spores. Measures in the Plan shall include the following:

- Provide HEP-filters for heavy equipment equipped with factory enclosed cabs capable of accepting the filters. Cause contractors utilizing applicable heavy equipment to furnish proof of worker training on proper use of applicable heavy equipment cabs, such as turning on air conditioning prior to using the equipment.
- Provide communication methods, such as two-way radios, for use in enclosed cabs.
- Require National Institute for Occupational Safety and Health (NIOSH)-approved half-face respirators equipped with minimum N-95 protection factor for use during worker collocation with surface disturbance activities, as required per the hazard assessment process.
- Cause employees to be medically evaluated, fit-tested, and properly trained on the use of the respirators, and implement a full respiratory protection program in accordance with the applicable Cal/OSHA Respiratory Protection Standard (8 CCR 5144).
- Provide separate, clean eating areas with hand-washing facilities.
- Install equipment inspection stations at each construction equipment access/egress point. Examine construction vehicles and equipment for excess soil material and clean, as necessary, before equipment is moved off-site.
- Train workers to recognize the symptoms of Valley Fever, and to promptly report suspected symptoms of work-related Valley Fever to a supervisor.
- Work with a medical professional to develop a protocol to medically evaluate employees who develop symptoms of Valley Fever.
- Work with a medical professional, in consultation with the Los Angeles County Public Health, to develop an educational handout for on-site workers and surrounding residents within three miles of the project site, and include the following information on Valley Fever: what are the potential sources/ causes, what are the common symptoms, what are the options or remedies available should someone be experiencing these symptoms, and where testing for exposure is available. Prior to construction permit issuance, this handout shall have been

created by the project operator and reviewed by the project operator and reviewed by the Development Services Director. No less than 30 days prior to any work commencing, this handout shall be mailed to all existing residences within a specified radius of the project boundaries as determined by the Development Services Director. The radius shall not exceed three miles and is dependent upon the location of the project site.

- When possible, position workers upwind or crosswind when digging a trench or performing other soil-disturbing tasks.
- Prohibit smoking at the worksite outside of designated smoking areas; designated smoking areas will be equipped with handwashing facilities.
- Post warnings on-site and consider limiting access to visitors, especially those without adequate training and respiratory protection.
- Audit and enforce compliance with relevant Cal OSHA health and safety standards on the job site.

90. To protect nesting birds that are likely to occur within or adjacent to the project site, project activities should be initiated outside of the nesting season between September 1 and January 31 (as early as January 1 for some raptors). If project activities must be initiated during the nesting season, a nesting bird survey shall be conducted by a qualified biologist no more than seven days prior to the start of project activities. If nesting birds are encountered, an appropriate buffer will be established by a qualified biologist around the nest to avoid potential take of the nest. If project activities are delayed or suspended for more than 7 days during the breeding season, the surveys would be repeated. If nesting raptors and migratory songbirds are identified, no-disturbance buffers of 300 feet would be placed around passerine (perching birds and songbirds) nests, a buffer of 500 feet would be placed around non-listed raptor nests, and a buffer of 0.5 mile would be placed around listed bird nests. Buffers may be reduced at the discretion of a qualified biologist based on conditions in the field. If nesting birds are identified on the project site, a biological monitor will track the progress of the nest and will remove the buffer once nesting is complete and fledglings have left the nest. No work will be permitted within the buffer.
91. To protect burrowing owl that have a potential to be present within or adjacent to the project site, a pre-construction burrowing owl survey shall be completed no less than 14 days prior to ground disturbance throughout the project site and in all accessible suitable habitat within 500 feet of the project site. Implementation of avoidance and minimization measures would be triggered by positive owl presence on the site where project activities will occur. Outside the nesting season, if burrowing owl are present a qualified biologist shall develop and implement a passive relocation plan. The qualified biologist shall install one-way gates to relocate the owl to a suitable nearby property. Upon confirmation that the burrow is empty, the burrow shall be collapsed. Details of this plan shall be developed and implemented according to the 2012 CDFW Staff Report on Burrowing Owl Mitigation. During the nesting season, if burrowing owl are nesting on the project site, a buffer zone of at least 50 feet (or as coordinated with CDFW) shall be established around the burrow until the offspring have fledged and left the burrow. No work shall occur within the buffer zone.

92. To avoid or minimize impacts to special-status wildlife species, a qualified biologist would be present on the project site to conduct a pre-construction biological survey. Qualified biologists will have demonstrated expertise with the identification of plant and wildlife species in Southern California and biological resources within the project region. The pre-construction survey shall be completed no more than seven (7) days prior to the start of project activities, including but not limited to Swainson's hawk and burrowing owl. Information on special-status wildlife detected in the project site will be submitted in a CNDDDB Field Survey Form. Wildlife on the project site shall be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated by a qualified biologist to suitable habitat adjacent to the project site. In areas where a special-status species is found, work shall only resume after a qualified biologist has determined it is safe to do so. If Swainson's hawks are found to be foraging in the area, work will be delayed to allow the hawks to leave the area on their own. If nesting Swainson's hawks are found within 0.5 miles of the project site, work will be halted until the end of the nesting season or until the qualified biologist determines that the nestlings have fledged. During the survey, a qualified biologist will survey the site for sign of special-status wildlife species. If any special-status species are harmed during relocation or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and dead or injured wildlife shall be documented and reported to CDFW and the City within three days. The report should include the date, time of the finding or incident (if known), and location of the carcass or injured animal and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death. To further minimize impacts to wildlife, the use of rodenticides and second-generation anticoagulant rodenticides shall be prohibited.
93. To ensure compliance with the California Endangered Species Act (CESA), an Incidental Take Permit (ITP) shall be obtained from the CDFW for the loss of Western Joshua tree and their habitat within the project site. The ITP shall be obtained prior to any project activities within 186-feet of the Western Joshua trees. The ITP will include an analysis of individual Western Joshua trees and their seedbank, including dead trees, within 300 feet of the project site; an analysis of the acres of habitat impacted; a map of the project site, vegetation communities, and observed Western Joshua trees; and a discussion of trees adjacent to the site that may be impacted. The ITP shall also provide requirements for compensatory mitigation for loss of Western Joshua trees or the seedbank, as coordinated with the CDFW. If the California Fish and Game Commission decides not to list Western Joshua tree under CESA, this measure will no longer be required.
94. During construction, a professional archaeologist meeting the Secretary of Interior qualifications should be available on-call to identify and evaluate previously unidentified cultural resources discovered during construction activities. If cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. Work on the portions of the project outside of the buffered area may continue during this assessment period. The archaeologist shall consult with the City of Lancaster regarding necessary plans for treatment of the find(s), and for the evaluation and mitigation of impacts if the finds are thought to be potentially eligible for

the CRHR or may qualify as a unique archaeological resource under CEQA Section 21083.2.

95. During construction, the Fernandeano Tataviam Band of Mission Indians (FTBMI) and the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted about any pre-contact and/or post-contact finds and be provided information after the archaeologist makes their initial assessment of the nature of the find, to provide Tribal input with regards to significance and treatment.
96. During construction, should the find be deemed significant, as defined by CEQA (as amended, 2015), the project applicant shall retain a professional Native American monitor procured by the FTBMI and YSMN to observe all remaining ground-disturbing activities including, but not limited to, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, clearing, driving posts, auguring, blasting, stripping topsoil or similar activity, and archaeological work.
97. During construction, if significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to FTBMI and YSMN for review and comment. All subsequent finds shall be subject to this Plan. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. This Plan shall allow for a monitor to be present that represents FTBMI and YSMN for the remainder of the project, should FTBMI and YSMN elect to place a monitor on-site.
98. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the City of Lancaster for dissemination to FTBMI and YSMN. The applicant in consultation with the City of Lancaster shall, in good faith, consult with the FTBMI and YSMN on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities and throughout the life of the project.
99. In the event that human remains, potential human remains, or funerary objects are discovered during any activities associated with the project, work within 100 feet of the find shall be immediately halted. The construction manager shall immediately notify the City of Lancaster and the County Coroner pursuant to State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project. The County Coroner will make a determination as to the origin of the remains and, if determined to be of Native American origin, will contact the NAHC by telephone within 24 hours. If the remains are not of Native American origin, the County Coroner will make a determination as to the disposition of the remains. Once contacted by the County Coroner, the NAHC shall immediately identify and notify the Most Likely Descendant (MLD). The MLD has 48 hours to make recommendations to the landowner for treatment or disposition of the human remains. If the descendant does not make recommendations within 48 hours, the City of Lancaster shall reinter the remains in an area of the property secure from further disturbance. If the responsible public agency does not accept the descendant's recommendations, the appropriate responsible public agency or the descendant may

request mediation by the NAHC. Construction may continue once compliance with all relevant sections of the California Health and Safety Code have been addressed and authorization to proceed is issued by the County Coroner and the responsible public agency.

100. Prior to the issuance of any grading and/or construction permits, the applicant shall submit a Dust Control Plan to the AVAQMD for review and approval in accordance with Rule 403, Fugitive Dust. This plan shall demonstrate adequate water or dust suppressant application equipment to mitigate all disturbed areas. The approved plan shall be submitted to the City of Lancaster to demonstrate compliance with this measure.
101. The applicant shall conduct a geotechnical study prior to issuance of building permits to determine if soil remediation is required to adequately support the use of a septic tank and achieve proper drainage and filtration. If the study determines that remediation is required, the applicant shall conduct soil remediation activities prior to installing the septic system.
102. During construction, excavations deeper than three feet, in native soil, shall be monitored by a qualified paleontologist. Any recovered specimens shall be deposited at an accredited institution.
103. During the final design phase of the project, the applicant shall incorporate onsite traffic signage in the general circulation plan, which shall be submitted to the City for approval to ensure that traffic patterns are met.
104. Throughout the duration of project construction and operation, project contact information shall be posted at the project site in a manner that is readily visible to the public, so that any member of the public can notify the facility manager of a potentially hazardous incident or a nuisance (e.g., exceedance of the City's noise limits) originating at the site.
105. Construction operations shall not occur between 8 p.m. and 7 a.m. on weekdays or Saturday or at any time on Sunday. The hours of any construction-related activities shall be restricted to the periods and days permitted by local ordinance.
106. The on-site construction supervisor shall have the responsibility and authority to receive and resolve complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.
107. Electrically powered equipment shall be used instead of pneumatic or internal combustion power equipment, where feasible.
108. Material stockpiles and mobile equipment staging, parking and maintenance areas shall be located as far away as practicable from noise sensitive receptors.
109. The use of noise producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only.
110. No project-related public address or music system shall be audible at any adjacent receptor.

111. All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and other shrouds, shields, or other noise-reducing features in good operating condition that meets or exceeds original factory specifications. Mobile or fixed “package” equipment (e.g., arc-welders, air compressors, etc.) shall be equipped with shrouds and noise controls features that are readily available for the type of equipment.
112. Prior to issuance of building permits, the project design and implementation shall include appropriate noise control features adequate to ensure that the operation of the project will not cause the noise levels due to plant operation alone to exceed 60 dBA Leq or 70 dBA CNEL when measured at any property boundary (City of Lancaster, General Plan, Policy 4.3.1). Stationary mechanical equipment that includes substantial sources of noise shall be located, enclosed, or shielded, if necessary, to meet this standard. No new pure-tone components shall be caused by mechanical equipment associated with the project. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. To achieve this standard, the final project design in site plans shall avoid placing stationary sources of noise within 200 feet of any property boundaries. If the final design of the project includes any stationary source of noise within 200 feet of a property boundary, then a final, detailed noise attenuation study shall be prepared and submitted by a qualified acoustical engineer, in order to determine appropriate mitigation and ways to incorporate such mitigation into the project design, to the satisfaction of the City.