equipment. Footings would cover very small areas and would be distributed over a large geographic region, resulting in some potential for increased stormwater runoff. Other areas of permanent disturbance would be covered with gravel, vegetation, or other stabilizing treatment, which would still allow for water absorption and would lessen stormwater runoff. Given the limited amount of land area that would be converted to impervious surface, runoff during operation of the proposed project is expected to be limited, and a stormwater drainage system is not proposed for the proposed project.

As discussed in more detail in Section 4.9, “Hydrology and Water Quality,” and Section 4.6, “Geology and Soils,” stormwater runoff has the potential to cause impacts on water quality, cause erosion, and result in loss of soils. Because the proposed project would disturb more than one acre of land, it would be subject to the U.S. Environmental Protection Agency’s National Pollutant Discharge Elimination System (NPDES) Construction General Storm Water Permit, as implemented by the Lahontan Regional Water Quality Control Board and the Kern County Engineering, Surveying, and Permit Services Department. The proposed project would comply with NPDES requirements and develop and implement a Stormwater Pollution Prevention Plan (SWPPP), as required by Section 19.64.140(k) of the Kern County Wind Energy (WE) Combining District and the Clean Water Act, which would be submitted to the Kern County Engineering, Surveying, and Permit Services Department for review and approval.

4.17.3 Regulatory Setting

State

California Energy Commission (CEC)

The CEC regulates the provision of natural gas and electricity within the State. The CEC is the State’s primary energy policy and planning agency. Created in 1974, the CEC has five major responsibilities: forecasting future energy needs and keeping historical energy data, licensing thermal power plants 50 megawatts (MW) or larger, promoting energy efficiency through appliance and building standards, developing energy technologies and supporting renewable energy, and planning for and directing the State response to energy emergencies.

California Integrated Waste Management Board (CIWMB)

The CIWMB is the State agency designated to oversee, manage, and track California’s 76 million tons of waste generated each year. It is one of the six agencies under the umbrella of the California Environmental Protection Agency State. The CIWMB develops laws and regulations to control and manage waste, for which enforcement authority is typically delegated to the local government. The board works jointly with local government to implement regulations and fund programs.

The Integrated Waste Management Act of 1989 (Public Resources Code (PRC) 40050 et seq. or Assembly Bill (AB 939, codified in PRC 40000), administered by the CIWMB, requires all local and county governments to adopt a Source Reduction and Recycling Element to identify means of reducing the amount of solid waste sent to landfills. This law set reduction targets at 25 percent by the year 1995 and 50 percent by the year 2000. To assist local jurisdictions in achieving these targets, the California Solid Waste Reuse and Recycling Access Act of 1991 requires all new developments to include adequate, accessible, and convenient areas for collecting and loading recyclable and green waste materials.
Lahontan Regional Water Quality Control Board (RWQCB)

The primary responsibility for the protection of water quality in California rests with the State Water Resources Control Board (State Board) and nine RWQCBs. The State Board sets statewide policy for the implementation of State and federal laws and regulations. The RWQCBs adopt and implement Water Quality Control Plans (Basin Plans) which recognize regional differences in natural water quality, actual and potential beneficial uses, and water quality problems associated with human activities. The jurisdiction of the California RWQCB, Lahontan Region (Regional Board) extends from the Oregon border to the northern Mojave Desert and includes all of California east of the Sierra Nevada crest.

California Department of Toxic Substances Control State (DTSC)

The DTSC regulates hazardous waste, cleans-up existing contamination, and looks for ways to reduce the hazardous waste produced in California. 1,000 scientists, engineers, and specialized support staff make sure that companies and individuals handle, transport, store, treat, dispose of, and clean-up hazardous wastes appropriately.

California Department of Water Resources (DWR)

The California DWR is a department within the California Resources Agency. The DWR is responsible for the State of California's management and regulation of water usage.

Local

Kern County General Plan (KCGP)

The KCGP provides guidance on public utilities and related services.

Chapter 1. Land Use, Open Space, and Conservation Element

1.4 Public Facilities and Services

Policies

- Policy 1. New discretionary development will be required to pay its proportional share of the local costs of infrastructure improvements required to service such development.
- Policy 3. Individual projects will provide availability of public utility service as per approved guideline of the serving utility.

Implementation Measures

- Implementation Measure C. Project developers shall coordinate with the local utility service providers to supply adequate public utility services.
- Implementation Measure D. Involve utility providers in the land use and zoning review process.

1.9 Resources

Policies

- Policy 16. The County will encourage development of alternative energy sources by tailoring its Zoning and Subdivision Ordinances and building standards to reflect Alternative Energy Guidelines published by the California State Energy Commission.
• **Policy 19.** Work with other agencies to define regulatory responsibility concerning energy-related issues.

### 1.10.1 General Provisions, Public Services and Facilities

**Policies**

• **Policy 9.** New development should pay its pro rata share of the local cost of expansions in services, facilities, and infrastructure which it generates and upon which it is dependent.

• **Policy 12.** All methods of sewage disposal and water supply shall meet the requirements of the Kern County Environmental Health Services Department and the California Regional Water Quality Control Board. The Environmental Health Department shall periodically review and modify, as necessary, its requirements for sewage disposal and water supply, and shall comply with any new standards adopted by the State for implementation of Government Code Division 7 of the Water Code, Chapter 4.5 (Section 13290-13291.70 (Assembly Bill 885)(2000).

• **Policy 15.** Prior to approval of any discretionary permit, the County shall make the finding, based on information provided by the California Environmental Quality Act (CEQA) documents, staff analysis, and the applicant, that adequate public or private services and resources are available to serve the proposed development.

• **Policy 16.** The developer shall assume full responsibility for costs incurred in service extension or improvements that are required to ensure the project. Cost sharing or other forms of recovery shall be available when the service extensions or improvements have a specific quantifiable regional significance.

**Implementation Measures**

• **Implementation Measure E.** All new discretionary development projects shall be subject to the Standards for Sewage, Water Supply and Preservation of Environmental Health Rules and Regulations administered by the Environmental Health Services Department. Those projects having percolation rates of less than five minutes per inch shall provide a preliminary soils study and site specific documentation that characterize the quality of upper groundwater in the project vicinity and evaluation of the extent to which, if any, the proposed use of alternative septic systems will adversely impact groundwater quality. If the evaluation indicates that the uppermost groundwater at the proposed site already exceeds groundwater quality objectives of the Regional Water Quality Control Board or would if the alternative septic system is installed, the applicant would be required to supply sewage collection, treatment, and disposal facilities.

**Kern County Zoning Ordinance**

The Wind Energy (WE) Combining District (Chapter 19.64) contains development standards and conditions (Section 19.64.140) that would be applicable to the siting and operation of wind turbine generators (WTGs). None of the provisions of Chapter 19.64 apply to utilities issues related to the proposed project.