



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Planning Commission Staff Report Consent Agenda Item No. 1 October 26, 2017

SUBJECT: Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477

Grant a first one-year time extension to exercise Unclassified Conditional Use Permit No. 3477 which authorized a 0.999-MW photovoltaic solar generation facility (PVSGF) with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection from the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line.

LOCATION: The project is located adjacent to Parlier Avenue between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (22694 East Parlier Avenue) (SUP. DIST.: 4) (APN: 373-360-19).

OWNER: Jose Estrella
APPLICANT: Kevin Chen, Pristine Sun Fund 6

STAFF CONTACT: Ejaz Ahmad, Planner
(559) 600-4204

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Approve the first one-year Time Extension for Unclassified Conditional Use Permit No. 3477; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Board of Supervisors Approval and Staff Report to Planning Commission dated May 21, 2015
5. Applicant's letter requesting the first one-year time extension

ENVIRONMENTAL DETERMINATION:

The Mitigated Negative Declaration prepared for Initial Study Application No. 6879 was approved by the County Board of Supervisors on August 11, 2015 in accordance with the California Environmental Quality Act (CEQA) with approval of Unclassified Conditional Use Permit No. 3477.

Section 15162(b) of the CEQA Guidelines states that once a Mitigated Negative Declaration has been adopted for a project, no subsequent Environmental Impact Report (EIR) or Mitigated Negative Declaration shall be prepared unless: 1) substantial changes are proposed to the project; 2) substantial changes occur with respect to the circumstances under which the project is undertaken; or 3) new information of substantial importance is presented which was not known and could not have been known at the time the previous Mitigated Negative Declaration was adopted. This Time Extension request does not propose changes to the approved project, nor is there evidence of the circumstances noted in Conditions 2 or 3 above. Therefore, a subsequent/supplemental environmental document is not required.

PUBLIC NOTICE:

Notices were sent to 12 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

The Fresno County Zoning Ordinance requires that a Conditional Use Permit (CUP) shall become void when substantial development has not occurred within two years after approval of the permit. However, when circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Planning Commission may grant a one-year time extension as provided by the ordinance.

BACKGROUND INFORMATION:

Unclassified Conditional Use Permit No. 3477 was heard by the Planning Commission on May 21, 2015. After public testimony, the Commission denied the project. However, the Commission's decision was later appealed to the County Board of Supervisors (BOS) by the Applicant. The BOS conducted a hearing, upheld the appeal and approved Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477 on August 11, 2015. The subject request for time extension was filed on July 22, 2017. If granted

approval, the Applicant will have an additional year to achieve substantial development of the subject photovoltaic solar generation facility, starting from August 11, 2017.

ANALYSIS/DISCUSSION:

Unclassified CUP No. 3477 was originally approved on August 11, 2015 concurrently with Initial Study No. 6879 based on a determination that the required findings could be made. Attached is a copy of the Board of Supervisors' approval and Staff Report to Planning Commission (Exhibit 4) documenting Conditions imposed on the project.

It should be noted that the Planning Commission's jurisdiction in evaluating this request is limited to determining whether or not the Applicant should be granted an additional year to exercise the CUP as originally approved. According to the Applicant's letter dated July 28, 2017 (Exhibit 5), the time extension is requested to allow for additional time needed in search of suitable power purchase programs for the project. The subject Time Extension will allow the Applicant until August 11, 2018 to begin substantial development of the project.

The current Time Extension was routed to the same agencies that reviewed the project in October 2014. None of those agencies identified any change in circumstances or the need for additional conditions, and did not express any concerns with the proposed extension of time.

PUBLIC COMMENT:

None

CONCLUSION:

Staff believes the first one-year time extension for CUP No. 3477 should be approved, based on factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to August 11, 2018.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to approve the first one-year time extension for Unclassified Conditional Use Permit No. 3477; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to deny the first one-year time extension request for Unclassified Conditional Use Permit No. 3477 (state reasons for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EA:ksn

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LOCATION MAP

CUP 3477

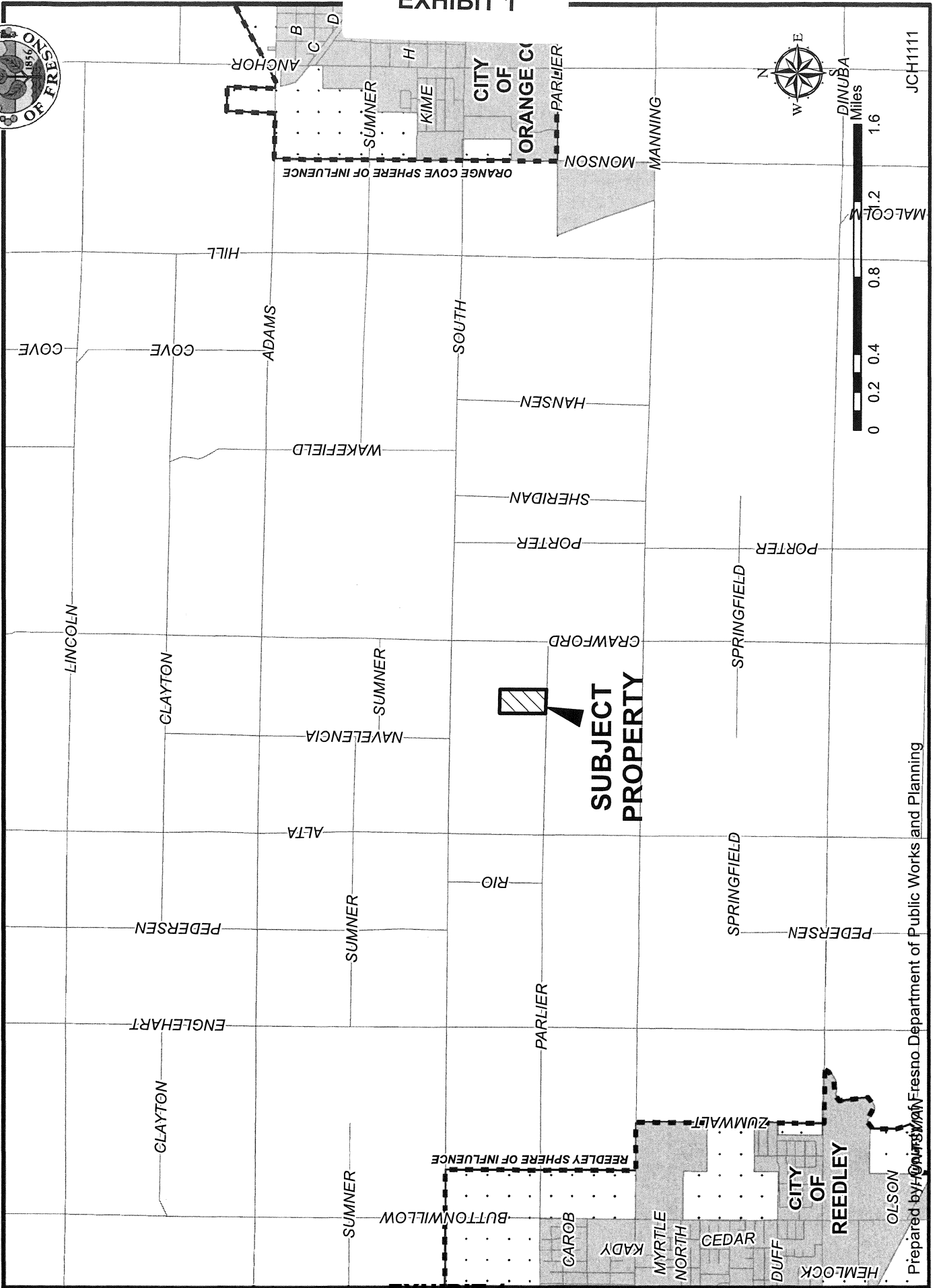


EXHIBIT 1

EXHIBIT 1

EXISTING ZONING MAP

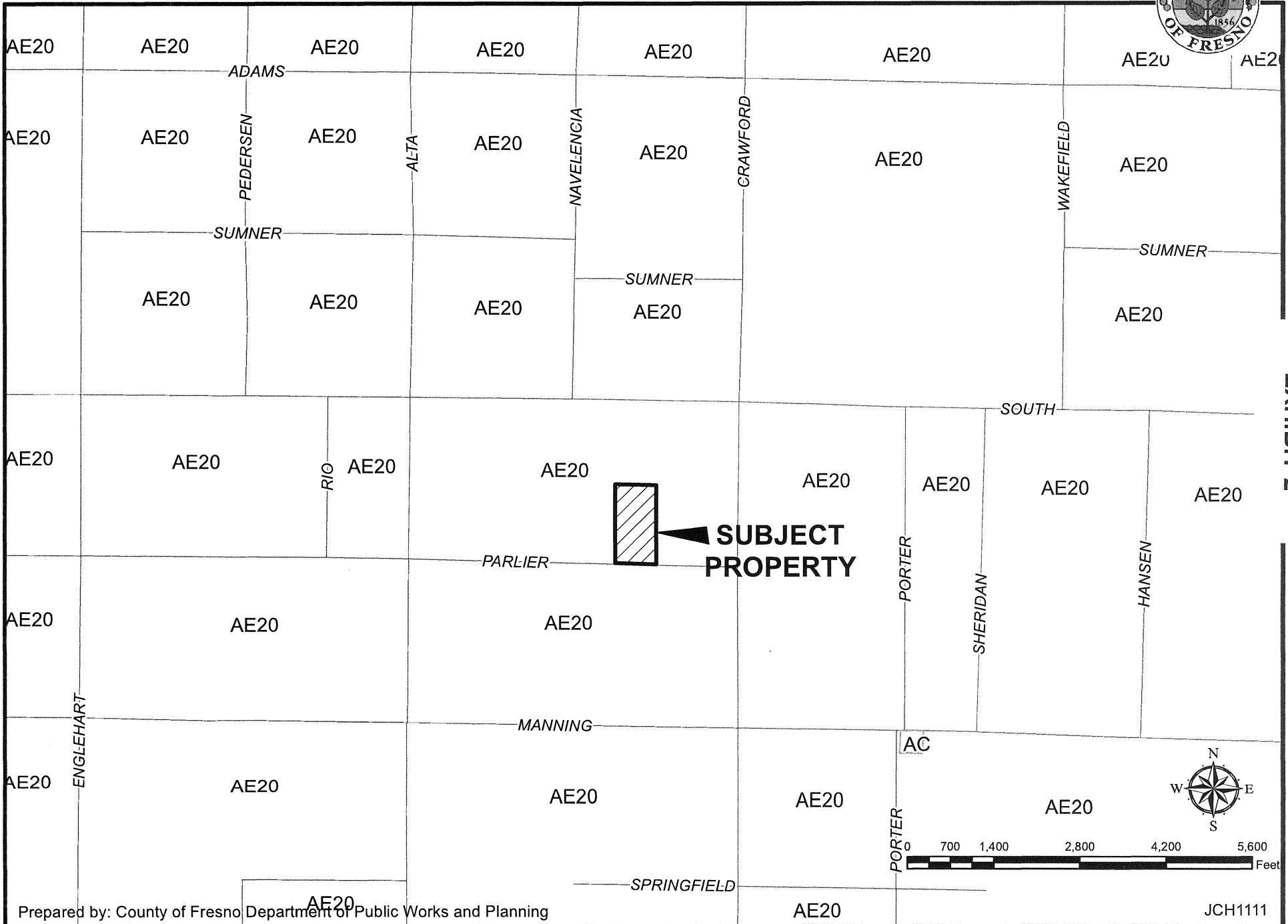
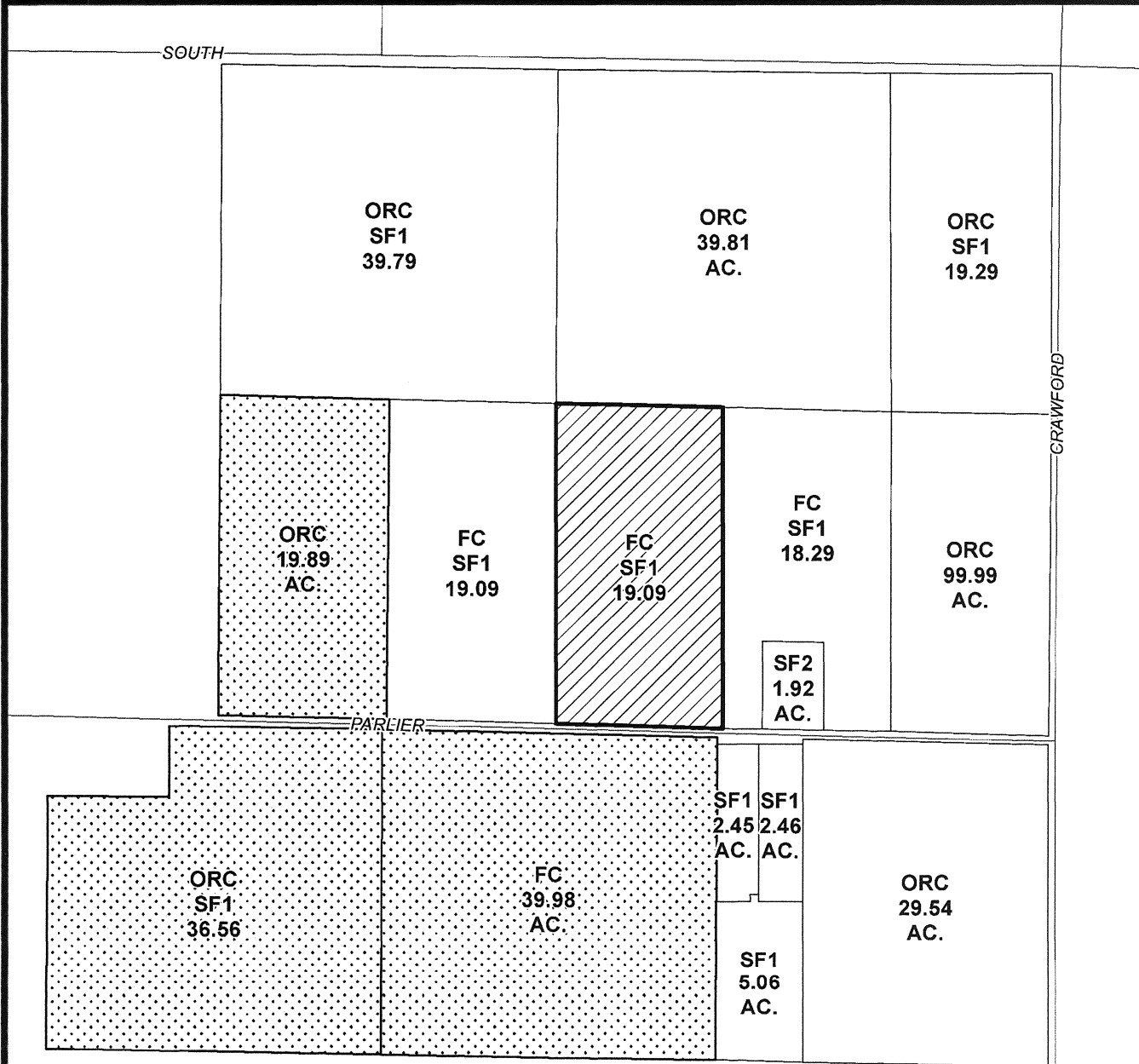


EXHIBIT 2

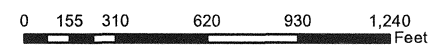
CUP 3477

EXISTING LAND USE MAP



LEGEND
 FC - FIELD CROP
 ORC - ORCHARD
 SF#- SINGLE FAMILY RESIDENCE
 V - VACANT

LEGEND:
 Subject Property
 Ag Contract Land



Department of Public Works and Planning
 Development Services Division

Map Prepared by: JHernandez
 J:GISJCH\Landuse\

EXHIBIT 3

EXHIBIT 3



Agenda Item

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DATE: August 11, 2015

TO: Board of Supervisors

FROM: Alan Weaver, Director *Alan Weaver*
 Department of Public Works and Planning

SUBJECT: Resolution No. 12505 – Initial Study Application No. 6879 and
 Unclassified Conditional Use Permit Application No. 3477
 (Appellant/Applicant: Pristine Sun, LLC)

RECOMMENDED ACTION:

Consider and take action on appeal filed by Pristine Sun, LLC of the Planning Commission's denial of Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477 to construct and operate a 0.999-MW photovoltaic solar generation facility with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 Zone District. Also included is an on- and off-site interconnection power generation line with a maximum length of 175 feet. The project is located adjacent to Parlier Avenue between Alta and Crawford Avenues, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (22694 East Parlier Avenue) (APN: 373-360-19).

This item comes to the Board on appeal of the Planning Commission's denial of the subject application. Staff notes that the Zoning Ordinance requires the Board to determine, independent from the decision of the Planning Commission, whether the application should be approved, approved with stated conditions, or disapproved.

ALTERNATIVE ACTION(s):

If the Board determines the required findings can be made to approve the project, a motion to uphold the appeal and overturn the Planning Commission's denial of Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477 (UCUP 3477) subject to recommended Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 3 would be appropriate.

ADMINISTRATIVE OFFICE REVIEW _____

J. Adams Page 1 of 206



Official Action of Board of Supervisors:

[Signature]
Deputy

SEE PAGE 3 FOR BOARD ACTION

UNANIMOUS _____ BORGEAS _____ MENDES _____ PACHECO _____ PEREA _____ POOCHIGIAN _____

FISCAL IMPACT:

Pursuant to the County's Master Schedule of Fees, the appellant has paid a fee of \$508.00 to the Clerk to the Board of Supervisor's Office to appeal this matter to the Board for consideration. Previously, the Applicant had paid \$15,359.00 in land use processing fees to the County for the processing of the Unclassified Conditional Use Permit Application and associated Initial Study.

DISCUSSION:

This item was originally considered by the Planning Commission on May 21, 2015. At the hearing, after receiving staff's presentation and considering public testimony from the Applicant and other individuals present at the hearing, the Commission approved a motion (4 to 3) to deny UCUP 3477 based on the inability to make Findings 3 and 4 because the proposal would have an adverse impact on abutting properties and the proposal was not consistent with General Plan policies related to the preservation of agricultural lands. A copy of the Planning Commission's Resolution No. 12505 is included with this Agenda Item as Exhibit 1. Additionally, a copy of the Planning Commission Staff Report dated May 21, 2015 is attached as Exhibit 2.

UCUP 3477 proposes to allow the construction and operation of a photovoltaic solar generation facility on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The parcel is bisected by the Sand Ridge Ditch. The parcel is classified as Farmland of Local Importance on the Fresno County Important Farmland 2012 Map, and is designated Agriculture in the Fresno County General Plan; however, the parcel has not been used for agricultural production for more than ten years according to information supplied by the applicant and property owner.

The proposed solar facility is permitted on land designated for agriculture with approval of a discretionary land use permit and adherence to applicable General Plan Policies. The Applicant has provided all of the required information pursuant to the Solar Facilities Guidelines and has prepared a Decommissioning and Reclamation Plan, Pest and Weed Management Plan, and a Biological Assessment which are included in Exhibit 2.

At the Planning Commission hearing, the Applicant stated the need for solar power to help the State meet renewable energy requirements of 33% by 2020. This project will supply electricity to approximately 145-200 homes in the Reedley area. The property owner and one neighbor spoke in favor of the project citing the lack of water availability for agricultural production for the site. One letter in opposition to the project was presented as late correspondence to the Planning Commission.

An appeal was filed on May 29, 2015, in which the Appellant states their belief that the four findings can be made to approve UCUP 3477.

If the Board determines the recommended findings can be made to approve the project as listed in the May 21, 2015 Planning Commission Staff Report, with the recommended Mitigation Measures, Conditions of Approval, and Project Notes attached as Exhibit 3, a motion to approve the appeal and overturn the Planning Commission's denial of UCUP 3477 would be appropriate.

In addition, staff recommends inclusion of a Condition of Approval requiring the following:

- The Applicant shall enter into an agreement indemnifying the County for all legal costs associated with its approval of UCUP 3477.

If the Board is unable to make the required findings for granting UCUP 3477, a motion to deny the appeal and uphold the Planning Commission's denial would then be appropriate stating which findings cannot be made and the reasoning for the inability to make those findings.

CONDUCTED HEARING; NO PUBLIC TESTIMONY RECEIVED; CLOSED HEARING; UPHeld APPEAL FILED BY PRISTINE SUN, LLC. APPROVED INITIAL STUDY APPLICATION NO. 6879 AND UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3477 BASED ON THE FINDINGS IN THE STAFF REPORT, WITH THE RECOMMENDED MITIGATION MEASURES, CONDITIONS OF APPROVAL AND PROJECT NOTES LISTED IN EXHIBIT 3 OF THE PLANNING COMMISSION'S STAFF REPORT, AND WITH AN ADDITIONAL CONDITION THAT THE APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY FOR ALL LEGAL COSTS ASSOCIATED WITH ITS APPROVAL OF UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3477

| | | | |
|--------------|--|------------|-------|
| Motion by: | Poochigian | Second by: | Perea |
| Ayes: | Poochigian, Perea, Borgeas, Mendes, Pacheco | Noes: | 0 |
| Abstentions: | 0 | Absentees: | 0 |



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

Planning Commission Staff Report Agenda Item No. 3 May 21, 2015

SUBJECT: Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477

To construct and operate a 0.999-MW photovoltaic solar generation facility (PVSGF) with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection from the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line.

LOCATION: The project is located adjacent to Parlier Avenue between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (22694 East Parlier Avenue) (SUP. DIST.: 4) (APN: 373-360-19).

Applicant: Pristine Sun, LLC
Owner: Jose and Julia Estrella

STAFF CONTACT: Lisa Elgin, Planner
(559) 600-3583

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study No. 6879; and
- Approve Unclassified Conditional Use Permit Application No. 3477 with recommended Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

IMPACTS ON JOB CREATION:

The Commission's action will have a small effect on job creation. Up to 23 construction workers will be employed during the approximately four-month construction phase. The project site will be unmanned, but visited occasionally by up to four service technicians for maintenance and cleaning.

DEVELOPMENT SERVICES DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200
Equal Employment Opportunity • Affirmative Action • Disabled Employer

EXHIBITS:

1. Mitigation Monitoring and Reporting Program Including Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan
6. Elevations
7. Applicant's Operational Statement/Project Description
8. Supplemental Information including Title Report, Soil Resource Report, Site Plan, Decommissioning and Reclamation Plan, Biological Resources Assessment, and Pest and Weed Management Plan
9. Summary of Initial Study Application No. 6879

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

| Criteria | Existing | Proposed |
|--------------------------|--|--|
| General Plan Designation | Agriculture | No change |
| Zoning | AE-20 | No change |
| Parcel Size | 19.09 acres | No change |
| Project Site | An unused agriculture parcel bisected by the Sand Ridge Canal with a single family residence in the Southeast corner | A 10-acre portion of the parcel located between the Sand Ridge Canal and East Parlier Avenue to be developed as a PVSGF |
| Structural Improvements | The only structural improvement on the parcel is a single-family residence. | A 0.999-megawatt (MW) PVSGF consisting of an array of solar photovoltaic (PV) panels supported on a galvanized metal racking system, inverters, three power poles, a 100- to 175-foot point-of-interconnection generation tie line, and a 6-foot-high chain link fenced topped with three-strand barbed wire |

| Criteria | Existing | Proposed |
|-------------------------|--|--|
| Nearest Residence | Approximately 110 feet West of the property line | No change |
| Surrounding Development | The site is located in an agricultural area with a few residential units. | No change |
| Operational Features | Vacant farmland that has not been used as productive farmland for more than 10 years | A 0.999-MW PVSGF with related improvements |
| Employees | N/A | Up to 23 construction workers will be employed during the construction phase. Up to four service technicians will visit the site occasionally for maintenance and washing the panels. |
| Customers/Suppliers | N/A | N/A |
| Traffic Trips | N/A | Up to 14 one-way trips per day during the four-month construction phase Occasional trips will be made by up to four service technicians for maintenance and cleaning. |
| Lighting | N/A | No lighting will be installed on site. |
| Hours of Operation | N/A | Daylight hours only |

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the IS is included as Exhibit 9.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: April 20, 2015

PUBLIC NOTICE:

Notices were sent to 12 property owners within a 1,320-foot radius of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

Pursuant to the Zoning Ordinance, Section 853.B, an Unclassified Conditional Use Permit (CUP) is required to allow a power-generating plant in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

An Unclassified CUP Application may be approved only if four Findings specified in the Zoning Ordinance, Section 873.F are made by the Planning Commission. The decision of the Planning Commission on an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 calendar days of the Commission's action.

BACKGROUND INFORMATION:

The Applicant is requesting to construct and operate a 0.999-MW PVSGF with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection of the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line. The project site is located adjacent to Parlier Avenue, between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley.

Pristine Sun, LLC proposes to develop, own, and operate the PVSGF, which will be located on leased agricultural land. Operation and maintenance (O&M) activities will be managed remotely and no on-site O&M facilities are proposed as part of the project. It is expected that the facility will take approximately four months to construct, and will consist of an array of solar PV panels (modules) supported on a galvanized metal racking system, inverters connected to the modules through cabling, and a telecommunication system.

The modules are made of polycrystalline photovoltaic cells covered by a tempered glass pane with highly-absorptive properties. They are mounted on a galvanized metal tracking system which will be oriented in rows running north to south. A single-axis utility-scale tracking system will allow the modules to rotate on their axes throughout the day, following the sun from east to west.

Inverters are connected to the modules by underground electrical cables. Panels are electrically connected into panel strings using wiring attached to the racking and leading to the underground electrical cables. The cables will carry direct current (DC) electricity from the panels to the inverters that will convert the DC electricity to alternating current (AC) electricity. The AC power is routed to a step-up transformer where 1,000 volts is converted to 12 kilovolts (kV), and then travels to the point of interconnection on the Pacific Gas and Electric (PG&E) 12-kV power line.

Three power poles will be installed at the north end of the project site for installation of PG&E safety and monitoring equipment.

The PVSGF will have a Supervisory Control and Data Acquisition (SCADA) system to allow remote monitoring of operations and/or remote control of critical components.

ANALYSIS/DISCUSSION:

Finding 1: The site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.

| | Current Standard: | Proposed Operation: | Is Standard Met (y/n) |
|------------------------------|---|---|------------------------------|
| Setbacks | Front: 35 feet; Sides: 20 feet; Rear: 20 feet Solar Facilities Guidelines require a 50-foot buffer from all property lines. | 50-foot setback from all property lines to project structural improvements or equipment | Yes Yes |
| Parking | N/A | N/A | N/A |
| Lot Coverage | No requirements | N/A | N/A |
| Separation Between Buildings | N/A | N/A | N/A |
| Wall Requirements | N/A | N/A | Yes |
| Septic Replacement Area | 100 percent for existing system | No change | Yes |
| Water Well Separation | Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet | No change | Yes |

Reviewing Agencies/Department Comments Regarding Site Adequacy:

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Parlier Avenue is classified as a local road in the County General Plan, requiring an ultimate right-of-way of 60 feet, 30 feet each side of the section line. Currently there is 40 feet of prescriptive right-of-way across the parcel frontage. The Applicant should dedicate 30 feet of right-of-way across the parcel frontage. This requirement has not been included as a Condition of Approval.

There is not a sufficient nexus between the need for additional right-of-way and the project's potential traffic generation to warrant a dedication of right-of-way; however, the front yard setback for any structures should be based upon the ultimate right-of-way line. This requirement has been included as a Condition of Approval.

Zoning/Permit/Review Section of the Fresno County Department of Public Works and Planning: Site Plan Review is recommended as a Condition of Approval. This requirement has been included as a Condition of Approval.

Analysis:

Staff review of the Site Plan confirmed that the proposed operation satisfies the minimum building setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District and the 50-foot buffer as required by the Solar Facilities Guidelines.

Recommended Conditions of Approval:

See Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

Finding 2: The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

| | | Existing Conditions | Proposed Operation |
|------------------------------|-----|---|--|
| Private Road | No | N/A | N/A |
| Public Road Frontage | Yes | Parlier Avenue: Satisfactory condition | No change |
| Direct Access to Public Road | Yes | Parlier Avenue | Additional drive access |
| Road ADT | | Parlier Avenue: 400 | No change |
| Road Classification | | Parlier Avenue (Local Road) | No change |
| Road Width | | Parlier Avenue: 20 feet | No change |
| Road Surface | | Parlier Avenue: Paved | No change |
| Traffic Trips | | N/A | During construction: Trips are estimated at a maximum of 14 one-way trips per day for a period of four months. During operation: Employee/Light Industrial: Up to four service technicians will visit the site occasionally for maintenance and washing the panels. |

| | | Existing Conditions | Proposed Operation |
|--|----|---|--------------------|
| Traffic Impact Analysis (TIA) Prepared | No | N/A | N/A |
| Road Improvements | | Parlier Avenue: Satisfactory condition | No change |

Reviewing Agencies/Department Comments:

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: The Applicant has proposed a new drive approach off Parlier Avenue. An encroachment permit is required from the Road Maintenance and Operations Division prior to any work within the County road right-of-way. The Applicant shall implement best management practices (BMPs) (*i.e.*, provide a stabilized surface) to limit fugitive PM₁₀ that will be generated during construction and maintenance activities around the solar arrays. During construction, the Applicant shall institute BMPs to mitigate any potential for sediment track-out onto County-maintained roads.

Any sediment deposited on the roadway shall be swept on a daily basis. Increased runoff associated with grading activities or covering of natural ground with solar panels shall be retained on site or mitigated in some manner so as not to generate any increased runoff onto adjacent property or the County road right-of-way. Any gates constructed for the access drive shall be set back a minimum of 20 feet from the road right-of-way line or greater, as required to preclude any truck from extending into the right-of-way if temporarily stopped to open any gate. A minimum 10' x 10' corner cutoff shall be provided for any gate to promote site visibility onto Parlier Avenue. These requirements have been included as Project Notes.

Analysis:

Based on the above information, staff believes Parlier Avenue will remain adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: The proposed use will have no adverse impact on abutting property and surrounding neighborhood or permitted use thereof.

| Surrounding Parcels | | | | |
|---------------------|-------------|-------------------------|---------|--------------------------|
| | Size: | Use: | Zoning: | Nearest Residence: |
| North: | 39.81 acres | Agriculture | AE-20 | Approximately 1,535 feet |
| South: | 39.98 acres | Agriculture | AE-20 | Approximately 2,487 feet |
| East: | 18.29 acres | Agriculture/Residential | AE-20 | Approximately 81 feet |

| Surrounding Parcels | | | | |
|---------------------|-------------|-------------------------|-------|------------------------|
| West: | 19.09 acres | Agriculture/Residential | AE-20 | Approximately 110 feet |

Reviewing Agencies/Department Comments:

Department of Public Health, Environmental Health Division: In an effort to protect groundwater, all water wells that exist or that have been abandoned within the project area, not intended for use by the project, shall be properly destroyed. For water wells located in the unincorporated area of Fresno County, the Applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. The destruction and construction of wells can only be completed by a licensed C-57 contractor. Any septic systems that exist or have been abandoned within the project area, not intended for use by the project, shall be properly destroyed under permit and inspection by the Department of Public Works and Planning, Development Services Division.

Should any underground storage tank(s) be found during the project, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Prior to operations, the Applicant shall complete the online Hazardous Materials Business Plan submittal. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes. Should a water well be drilled, the water well contractor selected by the Applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Public Health Department, Environmental Health Division.

California Department of Fish and Wildlife (CDFW): Mitigation Measures are necessary to avoid potentially-significant impacts to biological resources such as Swainson's Hawk, San Joaquin Kit Fox (SJKF), and Burrowing Owl. Mitigation Measures have been included in the Mitigation Monitoring and Reporting Program.

San Joaquin Valley Air Pollution Control District (Air District): Baseline emissions for construction and operation will be less than two tons NOx and two tons PM₁₀. The Applicant shall comply with the Air District's Monitoring and Reporting Schedule. This requirement has been included as a Condition of Approval.

Fresno County Fire Protection District (FCFPD): The project may be subject to joining the Community Facilities District. A Fire Permit Application must be filled out and submitted with project plans. The project shall comply with California Code of Regulations Title 24 – Fire Code. These requirements have been included as Project Notes.

Fresno County Agriculture Commissioner: The project should acknowledge the need to control weeds and rodents within the project area to prevent the project from becoming a nuisance to neighboring properties. This requirement has been included as a Project Note.

Zoning/Permit/Review Section of the Fresno County Department of Public Works and Planning: All proposed improvements and structures will require permits. An encroachment permit may be required for linking the facility to the nearest substation. These requirements have been included as Project Notes.

Analysis:

The Applicant is requesting to construct and operate a 0.999-MW PVSGF with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

The site of the proposed project is located in an area that consists of mainly agriculture uses, with some residences. Identified issues that could affect surrounding properties include hazardous materials, groundwater degradation, vectors, impacts to biological resources, weeds, air quality, and eventual decommissioning of the site. Also, the project will be subject to some inconveniences and discomfort associated with normal farm activities that surround the project site. All of these items have been addressed through the Mitigation Monitoring and Reporting Program including Conditions of Approval and Project Notes, and the Right-to-Farm Notice that the property owners will be required to acknowledge and record. In response to the County's Solar Facility Guidelines and comments received by various County Departments and reviewing agencies, the Applicant has prepared a Biological Resources Assessment, a Pest and Weed Management Plan, and a Decommissioning and Reclamation Plan, which are included as Exhibit 8.

The project has the potential to impact birds by modifying foraging habitat, and SJKF if fencing were to cause an impediment. The proposed project is not anticipated to impact the nests or dens of special-status species, as no trees or shrubs are slated for removal, and all dens of special-status species shall be avoided. To protect biological resources, Mitigation Measures have been incorporated such as pre-construction nest surveys; the capping off of all hollow vertical pipes; prohibition of pesticides, rodenticides and herbicides; avoidance of dens; fence design to allow passage of small animals; limiting construction to the non-nesting season and to daylight hours; and avoidance of the irrigation canal.

The proposed project may have limited visual impact to surrounding property owners, but staff believes this impact would be less than significant based on the surrounding uses of the proposed project site. The project site is located in an established agricultural area with four residences in close proximity. There are no scenic resources in the area with which the project will interfere. There will be no lighting on site, and the modules are covered by a tempered glass pane with highly-absorptive properties resulting in very low reflectivity properties. The nearby parcels are relatively large and a 50-foot buffer from the edges of the property boundaries to the closest structural improvements or equipment will protect the existing visual character of the area.

Recommended Conditions of Approval:

See Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

Finding 4: The proposed development is consistent with the General Plan.

| Relevant Policies: | Consistency/Considerations: |
|--|---|
| Policy LU-A.3: The County may allow by discretionary permit in areas designated Agriculture, special agricultural uses and | With regard to Criterion "a", the proposed use will operate more efficiently in a non-urban area due to the property size required to produce |

| Relevant Policies: | Consistency/Considerations: |
|--|---|
| <p>agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses listed in Table LU-3. Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria:</p> <ol style="list-style-type: none"> a. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operations characteristics; b. The use should not be sited on productive agricultural lands if less productive land is available in the vicinity; c. The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one quarter-mile radius; d. A probable workforce should be located nearby or be readily available; | <p>electricity with solar panels and the availability of large undeveloped land in the subject area. With regard to Criterion "b", loss of farmland resulting from this project would be less than significant considering that the proposal will be limited to 20 years. Further, upon cessation of the proposed use at the end of the project's 20-year life, the site will be restored to a pre-development condition for farming operations. With regard to Criterion "c", this proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the project. Further, with adherence to the recommended Conditions of Approval, Mitigation Measures and Project Notes identified in the IS prepared for this project and discussed under Finding 3 of this Staff Report, staff believes the proposal will not have a detrimental impact on the use or management of surrounding properties within the vicinity. With regard to Criterion "d", the project site is located approximately 2.2 miles northeast of the City of Reedley, which has the ability to provide an adequate workforce.</p> |
| <p>Policy LU-A.12: In adopting land use policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> | <p>The proposed facility is temporary in nature. The Applicant has prepared a Decommissioning and Reclamation Plan that will be implemented to restore the site to agricultural use once the facility operation ceases. Also, during the life of the project, the Pest and Weed Management Plan will be implemented to reduce weed and rodent impacts to adjacent farmland.</p> |
| <p>Policy LU-A.13: The County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p> | <p>The proposed facility will have a six-foot chain-link galvanized perimeter fence topped with standard three-strand barbed wire. Additionally, the project will have minimum 50-foot setbacks from all property lines.</p> |
| <p>Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</p> | <p>As discussed above, the project has a 20-year life span. At the end of the 20 years the Applicant will be required to return the land back to the agricultural capability prior to installation of solar improvements in compliance with the Decommissioning and Reclamation Plan.</p> |

Reviewing Agencies/Department Comments:

No further comments provided from Policy Section of the Fresno County Department of Public Works and Planning.

Analysis:

The project site is listed on the Fresno County Important Farmland Map of 2012 as Farmland of Local Importance, which is defined as, "All farmable lands within Fresno County that do not meet the definitions of Prime, Statewide, or Unique. This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture and grazing land." This land has not been used as productive farmland for more than ten years, and is not currently covered under a Williamson Act Contract.

The Applicant has determined the project to have a 20-year life span and as such shall have a 20-year contract with PG&E and 20-year lease with the landowners. After the termination of the project, the facility will be decommissioned and the land returned back to the agricultural capability prior to installation of solar improvements.

Based on the discussion above, staff believes the proposed use is consistent with the Policies of the General Plan, and Finding 4 can be made.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None

CONCLUSION:

Staff believes the required Findings for granting Unclassified Conditional Use Permit Application No. 3477 can be made based on the factors cited in the analysis, and the recommended Conditions of Approval and Project Notes. Staff therefore recommends approval of Unclassified Conditional Use Permit Application No. 3477, subject to the recommended Conditions of Approval and Project Notes.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to accept the Mitigated Negative Declaration for Initial Study Application No. 6879; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit Application No. 3477, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1; and

- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit Application No. 3477; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

LE:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3400-3499\3477\SR\CUP3477 SR.docx

**Mitigation Monitoring and Reporting Program
Unclassified Conditional Use Permit Application No. 3477
(Including Conditions of Approval and Project Notes)**

| Mitigation Measures | | | | | |
|-------------------------|----------------------|---|-------------------------------|--|--------------------|
| Mitigation Measure No.* | Impact | Mitigation Measure Language | Implementation Responsibility | Monitoring Responsibility | Time Span |
| *1 | Biological Resources | A Stormwater Pollution Prevention Plan shall be prepared and implemented to prevent discharge of any materials during project-related activities such as trenching. Only natural fiber or biodegradable materials shall be used. All erosion control products shall be removed at the completion of construction activities. | Applicant | Applicant/Public Works and Planning (PW&P) | Construction Phase |
| *2 | Biological Resources | To avoid potential project-related impacts to Swainson's hawk (SWHA) during the nesting season (March 1 – September 15), pre-construction nest surveys for SWHA shall be conducted in accessible areas within 0.5 mile of the project area within 30 days prior to the initiation of project-related activities. Surveys shall follow the methodology developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000). If SWHA is detected nesting within 0.5 mile of the project area during the pre-construction surveys, the biologist shall consult with the California Department of Fish and Wildlife (CDFW) to determine an appropriate no-disturbance buffer based on proximity to disturbance, timing, and visual barriers. After the biologist has determined that all young have become independent of the nest or the nest has been naturally predated, then construction activities may take place in the former exclusion zone. | Applicant | Applicant/PW&P | Construction Phase |
| *3 | Biological Resources | If a SWHA nest is discovered during pre-construction surveys, degradation of foraging habitat shall be mitigated in accordance with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (<i>Buteo swainsoni</i>) in the Central Valley of California (CDFG 1994b). If credits are purchased at a CDFW approved bank, the ratio may be reduced per Staff Report guidelines (for prey-managed lands) at the discretion of CDFW. | Applicant | Applicant/PW&P | Construction Phase |
| *4 | Biological Resources | All hollow vertical pipes associated with the solar mounts and fencing shall be capped as they are installed to prevent bird deaths. | Applicant | Applicant/PW&P | Ongoing |

Mitigation Measures

| Mitigation Measure No.* | Impact | Mitigation Measure Language | Implementation Responsibility | Monitoring Responsibility | Time Span |
|--------------------------------|----------------------|--|--------------------------------------|----------------------------------|--------------------|
| *5 | Biological Resources | Construction shall be limited to daylight hours only. | Applicant | Applicant/PW&P | Ongoing |
| *6 | Biological Resources | No pesticides, rodenticides or herbicides shall be used. | Applicant | Applicant/PW&P | Ongoing |
| *7 | Biological Resources | Impacts to foraging habitat shall be avoided during both project construction and maintenance activities. | Applicant | Applicant/PW&P | Ongoing |
| *8 | Biological Resources | Solar mounts shall be installed with a 3-point helical pier anchoring system, which is designed to minimize ground disturbance and allow vegetation to grow and persist under and between the solar trackers. | Applicant | Applicant/PW&P | Construction Phase |
| *9 | Biological Resources | The San Joaquin Kit Fox (SJKF) may forage adjacent to and disperse through the project site. Surveys and avoidance measures described in the United States Fish and Wildlife Service (USFWS) Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented before starting project-related activities likely to impact SJKF. If project-related activities are delayed or suspended for more than 30 days, the area shall be resurveyed. | Applicant | Applicant/PW&P | Construction Phase |
| *10 | Biological Resources | If SJKF dens are identified, they shall be avoided completely and exclusion zones will be established in accordance with the USFWS protocol. If dens cannot be avoided, the Applicant shall conduct a three-day tracking survey to establish occupancy; if dens are unoccupied after three days of tracking, they shall be collapsed. If occupied, the Applicant shall consult with USFWS to implement an appropriate exclusion plan. | Applicant | Applicant/PW&P | Construction Phase |
| *11 | Biological Resources | To avoid impacts to SJKF dispersal, the perimeter fence shall be designed to allow SJKF to move unimpeded through the project site, as described in Section 6.1 of the Biological Resources Assessment. | Applicant | Applicant/PW&P | Ongoing |
| *12 | Biological Resources | For the protection of raptors and migratory song birds, and to assist in avoiding take of avian species, as required by California Fish and Wildlife Code Sections 3503, 3503.5, and 3513, project activities shall occur during the non-nesting bird | Applicant | Applicant/PW&P | Ongoing |

| Mitigation Measures | | | | | |
|-------------------------|----------------------|--|-------------------------------|---------------------------|--------------------|
| Mitigation Measure No.* | Impact | Mitigation Measure Language | Implementation Responsibility | Monitoring Responsibility | Time Span |
| | | season to the extent feasible. However, if ground-disturbing activities must occur during the breeding season (January 1 through September 15), the project Applicant is responsible for ensuring that implementation of the project does not result in any violation of the Migratory Bird Treaty Act (MBTA) or relevant Fish and Wildlife Code Sections as referenced above. Prior to work commencing, surveys for active nests shall be conducted by a qualified wildlife biologist no more than ten days prior to the start of the project, and the surveys shall be conducted in a sufficient area around the work site to identify the location and status of any nests that are present. A sufficient area means any nest within an area that could potentially be affected by the project. | | | |
| *13 | Biological Resources | In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests shall be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline; once work commences, all nests shall be continuously monitored to detect any behavioral changes. If behavioral changes are observed, the work causing that change shall cease and CDFW shall be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around the nests of unlisted raptors shall be established until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers shall be supported by a qualified wildlife biologist and CDFW shall be notified in advance of implementation of a no-disturbance buffer variance. | Applicant | Applicant/PW&P | Construction Phase |
| *14 | Biological Resources | All components of the proposed project, including, but not limited to, panels, trackers, inverters, and power poles, shall avoid the irrigation canal. | Applicant | Applicant/PW&P | Ongoing |

| Mitigation Measures | | | | | |
|-------------------------|--------------------|--|-------------------------------|---------------------------|--------------------|
| Mitigation Measure No.* | Impact | Mitigation Measure Language | Implementation Responsibility | Monitoring Responsibility | Time Span |
| *15 | Cultural Resources | In the event that cultural resources are unearthed during grading activity, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. | Applicant | Applicant/PW&P | Construction Phase |
| *16 | Geology and Soils | Permeable areas of the proposed PVSGF site shall be planted with a native seed mixture. | Applicant | Applicant/PW&P | Ongoing |

| Conditions of Approval | |
|------------------------|--|
| 1. | Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Planning Commission. |
| 2. | The Applicant shall comply with the San Joaquin Valley Air Pollution Control District's Monitoring and Reporting Schedule. |
| 3. | Parlier Avenue is a County-maintained road and is classified as a local road in the General Plan, requiring an ultimate right-of-way of 60-feet. Currently there is 40 feet of prescriptive right-of-way across the parcel frontage. The front yard setback shall be based upon the ultimate right-of-way line. |
| 4. | The life of this land use permit will expire upon expiration of the 20-year initial life of the project. If the solar lease is to be extended or the initial life of the project extends beyond this approval, approval of a new land use permit will need to be obtained. |
| 5. | A Site Plan Review (SPR) Application shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance prior to the issuance of Building Permits. The SPR shall be applicable to those portions of the project site(s) to be improved with sub-stations, inverters, perimeter access road, parking, and driveway access, excluding the solar panel fields. Items to be addressed under the SPR may include, but are not limited to, design of parking and circulation, driveway, access, grading and drainage, fire protection and lighting. |
| 6. | As part of the SPR submittal process, an agreement incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) shall be entered into with Fresno County, acknowledging the presence of surrounding agricultural operations and their related activities. |

| Conditions of Approval | |
|-------------------------------|--|
| 7. | The Applicant shall achieve a minimum 50-foot buffer from the edges of the property boundaries to the closest structural improvements or equipment. |
| 8. | The project shall adhere to the procedures listed in the Reclamation Plan prepared for the operation, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any permits, the required bond amount, based on engineer's estimate, shall be deposited (or evidence of a Bank Guarantee or Irrevocable Letter of Credit) and a Covenant shall be signed between the Property Owner and the County of Fresno and shall run with the land, requiring the site to be restored to an agricultural use at the cessation of operation. |
| 9. | The reclamation plan shall be revised to provide for an annual increase in costs at 3%, or tied to the Consumer Price Index (CPI) or other mechanism acceptable to the Department of Public Works and Planning. |
| 10. | All water wells that exist or that have been abandoned within the project area, not intended for use by the project, shall be properly destroyed. For water wells located in the unincorporated area of Fresno County, the Applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. |
| 11. | Any septic systems that exist or have been abandoned within the project area, not intended for use by the project, shall be properly destroyed under permit and inspection by the Department of Public Works and Planning, Development Services Division. |

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document and Conditions of Approval reference recommended Conditions for the project.

| Project Notes | |
|--|--|
| The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant. | |
| 1. | An encroachment permit is required from the Road Maintenance and Operations Division prior to any work within the County road right-of-way. |
| 2. | The Applicant shall implement Best Management Practices (BMPs) (<i>i.e.</i> , provide a stabilized surface) to limit fugitive PM ₁₀ that may be generated during construction and maintenance activities around the solar arrays. |
| 3. | During construction, the Applicant shall institute BMPs to mitigate any potential for sediment track-out onto County-maintained roads. Any sediment deposited on the roadway shall be swept on a daily basis. |
| 4. | Increased runoff associated with grading activities or covering of natural ground with solar panels shall be retained on site or mitigated in some manner so as not to generate any increased runoff onto adjacent property or the County road right-of-way. |
| 5. | Any gates constructed for the access drive shall be set back a minimum of 20 feet from the road right-of-way line or such greater distance as required to preclude any truck from extending into the right-of-way if temporarily stopped to open any gate. |
| 6. | A minimum 10-foot by 10-foot corner cutoff shall be provided for any gate to promote site visibility onto Parlier Avenue. |

Project Notes

| | |
|-----|---|
| 7. | Should any underground storage tank(s) be found during the project, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. |
| 8. | Prior to operations, the Applicant shall complete the online Hazardous Materials Business Plan submittal. |
| 9. | All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes. |
| 10. | Should a water well be drilled, the water well contractor selected by the Applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Public Health Department, Environmental Health Division. |
| 11. | The project may be subject to joining the Community Facilities District. A Fire Permit Application must be filled out and submitted with project plans. |
| 12. | The project shall comply with California Code of Regulations Title 24 – Fire Code. |
| 13. | The project should acknowledge the need to control weeds and rodents within the project area to prevent the project from becoming a nuisance to neighboring properties. |
| 14. | All proposed improvements and structures will require permits. |
| 15. | An encroachment permit may be required for linking the facility to the nearest substation. |
| 16. | Plans, permits and inspections are required, including, but not limited to, accessible elements and site development, based upon the codes in effect at the time of plan check submittal. |

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G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3400-3499\3477\SR\CUP3477 MMRP (Ex 1).docx



LOCATION MAP

CUP 3477

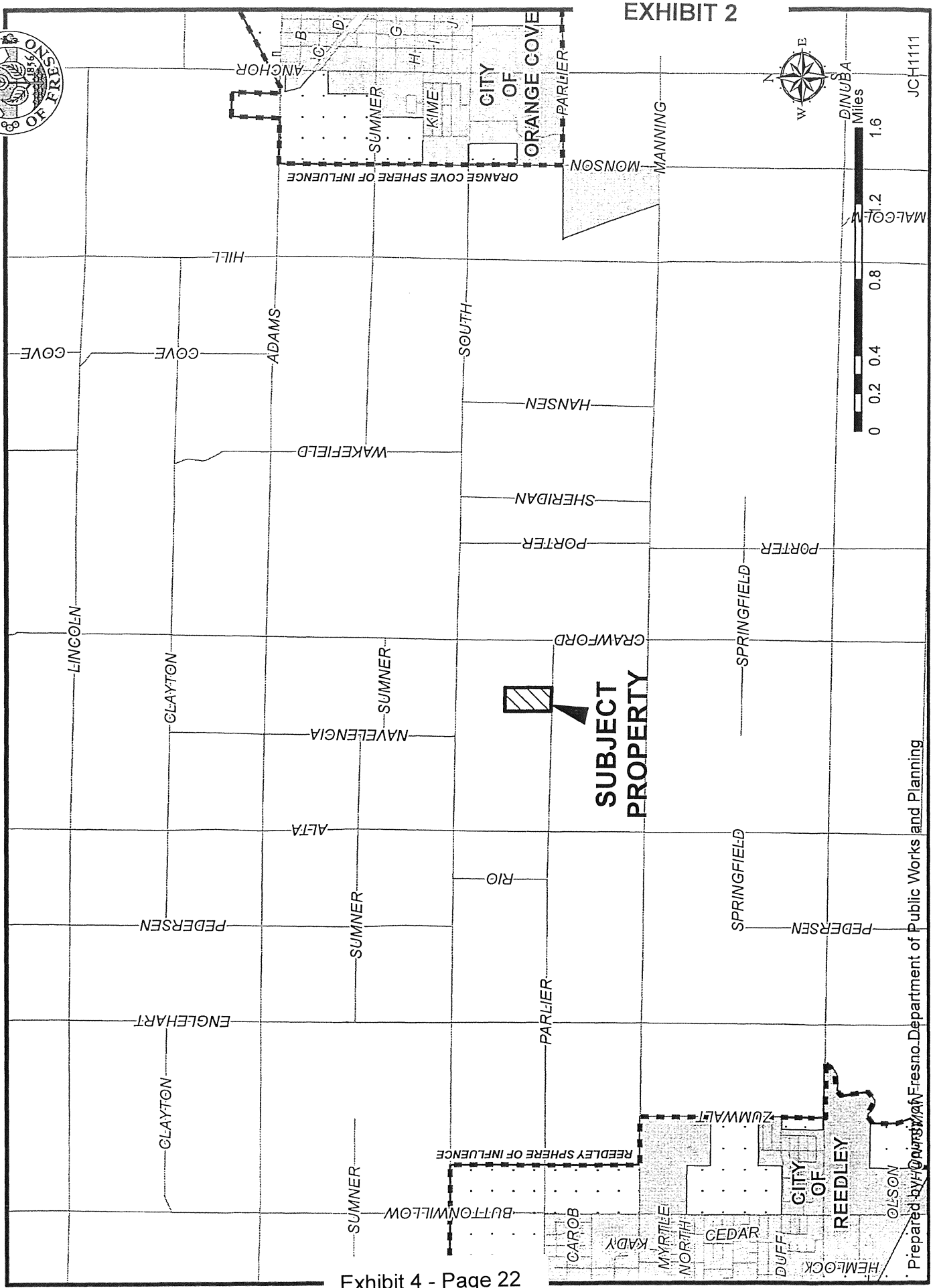


EXHIBIT 2

Prepared by FHWA/Fresno Department of Public Works and Planning

JCH1111

EXISTING ZONING MAP

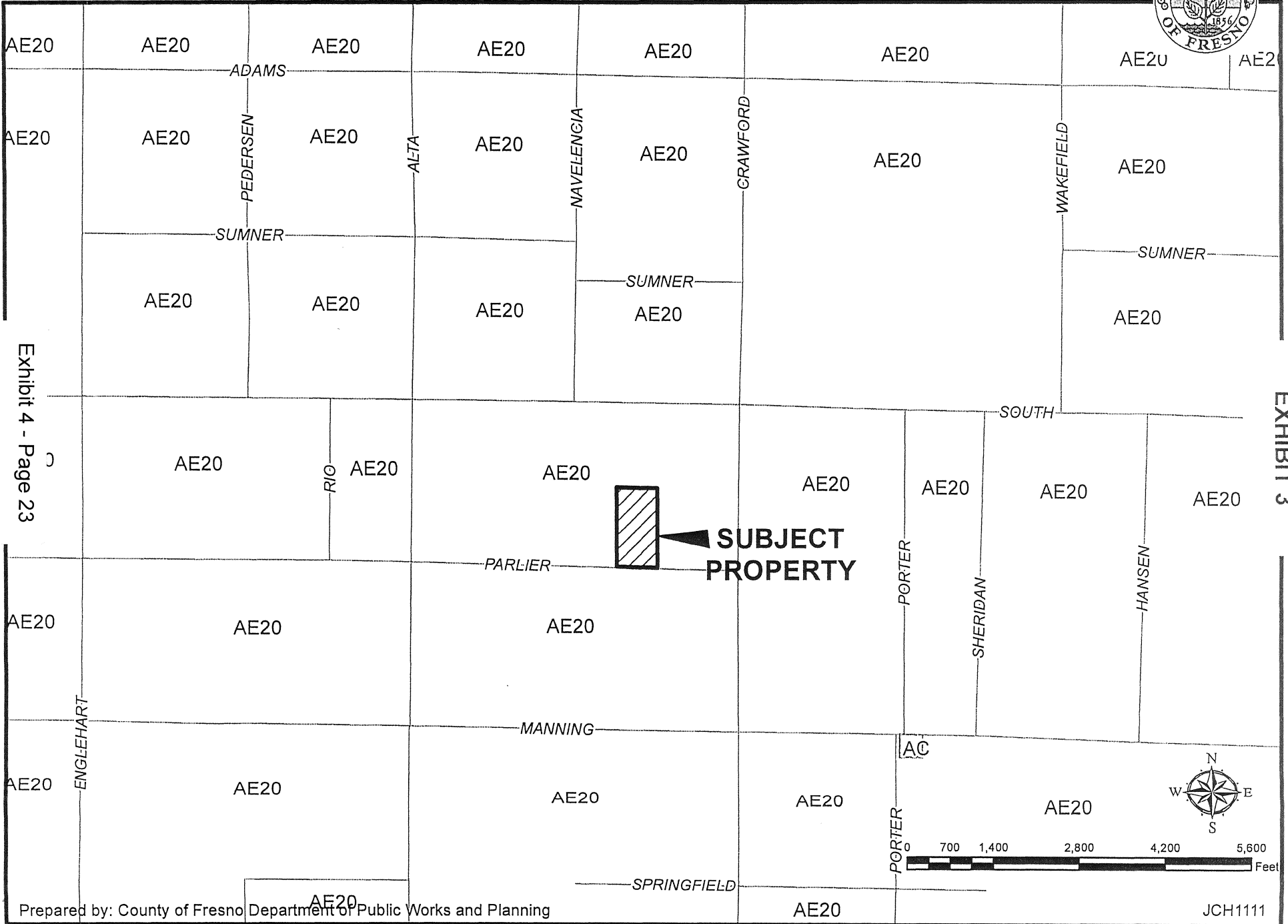


Exhibit 4 - Page 23

EXHIBIT 3

EXISTING LAND USE MAP

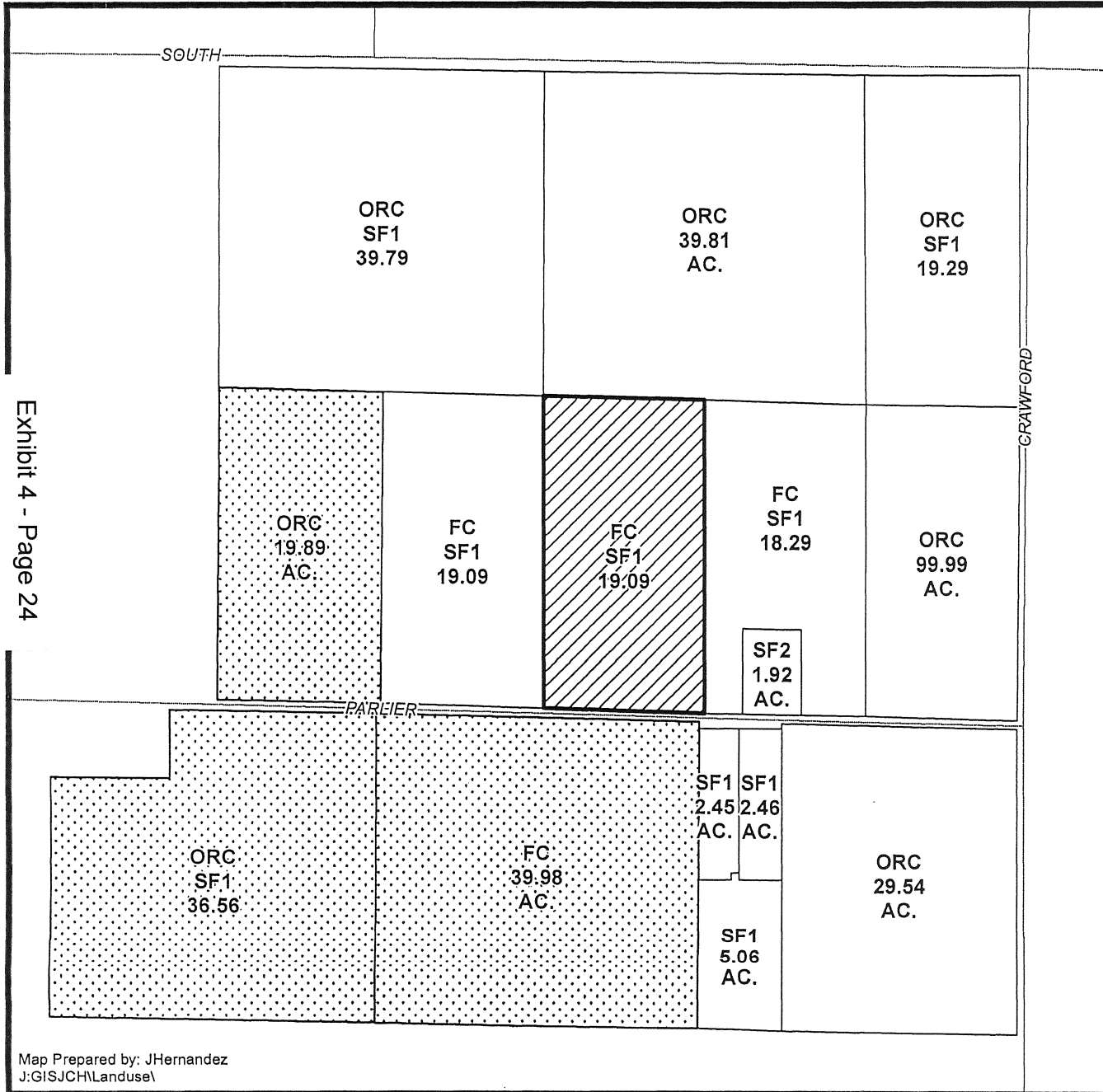




Exhibit 4 - Page 24

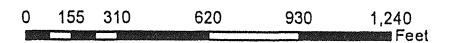
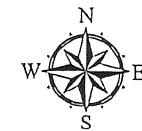
EXHIBIT 4

LEGEND

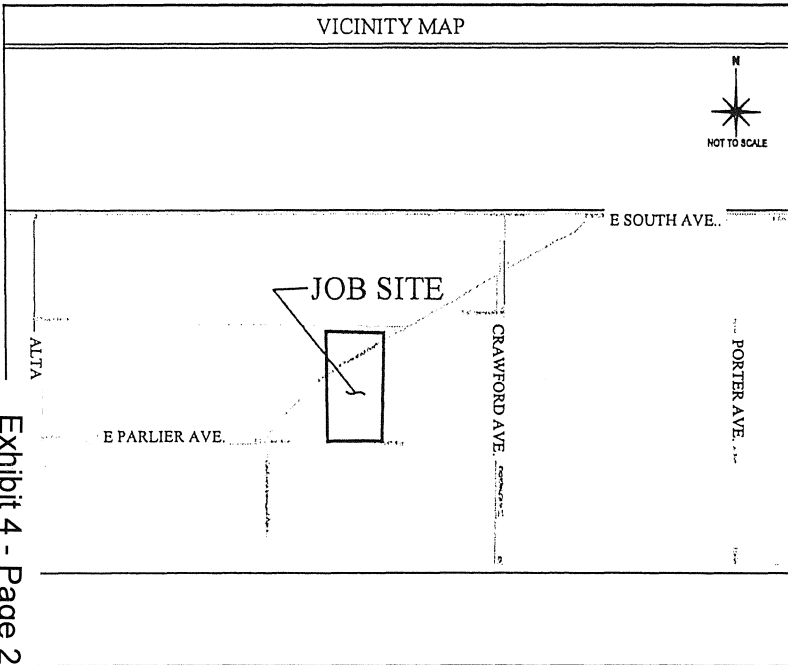
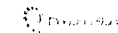
- FC - FIELD CROP
- ORC - ORCHARD
- SF#- SINGLE FAMILY RESIDENCE
- V - VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land



PRISTINE SUN, LLC



- ### KEYNOTE SCHEDULE
- ① KNOX BOX:
 1. EXACT LOCATION AND HEIGHT AS PER LOCAL FIRE MARSHALL.
 2. KNOX BOX TO BE ORDERED THRU THE LOCAL FIRE MARSHALL.
 3. KNOX BOX AT THE ENTRANCE GATE SHALL CONTAIN THE KEY FOR THE ENTRANCE GATE.
 4. KNOX BOX AT THE FACILITY GATE SHALL CONTAIN THE KEYS FOR THE FACILITY GATE AND THE DOOR AT THE POWER STATION.
 - ② PERMANENTLY POSTED ADDRESSING VISIBLE 100 FEET IN BOTH DIRECTIONS OF TRAVEL. SIZE OF LETTERS SHALL BE 3 INCH MINIMUM IN HEIGHT, 3/8 THS INCH STROKE, REFLECTIVE WITH CONTRASTING BACKGROUND.
 - ③ PERMANENT POSTED SIGN LOCATED AT THE MAIN FACILITY ENTRANCE DISPLAYING THE SITE ADDRESS AND A 24 HOUR EMERGENCY CONTACT PHONE NUMBER. SIZE OF LETTERS, NUMBERS AND SYMBOLS FOR THE SIGN SHALL BE A MINIMUM 3 INCH STROKE, REFLECTIVE AND CONTRASTING WITH THE BACKGROUND. THE SIGN SHALL BE VISIBLE WHEN APPROACHING THE SITE FROM THE REQUIRED ROAD ACCESS AND SHALL BE MAINTAINED THROUGHOUT THE PRODUCTIVE LIFE OF THE FACILITY.
 - ④ 2-A:10-B-C-RATED FIRE EXTINGUISHER, 10 POUND EACH WITH STATE FIRE MARSHAL CERTIFICATION TAGS. FIRE EXTINGUISHERS SHALL BE INSTALLED NEAR THE EXITS AND IN VISIBLE LOCATIONS IN EGRESS PATHS. PROVIDE A FIRE EXTINGUISHER SIGN AT A MAXIMUM HEIGHT OF (8) FEET ABOVE EACH LOCATION. THE DISTANCE FROM FINISH FLOOR OR GRADE TO TOP OF EXTINGUISHER SHALL NOT EXCEED 4 FEET. EXACT NUMBER OF REQUIRED EXTINGUISHERS AS PER LOCAL FIRE MARSHALL.

- ### LEGEND
- PL — PL — PROPERTY LINES
 - SETBACK LINES
 - ELEVATION & CONTOUR LINES
 - X - X - (N) PROPOSED 6' HIGH FENCE LINE
 - OHF — (E) OVER HEAD POWER LINES
 - POWER POLE
 - ▬ SOLAR ARRAY TRACKER ROW
 - POWER STATION OR INVERTER, PER PLAN, NON-REFLECTIVE MATERIAL, TYP.
 - ☁ VEGETATION TO REMAIN
 - ▨ VEGETATION TO BE REMOVED BY OWNER
 - ▧ WATER, WETLANDS, IRRIGATION, DRAINAGE
 - ▩ FLOOD PLAIN
 - NEW ROADS
 - (P) PROPOSED
 - (E) EXISTING

- ### PG&E KEYNOTE SCHEDULE
- ① POWER POLE #1 (FIRST POLE), POINT OF SERVICE CONNECTION (POS). PG&E WILL INSTALL POLE-TOP REVENUE-METERING ON THE FIRST POLE ON THE CUSTOMER'S PROPERTY.
 - ② POWER POLE #2 (SECOND POLE), WITH CUSTOMER INSTALLED PRIMARY PROTECTION (RE-CLOSER) ON THE SECOND POLE ON THEIR PROPERTY, NOT TO EXCEED 50 FEET FROM THE REVENUE METERING POLE (POLE#1)
 - ③ POWER POLE #3 (RISER POLES), CUSTOMER RISER POLES SPACED @ 100'-0" MAX., LAST RISER POLE CONNECT TO INVERTER/POWER STATION VIA 6-IN. DIA. UNDERGROUND CONDUIT.

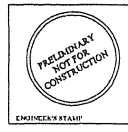
- ### NOTES
1. MAIN ROAD: COUNTY, CITY OR STATE HIGHWAY THAT TAKES YOU TO THE PROJECT LOCATION.
 2. ACCESS ROAD: THIS ROAD SHALL BE 18 FT MIN. IN WIDTH AND 30 FT MIN. IN LENGTH. THE LENGTH SHALL BE MEASURED FROM THE EDGE OF THE MAIN ROAD. ALL RADII OFF THE MAIN ROAD SHALL BE 30 FT MIN.
 3. ALL DRIVEWAYS: ALL DRIVEWAYS SHALL BE 10 FT MIN. IN WIDTH AND SHALL START FROM THE END OF THE ACCESS ROAD. ALL RADII AT DRIVEWAY INTERSECTIONS, CIRCULAR & HAMMERHEAD/T TURNAROUNDS SHALL HAVE 30 FT MIN. RADII, TYP. U.N.O.
 4. ENTRANCE GATE: GATE MUST BE 2 FEET WIDER THAN THE ROAD ON EACH SIDE.
 5. ALL SKEWED FENCE LINES ARE AT 45° ANGLES, TYP., U.N.O.
 6. NO NIGHT-TIME LIGHTING WILL BE INSTALLED, ONLY SECURITY LIGHTING ON MOTION SENSORS, SHIELDED FROM LIGHT TRESPASS BEYOND THE SOLAR FARM, AND TURNED OFF IN A SHORT REASONABLE TIME.

- ### SOLAR ARRAY NOTES
- OPEN SPACE:**
- GROUND COVERAGE RATIO = 33.3%
- PHOTOVOLTAIC SYSTEM:**
- DESIGNED WITH RENESOLA 300W MODULES
 - 1080 MODULES PER TRACKER
- ATI TRACKER SYSTEM:**
- 12 MODULES PER STRING
 - 5 STRINGS PER TRACKER ROW
 - 60 MODULES PER TRACKER ROW
 - 18 ROWS PER TRACKER TYP.
- ADVANCED ENERGY INVERTER SYSTEM:**
- (2) - ADVANCED ENERGY SOLARON 500KW, 480V INVERTER

| PROJECT INFORMATION: | |
|----------------------|---------------|
| OWNER'S NAME: | JOSE ESTRELLA |
| APN: | 373-360-19 |
| COUNTY: | FRESNO |
| ZONING: | AGRICULTURE |
| PARCEL ACREAGE: | 19.59 ACRES |

| FENCING INFORMATION: | |
|-------------------------------|-------------|
| TOTAL LINEAL FOOTAGE: | 2780'-4" |
| TOTAL ACREAGE INSIDE FENCE: | 9.98 ACRES |
| TOTAL LAND IMPROVEMENT RATIO: | 0.51 |
| TOTAL LAND DISTURBANCE AREA: | |
| TOTAL AREA OF ACCESS ROADS: | ##### |
| TOTAL AREA OF EQUIPMENTS: | 0.006 ACRES |
| TOTAL LAND DISTURBANCE AREA: | 0.01 ACRES |

PRISTINE SUN, LLC
101 Mission Street, #1050,
San Francisco, CA 94105
(415) 848-8100

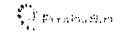
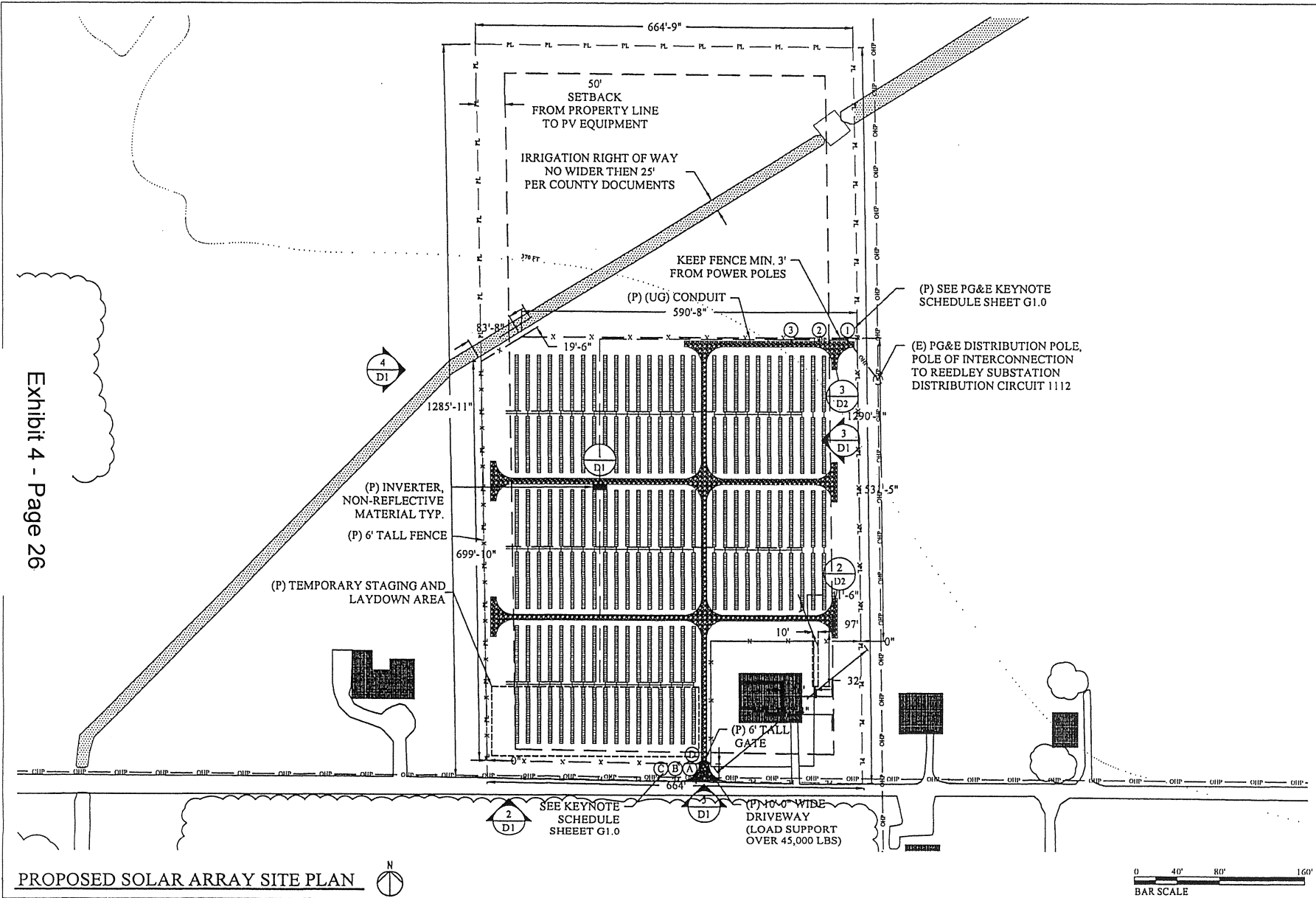


PROJECT TITLE: 0.99 MW AC

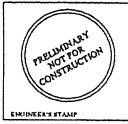
PROJECT NO.: 2267 ESTRELLA
PROJECT ADDRESS: 22694 East P Reedley,

| DATE | BY | REVISION |
|------|----|----------|
| | | |
| | | |
| | | |
| | | |

SHEET TITLE: TITLE SHEET
SCALE: NOT TO SCALE
DATE: 11/11/2023
PROJECT NO.: 2267 ESTRELLA
PROJECT ADDRESS: 22694 East P Reedley, CA 95237
G1.0



COMPANY: **PRISTINE SUN, LLC**
 101 Mission Street, #1050,
 San Francisco, CA 94105
 (415) 848-8100



PROJECT TITLE:
 0.99 MW AC
 1.30 MW DC
 PHOTOVOLTAIC
 ON GRID SYSTEM

PROJECT NO.: 2267 ESTRELLA
 PROJECT ADDRESS:
 22694 East Parlier Avenue,
 Reedley, CA 93654

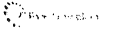
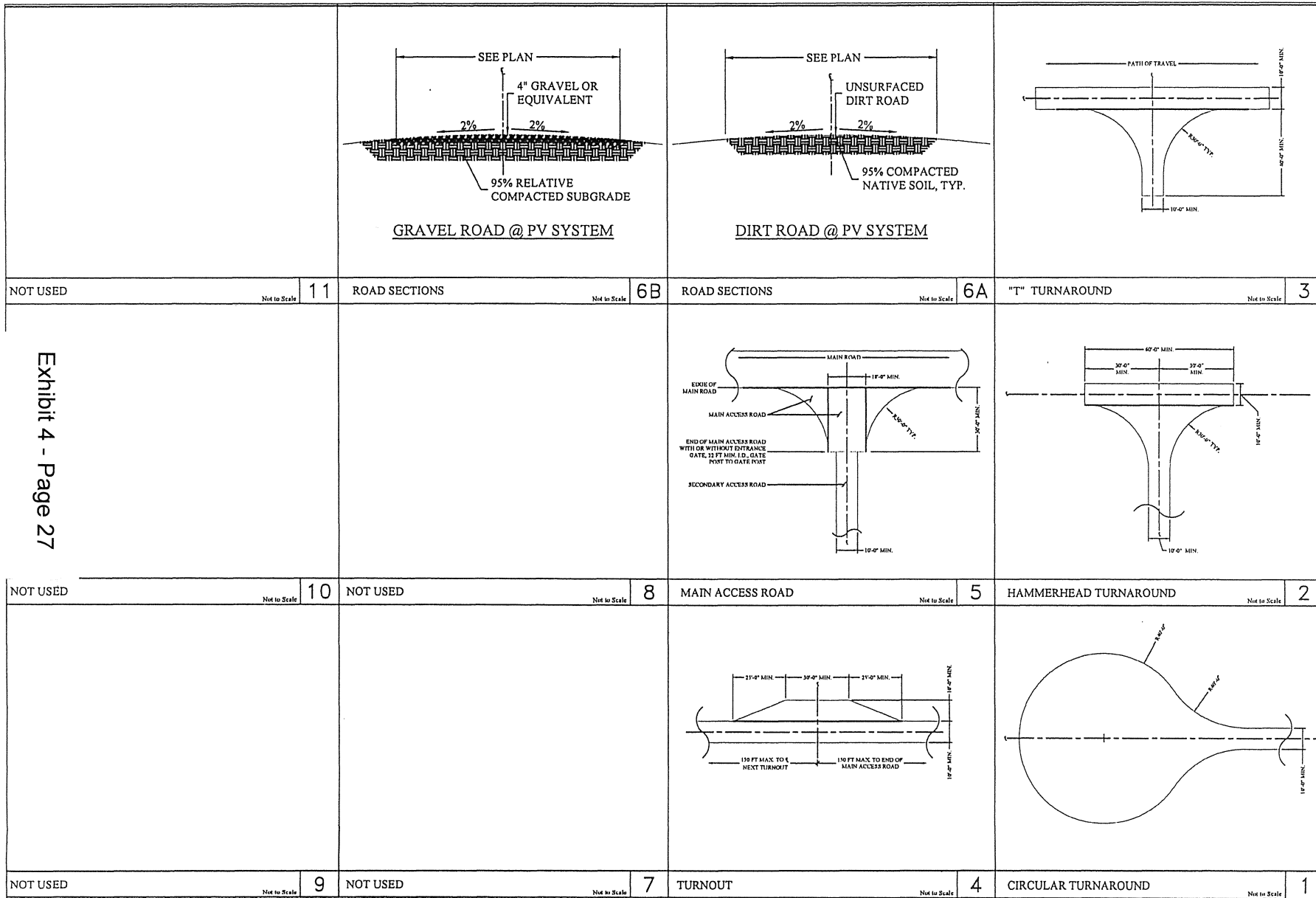
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PROJECT TYPE:
 PROPOSED SOLAR
 SYSTEM

DRAWN BY:
 PRISTINE SUN, LLC

CHECKED BY:
 C.I.

SCALE:
 1" = 151'



COMPANY:
PRISTINE SUN, LLC
 101 Mission Street, #1050,
 San Francisco, CA 94105
 (415) 848-8100

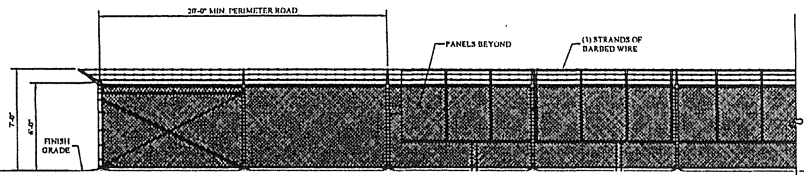
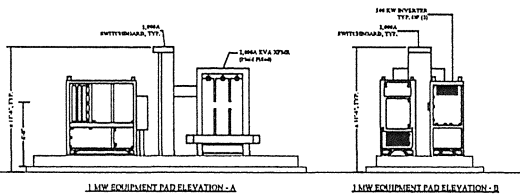
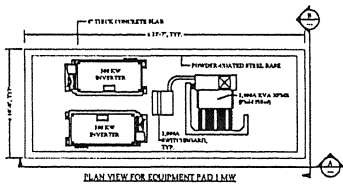


PROJECT TITLE:
EXHIBIT 6

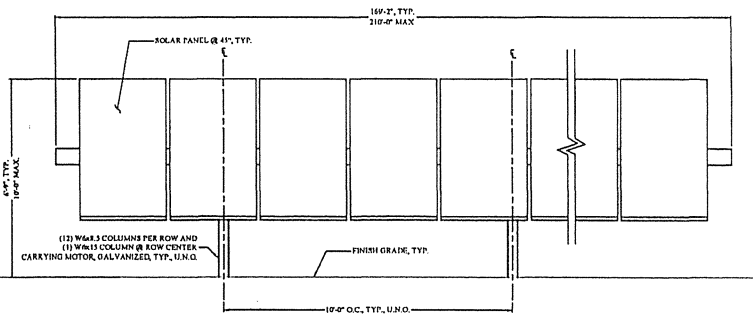
PROJECT NO.: 2267 ESTRELLA
 PROJECT ADDRESS:
 22694 East Parlic
 Reddley, CA

| DATE | DESCRIPTION | BY | CHKD |
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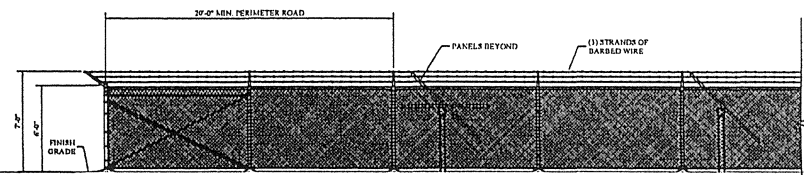
SHEET TITLE:
 ROAD DETAILS
 DRAWN BY:
 PRISTINE SUN, LLC
 D2
 SCALE:
 AS NOTED



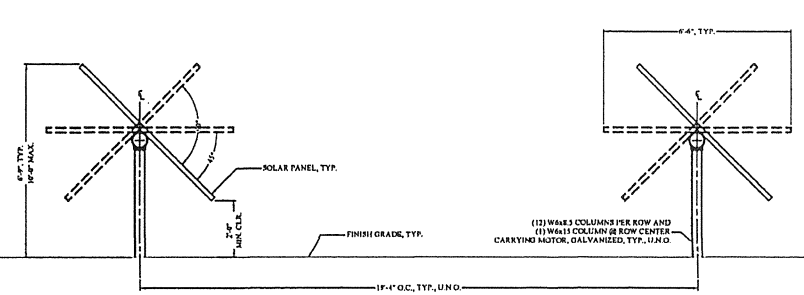
EAST OR WEST PERIMETER ELEVATION, TYP. Scale: 1/8" = 1'-0" 4



EAST OR WEST TRACKER ELEVATION, TYPICAL Scale: 1/4" = 1'-0" 3



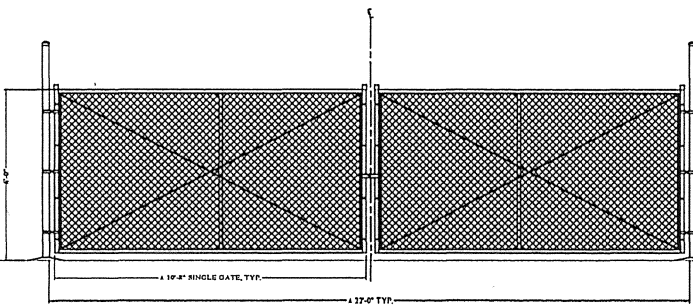
NORTH OR SOUTH SITE PERIMETER ELEVATION, TYP. Scale: 1/4" = 1'-0" 2



NORTH OR SOUTH TRACKER ELEVATION, TYPICAL Scale: 1/4" = 1'-0" 1

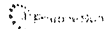
INVERTER/POWER STATION PAD

Not to Scale 6



BI-DIRECTIONAL GATE ELEVATION

Scale: 1/4" = 1'-0" 5



PRISTINE SUN, LLC
101 Mission Street, #1050,
San Francisco, CA 94105
(415) 848-8100



ENGINEER'S STAMP

PROJECT TITLE
PHOTOVOLTAIC
ON GRID SYSTEM

PROJECT NO. 2267 ESTRELLA
PROJECT ADDRESS
22694 East Parlier Avenue,
Reedley, CA 93654

| DATE | BY | REVISION |
|------|----|----------|
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ISSUED FOR:
TRACKER
ELEVATIONS &
DETAILS
DRAWN BY:
DATE: 08/11/2011
SCALE: 1/4" = 1'-0"
PROJECT NO.: DI
SCALE: AS NOTED

1. Background Information

1.1. Project Title

2267 Estrella PV Solar Generation Facility (PVSGF)

1.2. Lead Agency Name and Address

Department of Public Works and Planning
Development Services Division
2220 Tulare St 6th Floor
Fresno, CA 93721

1.3. Lead Agency Contact Persons and Phone Number

~~Derek Chambers, Planner II~~ Lisa Elgin, Rapid Resource Planner
Development Services Division
Fresno County Public Works and Planning
(559) 600-4205 voice
(559) 600-4200 fax

1.4. Project Location

22694 East Parlier Avenue,
Reedley, CA 93654
APN 373-360-19

1.5. Project Sponsor's Name and Address

Pristine Sun LLC
101 Mission Street, Suite 1050
San Francisco, CA 94105

Alison Biondi Khalaf, Sr. Project Manager
Phone: (415) 848-8158
Cell: (650) 644-9500
alison.khalaf@pristinesun.com

1.6. General Plan Designation

The Fresno County General Plan land use designation for the PVSGF project site is **Agricultural**

1.7. Zoning

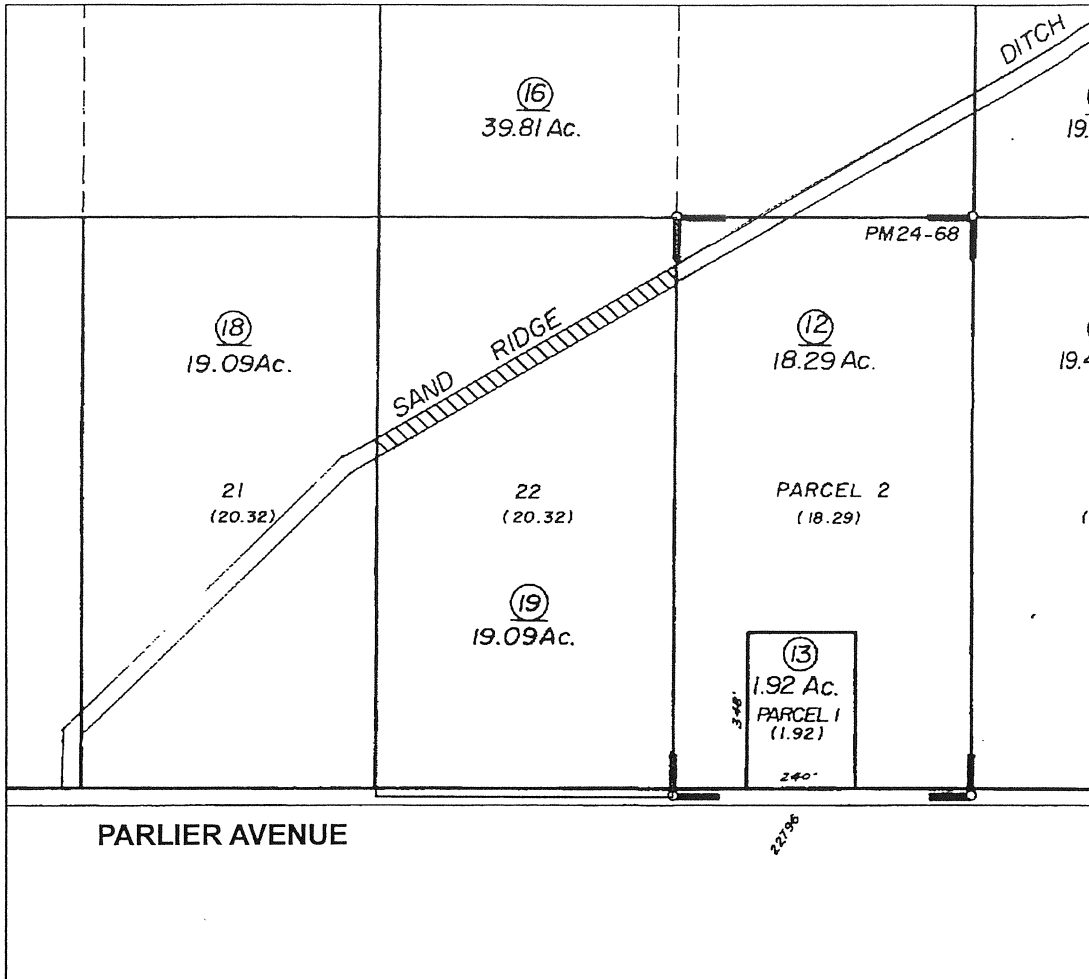
The Fresno County zoning designation for the PVSGF project site is AE20

1.8. Description of the Project

1.8.1. Project Overview

- 1.8.1.1. Pristine Sun proposes to develop, own, and operate a Photovoltaic (PV) solar generation facility, to be located on leased agricultural land in **Fresno** County, California (Figures 1-2 and 1-3). The **10-acre, 0.999-MW** PVSGF project consists of three main components:
- 1.8.1.2. Solar panels, Trackers, inverters, medium-voltage transformers, access roads, and electrical wiring necessary for collecting and consolidating power across the project site.
- 1.8.1.3. A medium-voltage interconnection, which would receive intermediate voltage input from the solar collection system and step up the voltage to 12 kilovolts (kV). The interconnection from the PVSGF to a local electrical distribution power line, which would consist of a short (100 to 175-foot) point-of-interconnection generation tie line.
- 1.8.1.4. Operation and maintenance (O&M) activities would be managed remotely and no on-site O&M facilities are proposed as part of the project. The project would contract with a regional O&M provider, who may lease warehouse and office space in an existing facility in the surrounding community. The regional O&M provider would use this existing facility to store tools, equipment, and supplies necessary for scheduled and unscheduled maintenance, including but not limited to spare parts for inverters, electrical infrastructure, panels, tracking systems, panel washing, and vegetation maintenance.

Scale 1 inch = 255.25 feet



Legend

- Property In Question - Fee
- Item No. 4 - Easement for Sand Ridge Ditch
In Bk2 Pg30 of Record of Survey
Affects said portion as shown on the map
- Item No. 6 - Easement for Right of Way
In 05/17/1922 Bk213 Pg397 of Official Records
The exact location of said easement
cannot be determined and is not plottable

©2014
Fidelity National Title Company
 1300 Dove Street, Suite 310
 Newport Beach, CA 92660
 Phone: (949) 622-5000 Fax: (949) 477-6813

Title Order No. : 23049342, Preliminary Report dated July 11 2014
 Reference : 2267 Estrella
 Property : 22694 Est

Drawing Date : 08/19/2014 - FNFI

Assessor's Parcel No. : 373-360-19

Data :

Any discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose and are not shown by the public records. This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any reason of reliance thereon.

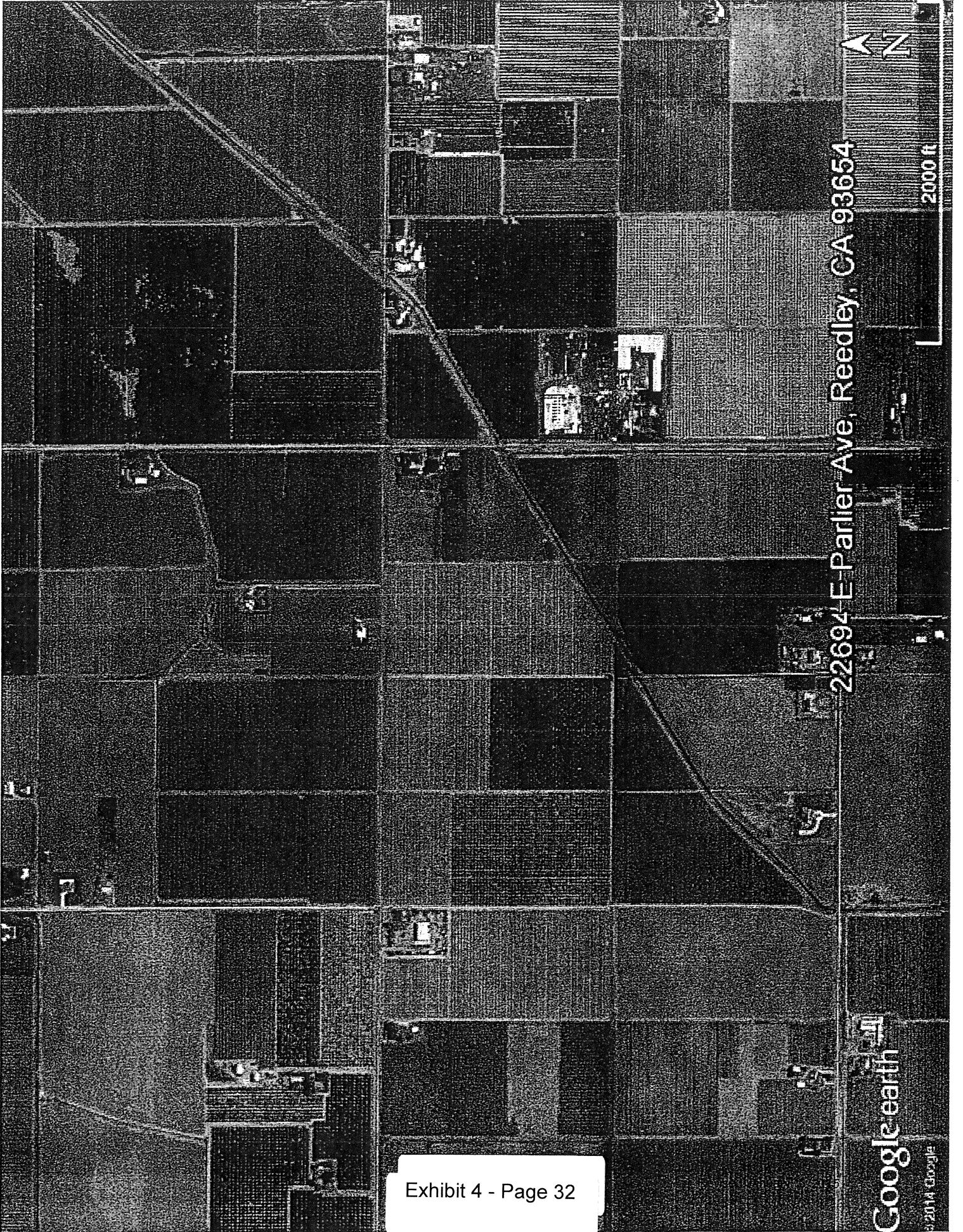
Plat Showing : LOT
 TOWNSHIP 15 SOUTH
 BOOK 2 PAGE 30 01

Exhibit 4 - Page 31

ARTER OF THE NORTHEAST QUARTER OF SECTION 20,
 N, ACCORDING TO THE MAP THEREOF RECORDED IN
 Revised January 13, 2015

Sheet
 1 of 1

Archive #



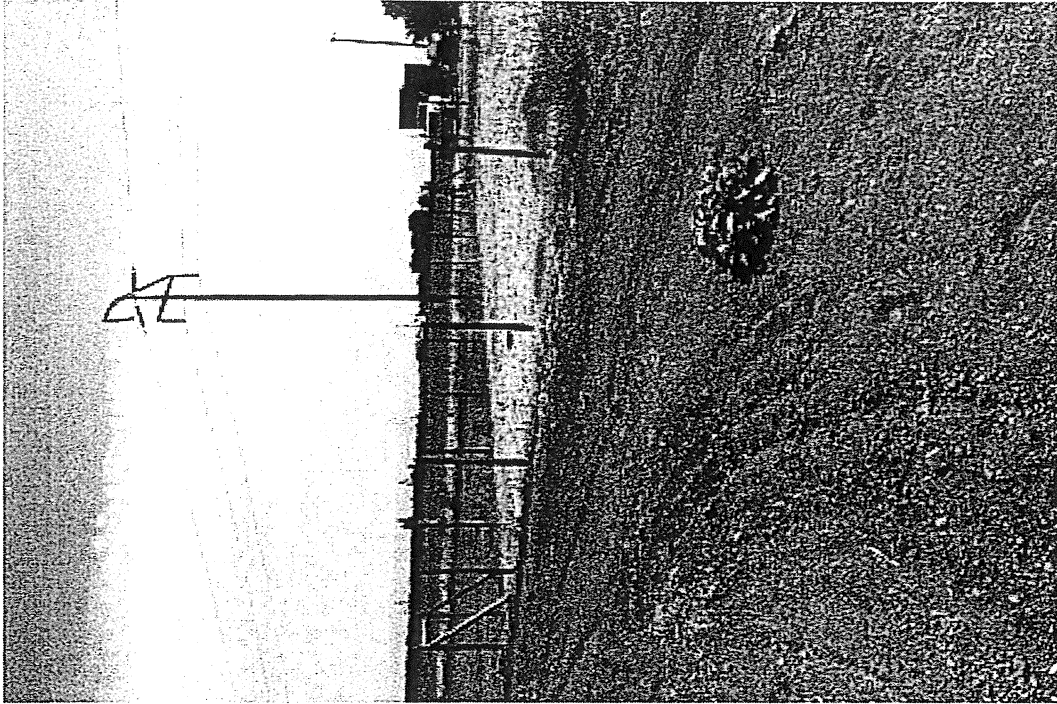
22694 E Parlier Ave, Reedley, CA 93654

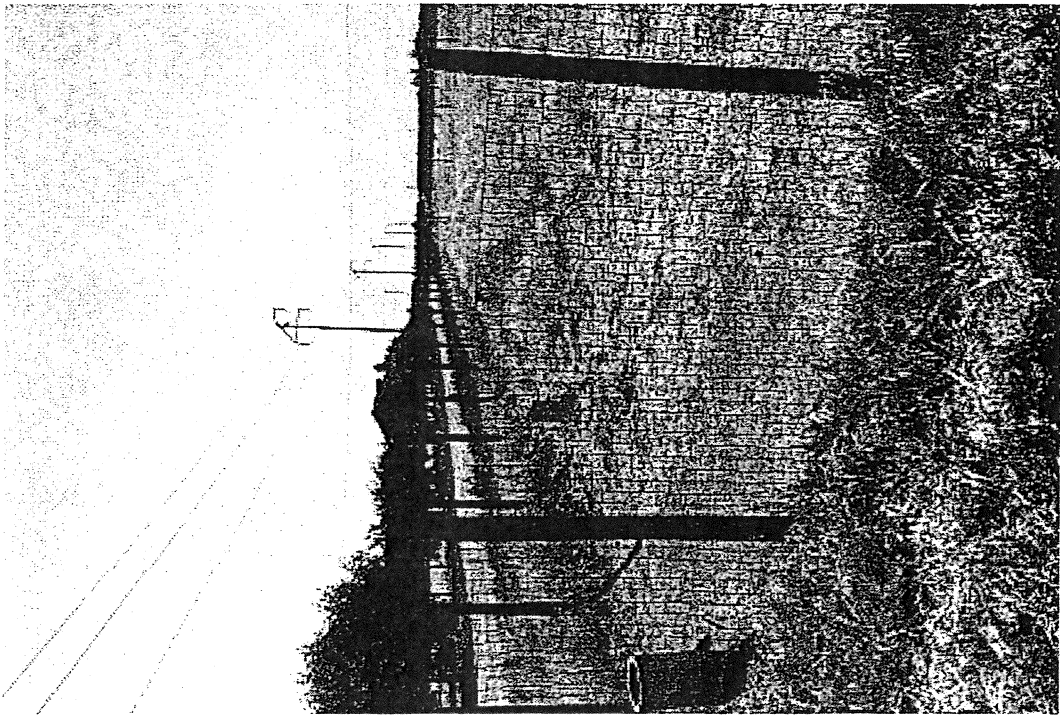
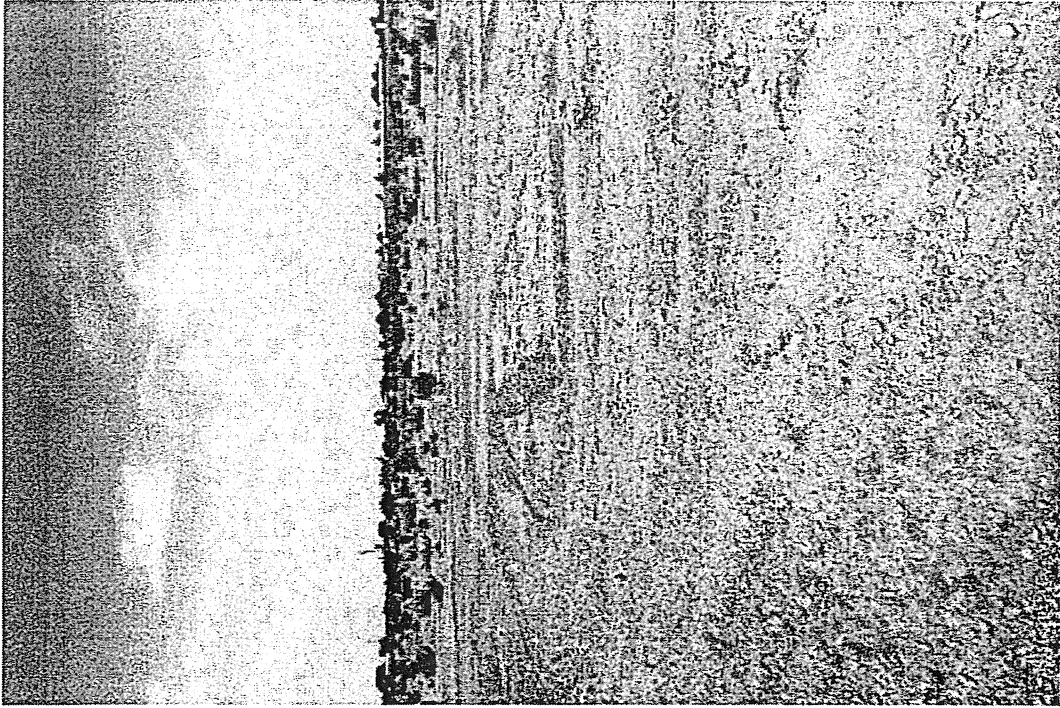


2000 ft

Google earth

© 2014 Google





Solar Generation Facility

The PVSGF would generate clean renewable energy from solar power; the generated energy would be sold to a public utility company and distributed through the local power lines from the Fresno Substation for public consumption. The PVSGF project would require County approval of a conditional use permit (CUP), under the name Pristine Sun LLC, to allow for facility construction, operation, and maintenance. Approval of the CUP is a discretionary action triggering environmental review of the project under the California Environmental Quality Act (CEQA).

The PVSGF project site is located on flat agricultural land at an elevation of approximately 378 feet. The site is has not been productive over the past 10 years. The PVSGF site is located approximately .25 miles west of Crawford Avenue, .50 miles South of E. South Avenue, .50 miles north of J19/E Manning Ave, and .75 miles east of Rd 80/Alta Avenue. The nearest population center is the community of Reedly California. The PVSGF project site can be accessed from E. Parlier Avenue to the south.

Table 1-1 summarizes the footprint characteristics of the PVSGF.

Table 1-1 Description of PVSGF

| APNs | Parcel Size | Project Site (Acres) | Approximate Electricity Generation (MW) |
|------------|-------------|----------------------|---|
| 373-360-19 | 19.09 Acres | 10.0 | 0.999 |
| | | | |

Key:

APN = Assessor Parcel Number

MW = megawatt

1.9. Project Objectives

The project objectives are as follows:

- 1.9.1. **Help California Meet Renewable Energy Standards Goals.** The project would help support the State of California in meeting its Renewable Energy Portfolio Standards mandate for increased renewable energy production.
- 1.9.2. **Avoidance of Greenhouse Gas Emissions.** With an installed capacity of .999 MW alternating current (AC), the PVSGF is projected to produce an average 2,341,892.5 kilowatt-hours per year of clean, renewable solar energy. Data from the U.S. Environmental Protection Agency (EPA) indicate that this estimated output would equate to an approximate annual reduction of 1614.85 tons of carbon dioxide (CO₂) in the atmosphere (EPA 2009).
- 1.9.3. **Job Creation.** The project would generate both project construction and O&M jobs. These “green collar” positions would include engineers, designers, electricians, civil engineers, environmental specialists, construction workers, facility operators, and maintenance technicians.

1.10. Project Facilities

1.10.1. Solar Generation Facility

The project would involve the construction of a PVSGF to provide electricity for public consumption. The facility would consist of: an array of solar PV panels (i.e., modules) supported on a galvanized metal racking system; inverters connected to the modules through cabling; and a telecommunication system. Figure 1-4 shows a typical solar PV array. The project site would be secured by a six-foot-high chain-link perimeter fence topped with three-strand barbed wire; one point of ingress/egress would be provided equipped with a locked gate.

1.10.2. Photovoltaic Modules

The PV modules are manufactured under tight quality conditions to the IEC PV Standards and ISO Certified. The modules are made of a Polycrystalline Photo Voltaic cells covered by a tempered glass pane with highly absorptive properties. The result of the highly absorptive glass is a very low reflectivity properties. The PV modules are mounted on a galvanized metal single-axis utility-scale tracking system which is in rows running north to south. The modules track the sun from east to west.

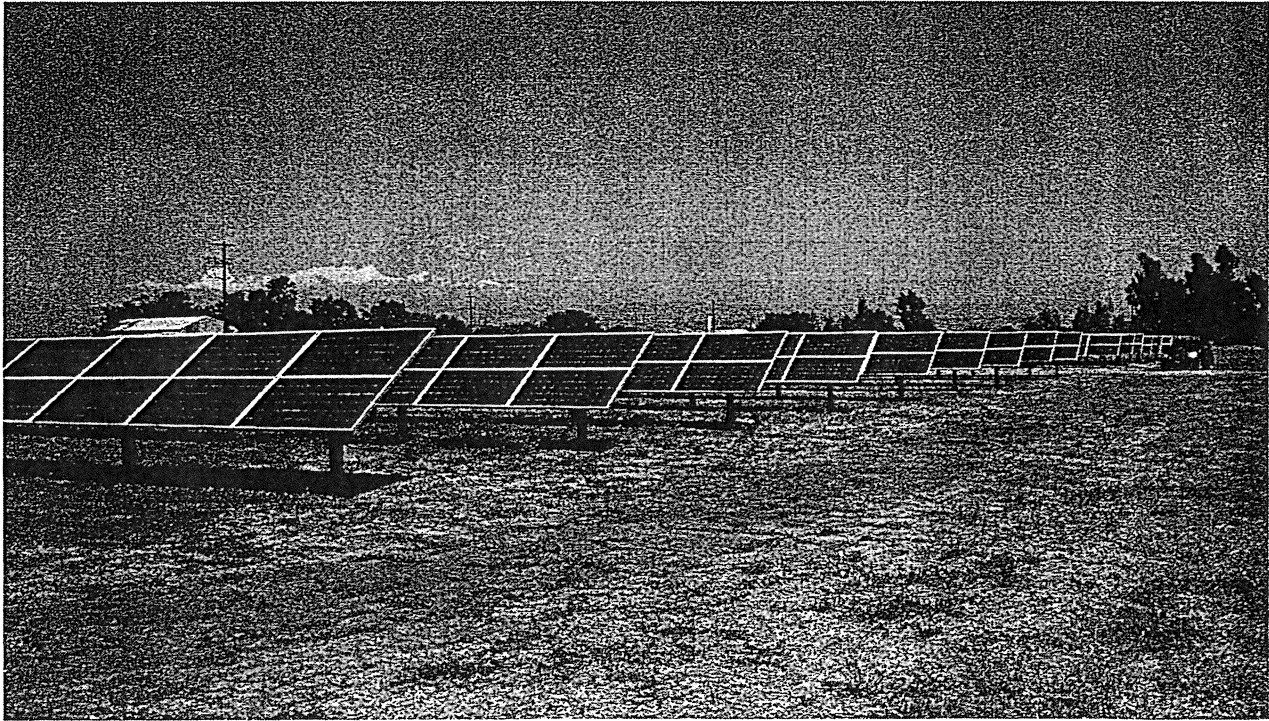
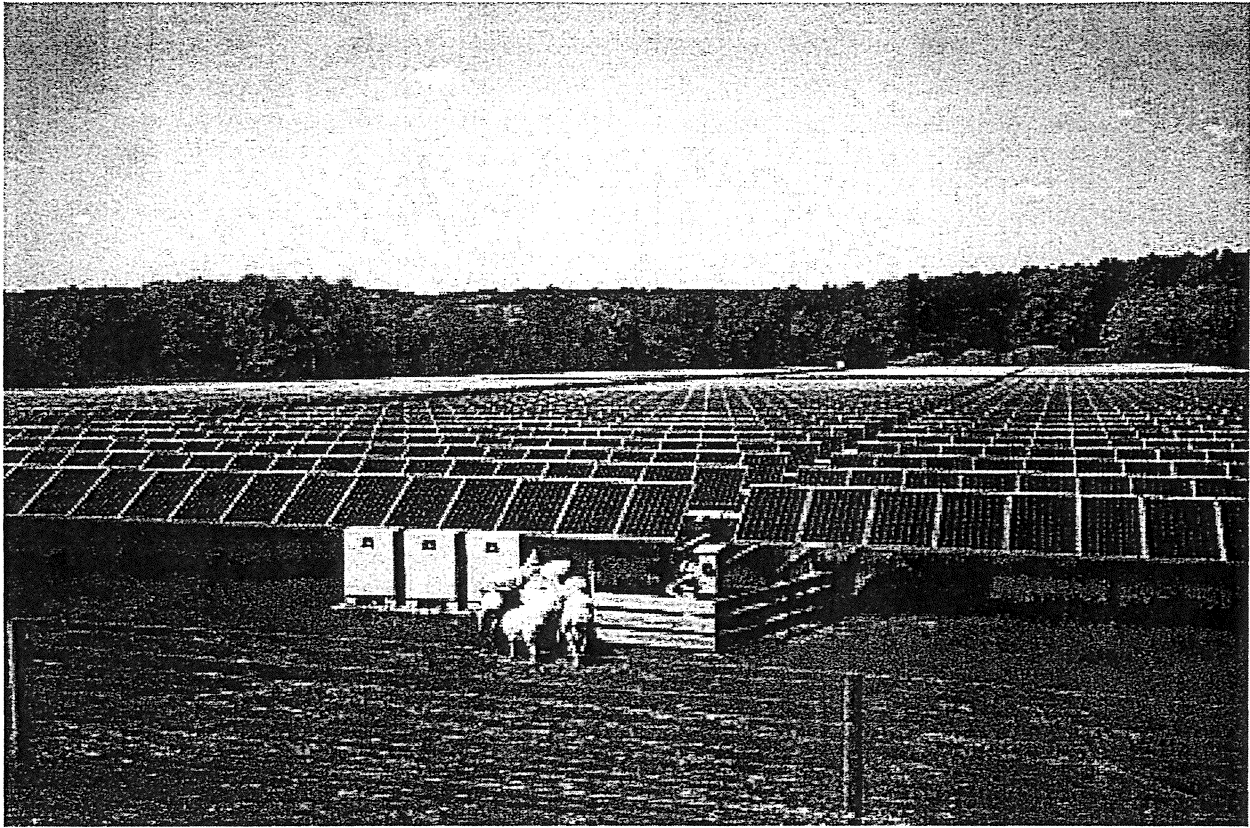
1.11. Installation, Array Assembly, and Racking

The structure supporting the PV module arrays at the PVSGF would consist of galvanized engineered steel I-beams, which would be driven vertically into the soil using pneumatic techniques, similar to a hydraulic hammer attachment on the boom of a rubber-tired backhoe excavator. The I-beams are typically spaced 14 feet on center and installed to a height of approximately 4 to 6 feet above grade.

The single-axis tracking system panel rows would be oriented in a north-south direction (access roads would be oriented in an east-west direction). Once the I-beams are installed, the horizontal cross-members of the tracking system and associated motors would be placed and secured. A galvanized metal racking system, which would hold the PV modules in the ideal position for maximum capture of solar insolation, would then be field assembled and attached to the horizontal cross members. The racking system would include a mechanism that would allow the array to track the path of the sun (from east to west) throughout the day. In the morning the panels would face the east (45 degree angle); throughout the day, the panels would slowly move to the horizontal position (0 degree angle) at noon and then move on to face the west (45 degree angle) at sundown. The panels would reset to the east in the evening or early morning to receive sunlight at sunrise. When excessive wind speeds are detected from the meteorological data collection system, the tracking system automatically positions the solar module in the "Stowe Position" horizontal decreasing the high wind effect on the modules.

The single-axis the panel configuration would be approximately 7 feet wide (East-West), as shown in Figures 1-5 and 1-6. The total height of the panel system, measured from ground surface, would be typically 6'9" to a maximum of 10 feet as a function of the terrain. Each row of panels would be a maximum length of 300 feet (North-South), with spacing between each row of approximately 16 to 17 feet.

Typical Solar Photo-voltaic Array



1.12. Panel Interconnections, Inverters, and Transformers

Panels would be electrically connected into panel strings using wiring attached to the racking, and the panel strings would be electrically connected to each other via underground wiring. Underground electrical cables (underground collection system) would be installed from groups of PV arrays configured into power blocks. The cables would carry direct current (DC) electricity to inverters that would convert the DC to AC.

The underground cables would be installed using standard trenching techniques, which typically include a rubber-tired backhoe excavator or trencher. Wire depths would be in accordance with local, State, and federal codes, and would likely be buried at a minimum 24 inches below grade by excavating a trench wide enough to accommodate the conduits. A polyvinyl chloride conduit (schedule 40 min.) would be installed in the trench and, once the cables were installed in the conduit, the excavated soil would be used to fill the trench and then compacted.

The AC power is then routed to a step-up transformer where the 1,000 volts is converted to 12 kV. The converted electricity from the transformer then travels to the point of interconnection on the PG&E 12-kV power line that runs along the **Eastern boundary of the parcel** perpendicular to **E. Parlier Road**, adjacent to the site. The length of the interconnection generation tie line would be approximately **100 to 175** feet. Three new utility poles would be needed to install PGE safety and metering equipment. The electrical inverter and the transformer are installed on concrete foundations, which are engineered and constructed to local building codes.

Commissioning of equipment would include testing, calibrating, and troubleshooting. All transformers, inverters, collector system, and PV array systems would be tested before commercial operations would commence.

1.13. Solar Generation Facility Power Line Interconnection

The PVSGF would interconnect directly to the existing PG&E 12-kV power line that is located parallel to the **Eastern edge of the parcel** perpendicular to **E. Parlier Road**. The overhead generation tie line that would connect the step-up transformer to the 12-kV line would be approximately 100 to 175 feet long. Three new utility power poles would be installed within the PVSGF site near the Point of Interconnection.

1.14. Telecommunications

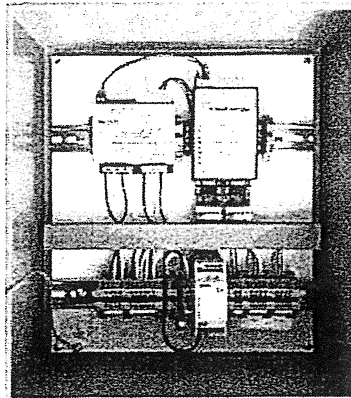
The PVSGF would be designed with a comprehensive Supervisory Control and Data Acquisition (SCADA) system to allow remote monitoring of operations and/or remote control of critical components. Within the site, the cabling required for the monitoring system would typically be installed in a buried conduit, leading to a centrally located (or series of appropriately located) SCADA system cabinets. External telecommunications connections to the SCADA system cabinets would likely be through hard-wired connections anticipated to be placed on existing telecommunication or utility infrastructure.

1.15. Meteorological Data Collection System

The PVSGF would include a meteorological (met) data collection system. The met station would have up to five weather sensors: a pyrometer for measuring solar irradiance; a thermometer to measure air temperature; a barometric pressure sensor; and two wind sensors to measure speed and direction. The 4-foot horizontal cross-arm of the met system would include the pyrometer mounted on one side and the two wind sensors installed on a vertical mast on the other side. The temperature sensor would be mounted inside a solar shield behind the main mast. Each sensor would be connected by a cable to the data logger inside the enclosure.

A typical met station is depicted on Figure 1-8.

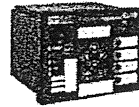
Figure 1-8 Typical Meteorological Station Components



NEMA 4 Outdoor Enclosure – a weather-proof housing for your data logger, revenue grade meter and weather station. You receive the enclosure pre-assembled with your hardware to streamline installation and data collection.

Data Logger (top right) – with our software loaded onto commercial hardware, upload your raw data in real-time. It connects with meters, inverters and weather stations to provide complete information about your system's performance.

Revenue Grade Production Meter – providing the high level of accuracy already required by many energy agencies. Dedicated alerts can reveal discrepancies between meter and inverter readings. That way you'll be assured of data reliability and profit maximization.

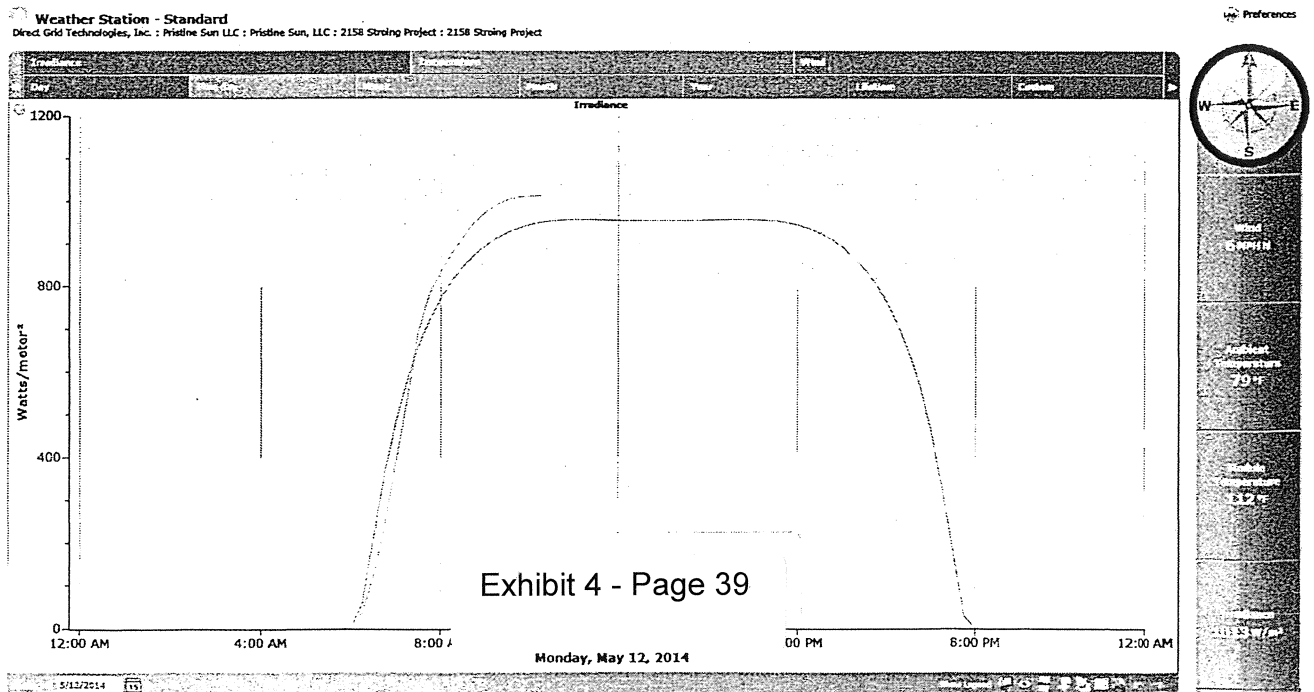


Weather Stations - designed for your needs, our high quality weather stations can accommodate any solar or wind metric requirements. We offer reliable weather station instruments including: Anemometers, pyranometers and temperature sensors. Basic and high performance instruments are available. Weather stations can fit into the main monitoring communications enclosure or have their own dedicated enclosure.

No matter what product or service you're looking for, AlsoEnergy has complete solutions for your renewable energy monitoring and portfolio management needs.



Weather Station Daily Data Print Out



1.16. Site Access and Roads

1.16.1. Access to the PVSGF site would be provided from **E. Parlier Avenue** to the **South** of the array site. Inside the site, pervious, durable, dustless roadways would provide access to the PV modules and the equipment pad.

1.16.2. The internal roadway system would consist of durable, dustless roads surfaced to meet Fresno County Improvement Standards. Roads would be graded and compacted in accordance with typical construction practices, and surfaced in a manner consistent with the **Fresno County Cal Fire Standards**. Points of ingress/egress would maintain driveways a minimum of 20 feet long (from the edge of the pavement).

1.17. Lighting

There will be no continuous lighting on this site.

1.18. Signs

During both construction and operation, safety and identification signs would be posted at the entrance to PVSGF site and any place where needed. The project applicant would post signs required by all jurisdictions with authority. All signs would conform to Fresno County sign requirements.

2. Land Management

2.1. Integrated Pest & Weed Management Plan

Pristine Sun (PS) will maintain the site in a way that vegetation & pests do not impact the Solar Array System's performance. Please refer to the Pristine Sun Pest & Weed Management plan for project 2267 Estrella.

2.2. Disease Management

Due to the nature of Pristine Sun's renewable energy operations, we do not believe that PV Solar Generating Facilities are an important source for diseases that may impact local farm operations but will consult with the **Fresno County Agricultural Commissioner** and local **USDA County Agricultural Extension** staff on this issue to ensure operations do not contribute to disease generation or transmission in **Fresno County**.

2.3. Water Control

No permanent storm water management equipment will be required for this site as this solar equipment is not expected to have an impact on storm water, surface water, or groundwater quality during operation.

2.4. Access Roads

An access road will be developed for vehicles to enter the site and access the panel arrays for emergency access, maintenance and cleaning.

2.5. Right to Farm

Pristine Sun acknowledges that farming is the primary land use and activity in the region and is committed to working cooperatively with local farming operations to ensure the SGF and farming can coexist and will comply with County requirements.

2.6. Impermeable Site Coverage

During operation, more than 92.9 percent of the site (approximately 9 acres) will remain permeable; impermeable structures, including the foundations supporting the inverter pads, and the center and

perimeter roads cover 0.66 acres of the project site (See Table 1-2, Impermeable Site Coverage). Permeable areas of the PVSGF site would be planted with a native seed mixture to discourage weed infestation. No irrigation would be required to support plant growth. Vegetation would be managed to reduce fire risk, in accordance with Fresno County Fire Department requirements, in order to avoid fuel build-up on site.

Table 1-2 Impermeable Site Coverage from Project Elements

| Impermeable Structures | Impermeable Square Feet | Impermeable Acres | Percent of Site |
|------------------------|-------------------------|-------------------|-----------------|
| All Roads | 28,488.24 | 0.654 | 6.5% |
| Parking Lot | N/A | | |
| Inverter Pads | 261.36 | 0.006 | 0.6% |
| Total | 28,749.60 | 0.66 | 7.1% |

3. Fire Suppression and Safety

The applicant would coordinate with the California Office of the State Fire Marshall and the Fresno County Fire Department in providing training for personnel to safely interrupt electrical power in the event of emergency incidents requiring fire suppression or rescue activities. A Class 40 Fire extinguisher will be mounted on the inverter equipment pad.

To minimize fire risk, a Weed and Pest Management Plan will be implemented to ensure that combustible vegetation under and around solar panels, along all roadways, buildings, fence lines, and on and around the PVSGF boundary would be actively managed by the PVSGF owner or its affiliates. Combustible vegetation would either be limited in height or removed.

The applicant would coordinate with the Fresno County Fire Department in the development of a fire prevention and emergency action plan for the site, to address potential exposure to fire and other hazards in the PVSGF area. The plan would include:

- 3.1. **Fire Prevention Training.** The applicant would provide training for fire personnel in the safe interruption of electrical power for emergency incidents requiring fire suppression or rescue activities.
- 3.2. **Emergency Action Training.** The applicant would train all construction and O&M personnel in:
 - 3.2.1. Evacuation routes from the PVSGF site to safe areas, in the event of fire or other natural hazards.
 - 3.2.2. Coordination with local fire department, sheriff department, and emergency medical services.
 - 3.2.3. Safety measures in accordance with the California Occupational Safety and Health Administration (Cal/OSHA) regulations and guidance for construction, which would be reviewed by all PVSGF construction staff prior to starting work. Safety measures would include those that address potential electrical incidents and fire hazards.
- 3.3. **Fire Prevention Measures.** The applicant would implement the following measures during PVSGF construction and operation:
 - 3.3.1. All applicable Fresno County improvement standards would be followed, to ensure accessibility and ground clearance of emergency vehicles (e.g., fire engines).
 - 3.3.2. All weeds and vegetation growing on-site, including crops grown for harvest from the possible on-site farming operation, would be maintained to reduce potential fire hazards at the PVSGF site.

- 3.3.3. Smoking would be prohibited at the PVSGF site, except within designated areas.
- 3.3.4. Work crews would be required to park vehicles away from flammable vegetation such as dry grass and brush. At the end of each workday, heavy equipment would be required to be parked over mineral soil, asphalt, or concrete, where available, to reduce the risk of fire.
- 3.3.5. Fire-suppression equipment (e.g., fire extinguishers) would be made available on the PVSGF site at all times. All heavy equipment would be required to include mechanisms for fire suppression, including spark arresters or turbo-charging (which eliminates sparks in exhaust) and fire extinguishers.

4. Material Disposal and Solid Waste Management Plan

Prior to project construction, the applicant would prepare a material disposal and solid waste management plan, which would cover construction and operation activities. The plan would require recycling of 50 percent of all recyclable waste materials from construction, operations, and maintenance activities.

5. Operation, Maintenance, Security, and Monitoring

5.1. Operation

Upon commissioning, the PVSGF would enter the operation phase of the project. The solar modules at the site would operate during daylight 7 days a week, 365 days a year. The PVSGF operator would be located off site.

The applicant's maintenance program would include an industry standard SCADA. The operator would be on call to respond to alerts generated by the monitoring equipment at the PVSGF, and would analyze collected data on an ongoing basis to schedule maintenance.

- Operations activities at the PVSGF would include:
 - Solar module washing;
 - Vegetation, weed, and pest management;
 - Security;
 - Responding to automated alarms based on monitored data, including actual versus expected tolerances for system output and other key performance metrics; and
 - Communicating with customers, transmission system operators, and other entities involved in facility operations.

5.2. Maintenance

Pristine Sun site maintenance program would be largely conducted on site during daytime hours. Equipment repairs could take place in the early morning or evening when the plant would be producing the least amount of energy. Key program elements would include maintenance activities (originating from the regional O&M facility) and on-site maintenance as required to clear weeds for ground-mount systems.

Maintenance would typically include panel repairs; panel washing; maintenance of transformers, inverters, and other electrical equipment as needed; and road and fence repairs. Pest management would also be performed in accordance with the Weed and Pest Management Plan.

Solar modules would be washed several (up to two) times a year using light utility vehicles with tow-behind water trailers, as needed, to maintain optimal electricity production. No chemical cleaners would be used for module washing. Pristine Sun would use water from an on-site groundwater well located on the PVSGF site. Approximately 8,000 gallons would be used for washing the panels up to 2 times a year (4,000 gallons of water per washing period). Mr. Estrella has two wells on site. The first one is for the home and has a production capacity of 40 gallons per minute and 2 horse power pump. The second pump 300 feet deep with an 80 foot water table depth. It is 10 horsepower pump @ 200-300 gallons per minute and has never been used. He will provide us access to both. If we need additional water it will be brought in by truck.

5.3. Security

Security measures would be taken to ensure the safety of the public and the PVSGF. The PVSGF would be fenced along all perimeters with specified points of ingress and egress. The planned six-foot chain-link galvanized metal perimeter fence would likely be topped with standard three-strand barbed wire (totaling approximately seven feet in height). Fence posts would be drilled and grouted or driven pneumatically into the soil profile. A vehicle access gate would be installed as indicated on the attached site plan; this gate would remain locked when not in use. A remote controlled security camera and recording system will be installed as an additional security measure. Off-site security personnel could be dispatched during nighttime hours or could be on site, depending on security risks and operating needs.

5.4 Monitoring

The applicant or its representative would continually monitor facility outputs and performance against forecast production to identify equipment failure or abnormalities. Attributes that would be monitored include:

- Energy generated compared with expected generation.
- Inverter monitored for inverter voltage and current flow and failures.
- Combiner and re-combiner monitoring for failures comparison with expected current.
- Weather, including horizontal and plane-of-array irradiance, ambient air temperature, wind speed and direction, and back-of-module temperature for:
 - Comparison with forecasts, and
 - Calculation of expected generation and expected currents.

6. Operations Employees

It is anticipated that scheduled PVSGF O&M activities would require 2 or fewer workers total on site at any one time. However, on intermittent occasions, up to 4 workers could be required if repairs or replacement of equipment were needed in addition to panel washing. A record of inspections would be kept at the site. The duration of maintenance activities would vary, but would typically involve 2 workers for one day four times a year for panel washing, and two workers regularly visiting the site for routine maintenance activities.

6.1. **Operations Equipment**

Equipment that would be used during operation and maintenance of the PVSGF is detailed in Table 1-3.

Table 1-3 Solar Generation Facility Operations and Maintenance Equipment

| Maintenance Phase and Duration | Equipment | Estimated Usage | | |
|--------------------------------|------------------------------------|------------------|--------------|------------|
| | | Hours/Day | Days/Quarter | Total Days |
| Operations and Maintenance | 1 Portable Water Trailer with pump | 8 | 2 | 8 |
| | | Miles/Round Trip | Round Trips | Total Days |
| | 1 - Ford F150s (Routine O&M) | 36 | 1 | 4 |
| | 1 - Ford F250s (Panel Washing) | 36 | 2 | 8 |
| | | | | |

Key:
 ATV = all-terrain vehicle
 O&M = operations and maintenance

7. Construction

7.1. Solar Generation Facility Project

The maximum PVSGF project footprint would be approximately **10** acres. Construction activities on the PVSGF site would include:

7.1.1. Pre-construction:

- 7.1.1.1. Survey of site and finalization of PVSGF layout, including roads, panel, substation, and support structures.
- 7.1.1.2. Installation of chain-link fence and gates around the perimeter of the project site and staging and laydown areas.
- 7.1.1.3. Site preparation, including vegetation clearance and grading. Grading would be minimized. The project would be constructed to follow the existing topography of the site as much as possible to limit erosion potential and maintain existing drainage patterns, with the objective of ensuring that project post-construction flows match pre-construction flows.
- 7.1.1.4. Installation of erosion and sediment control measures, including watering for dust control and soil compaction during grading and throughout construction activities.
- 7.1.1.5. Creation of temporary staging and storage areas for materials and equipment during construction of the PVSGF project components. Construction laydown and staging areas would be located within the project site. These areas would be secured by temporary free-standing chain-link fencing for the duration of construction activities. These areas would also be used for parking of construction workers' personal vehicles during daily work activities.
 - 7.1.1.5.1. Following construction, the full restoration of the laydown and staging areas to as close as possible to pre-construction conditions.
- 7.1.1.6. Prior to construction, identification and demarcation of areas in which construction activities would not be permitted. These would include protected areas of cultural or biological significance, buffer zones adjacent to such areas, and shallow washes that could traverse the site. Demarcation would involve temporary construction fencing.
- 7.1.1.7. Perform all preconstruction biological surveys according to the CDFW protocols.
- 7.1.1.8. Prior to road construction, grading and compaction of temporary and permanent internal project site access roadways. Project access roads would be approximately 12 feet wide, and would be designed and installed per the Fresno County Improvement Standards. The ultimate depth of roads would be designed in accordance with site-specific geotechnical conditions, engineering guidelines, and applicable County Improvement Standards.
- 7.1.1.9. Compaction of pad sites/foundations for the substation, inverter, and control room.

8. Construction of the PVSGF:

- 8.1. Installation of the racking system and assembly of modules:
 - 8.1.1. Installation of engineered steel I-beams using pneumatic or hydraulic equipment techniques
 - 8.1.2. Installation of single-axis tracking system infrastructure and associated motors on the I-beams;
 - 8.1.3. Installation of PV solar modules to the single-axis tracking system infrastructure.

- 8.2. Installation of DC wire, combiner boxes, and wire grounding; and
 - 8.2.1. Trenching and installation of buried wires at a depth of approximately 24 inches.
 - 8.2.2. Installation of the inverter/transformer and controls
 - 8.2.3. Installation of the DC wiring and combiner boxes
 - 8.2.4. Trenching and installation of
 - 8.2.5. Construction of interconnection to PG&E power/distribution system.
 - 8.2.6. Telecommunication system installation.
 - 8.2.7. Connection to local telephone network.
 - 8.2.8. Installation of meteorological stations.

- 8.3. The applicant would adopt the final design recommendations for aboveground structures at the PVSGF site as detailed in the site-specific geotechnical investigation report prepared by the applicant's contractor.

9. Grading and Compaction

- 9.1. The solar PV panels would be installed in an east-west orientation in rows (see Figure 1-4, Typical Solar PV Array) or a north-south orientation with tracking. The land surface on the PVSGF site is flat and recently tilled, and thus would require minimal grading to allow for installation of the PV panels. In general, the solar arrays would follow the existing topography of the site to further minimize the extent of re-grading required and to maintain existing drainage patterns. Storm water drainage would be managed in accordance to the Storm Water Pollution Prevent Plan, discussed below, and County requirements. Post-construction flows from the site would match pre-construction flows.

- 9.2. The entirety of the project site would be minimally graded to prepare for installation of the PVSGF inverter pads, and access roads.

10. Testing and Energizing

- 10.1. Prior to energizing the equipment, the solar PV panels would be tested. Upon completion of successful testing, the equipment would be energized.

11. Storm Water Pollution Prevention Plan and Best Management Practices

- 11.1. The maximum PVSGF project footprint would be **10** acres, including construction staging areas. Staging areas would comprise a total area of **0.66** acres within the site. Minimal grading would be conducted over this entire area.

- 11.2. Because construction of the PVSGF would be 0.66 acres of graded disturbance of the surface area, the applicant would not be required to obtain coverage under the State Construction General Permit, under the National Pollutant Discharge Elimination System (NPDES) program.
- 11.3. Pristine Sun would prepare a SWPPP by a qualified engineer or erosion control specialist, and would be implemented before construction. The SWPPP would be designed to reduce potential impacts related to erosion and surface water quality during construction activities and throughout the life of the project. It would include project information, monitoring and reporting procedures, and best management practices (BMPs). The BMPs would include dewatering procedures, storm water runoff quality control measures, concrete waste management, watering for dust control, and construction of perimeter silt fences, as needed. Specific BMPs would include:
 - 11.4. Measures to prevent sediment from entering aquatic habitat near work areas, including the use of silt fencing, straw wattles, jute netting, and/or sterile hay bales.
 - 11.5. Measures to prevent the cleaning of equipment in drainages or other wetlands.
 - 11.6. Measures addressing temporary sediment disposal.
 - 11.7. Measures to ensure that equipment storage, fueling, and staging areas are located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas would be located so as to prevent any runoff from entering sensitive habitat.
 - 11.8. Measures to prevent releases of cement or other toxic substances into surface waters.
 - 11.9. Reporting of project-related spills of hazardous materials to appropriate regulatory entities, including but not limited to: Fresno County; the U.S. Fish and Wildlife Service (USFWS); and the California Department of Fish and Wildlife (CDFW). Hazardous materials spills would be cleaned up immediately, and contaminated soils would be excavated and transported to approved disposal areas.

12. Construction Personnel Training

- 12.1. Prior to construction, a qualified biologist would be retained by the Pristine Sun to conduct environmental awareness training for project personnel. Such training would communicate information related to the protection of sensitive biological resources that might be present at the PVSGF site, and would include:
 - 12.2. A description of species of concern and associated habitats.
 - 12.3. The general provisions of applicable environmental regulations and the need to adhere to the provisions of the regulations.
 - 12.4. General measures being implemented to conserve the species of concern as they relate to the project.
 - 12.5. A discussion of the defined access routes to the PVSGF site and project site boundaries within which project activities must be accomplished. Construction employees would strictly limit their activities, vehicles, equipment, and construction materials to the project footprint and designated staging areas and routes of travel. The construction area(s) would be the minimum area necessary to complete the project and would be specified in the construction plans. Construction areas would be demarcated on site, and employees would be instructed to limit activities to these areas.

13. Construction Access and Equipment

- 13.1. All materials for PVSGF project construction would be delivered by truck. The majority of truck traffic would occur on designated truck routes and major streets. Flatbed trailers and trucks would be used to transport construction equipment and construction materials to the site. The PVSGF project components would be assembled on site. Traffic resulting from construction activities would be temporary and could occur along area roadways as workers and materials were transported to and from the PVSGF project site.
- 13.2. The anticipated average number of vehicle trips and the equipment to be used for the construction of the PVSGF is detailed in Tables 1-4. Construction of the PVSGF is not expected to cause a significant short-term increase in traffic volumes on area roads due to the nature and scope of the required construction activities (i.e., limited grading, delivery of pre-constructed panels to the sites, etc.).
- 13.3. Water used during project construction would primarily come from nearby private off-site wells; however, other water sources could be used, including existing and/or planned wells on the PVSGF site. During construction, it is anticipated that up to **500** gallons of water would be used daily for construction purposes and dust suppression (including truck wheel washing)

Project Size 1.000 MW

CONSTRUCTION VEHICLE EMISSIONS

| Construction Equipment | Number of Vehicles | Duration of Construction | Hours Per Day | Days Worked Per Week |
|--|--------------------|---|---------------|----------------------|
| Grader | 1 | 2-3 weeks | | |
| Ground Packer | 1 | | | |
| Mini Excavator | 1 | | | |
| Track Loaders | 2 | | | |
| Post Pounding Machine | 1 | 2 Weeks | | |
| Forklift | 1 | | | |
| Water Truck | 1 | | | |
| Generator (for construction) | 1 | 6 Weeks | | |
| ATV's | 3 | | | |
| Onsite Mobile Office | 1 | | | |
| Product Storage Containers | 2 | | | |
| Duration of construction (months, total for all activities): | | 6-8 Weeks | | |
| Days worked per week: | | | | 5 to 6 |
| Hours equipment used per day: | | | 6 to 7 | |
| Duration of grading & road activities (weeks) | | 2-3 weeks, but project specific, depending on existing condition of roads. Panel installation location requires very minimal grading, if any. | | |
| Duration of trenching activities (weeks) | | 6-8 Weeks | | |
| Trenching will occur throughout the construction: | | | | |
| Duration of panel installation activities (weeks) | | 4-Weeks | | |
| Duration of building construction activities (weeks) | | N/A | | |
| Average Vehicle Speeds | | | | |
| Average off-site vehicle speed (mph) | | Speed Limit | | |
| Average on-site vehicle speed (mph) | | 5-10 mph | | |

OPERATIONAL VEHICLE EMISSIONS

| | |
|--|--|
| Delivery Vehicle Information | |
| Vehicle Type: | Tractor Trailers & Box Trucks |
| Number of vehicles per week: | 2-3 Deliveries |
| Days per year: | 20-35 Deliveries over construction period (6-8 weeks) |
| Average off-site travel distance (round trip) per truck (miles): | 50-100 miles. This is site and delivery specific. |
| Average on-site travel distance (daily total) per truck (miles): | 1-2 Miles |
| General Maintenance Worker Commute Information | |
| Vehicle type: | A maintenance worker will visit the site 2 times per year to check equipment and clean |
| Number of vehicles per day: | Pickup Truck |
| Days per year: | 1 to 2 |
| Average off-site travel distance (round trip) per vehicle (miles): | 3-4 Days |
| Average on-site travel distance (daily total) per vehicle (miles): | 30-50 Miles |
| | 1-2 Miles |
| Security Worker Commute Information | |
| Vehicle type: | No On Site Security |
| Number of shifts per day: | N/A |
| Number of vehicles per shift: | |
| Days per year: | |
| Average off-site travel distance (round trip) per vehicle (miles): | |
| Average on-site travel distance (daily total) per vehicle (miles): | |
| Water Truck Worker Commute Information | |
| Vehicle type: | 4000 gallon water truck |
| Number of vehicles per day: | 1 truck every 3-4 days during construction if site requires Dust Control Plan. Otherwise 1-2 trucks during construction cleanup, and 2-4 trucks per year for panel cleaning. |
| Number of cleanings per year: | 2 |
| Number of gallons per panel wash: | 2,800 |
| Number of days per cleaning: | 1-2 Days |
| Average off-site travel distance (round trip) per truck (miles): | 50-100 miles. This is project specific. |
| Average on-site travel distance (daily total) per truck (miles): | 2-3 miles. Project specific. |

14. Site Restoration and Re-vegetation

- 14.1. Following the completion of major construction and if the site is not going to be intensively farmed with row crops or field crops between solar panels, the site would be re-seeded/re-vegetated with low-growing appropriate species to lessen soil erosion and control weed growth to reduce fire hazards. Vegetation would be selected based on growth habit (lower growing cover would be preferred) and suitability for the area. Site restoration activities would include:
- 14.2. On-site repurposing or removal of all vegetative material from grubbing, clearing, and pruning;
- 14.3. Removal of all trash and construction debris;
- 14.4. Removal of temporary construction fencing marking the perimeter of sensitive areas (washes, set-aside areas); and
- 14.5. Removal of all construction equipment and any supplies and materials that were not consumed on site.
- 14.6. Following the completion of site restoration activities, the construction staging areas will be restored to their original condition by the planting of appropriate species.

15. Construction Waste Recycling

- 15.1. Construction materials would be sorted on site throughout construction and transported to appropriate waste management facilities. Recyclable materials would be separated from non-recyclable items and stored until they could be transported to a designated recycling facility. It is anticipated that at least 20 percent of construction waste would be recyclable, and 50 percent of those materials would be recycled. Wooden construction waste (such as wood from wood pallets) would be sold, recycled, or chipped and spread on the project site for weed control as appropriate. Other compostable materials, such as vegetation, might also be composted off site at an existing permitted facility. Hazardous waste and electrical waste would not be placed in a landfill, but rather would be transported to a hazardous waste handling facility (e.g., electronic-waste recycling). All contractors and workers would be educated about waste sorting, appropriate recycling storage areas, and how to reduce landfill waste.

16. Project Schedule and Personnel Requirements

16.1. Solar Generation Facility Schedule

- 16.1.1. Construction activities are expected to begin by **March 2015**, following completion of the CEQA review process, receipt of all necessary construction permits, and compliance with any applicable pre-construction conditions. Construction of the PVSGF is expected to be completed within approximately 2-3 months, with commissioning of the PVSGF scheduled for **August 2015**. The PVSGF project elements would be constructed in phases, as follows:
 - 16.1.1.1. Site preparation,
 - 16.1.1.2. Solar PV system installation, and
 - 16.1.1.3. Installation of inverters/transformers, and interconnection.

16.1.2. Crews would typically work 8- to 10-hour days, 5 to 6 days a week. Depending on local permit requirements, Construction would begin following County approval of permits and other entitlements, final engineering, and procurement activities.

16.2. Solar Generation Facility Personnel

16.2.1. During construction, an average of **10** construction workers would be on site each day. During the peak construction period (anticipated to last up to 2 months), up to **15** workers would travel to and from the site on a daily basis, at an average one-way distance of 36 miles. Local labor would be utilized to the maximum extent practicable.

17. Decommissioning and Reclamation Plan

The Project has an estimated useful lifetime of 30 years or more, with an opportunity for a lifetime of 50 years or more with equipment replacement and repowering. The Decommissioning and Reclamation plan, however, assumes that at the end of the 20 year power generation contract with Pacific Gas and Electric (PG&E) the system will be completely dismantled and the site restored to its preconstruction state. Please refer to the Pristine Sun PV Solar Generator Facility Management & Reclamation Plan for project 2267 Estrella in Attachment B.

18. References

California Air Resource Board. <http://www.arb.ca.gov/cc/ab32/ab32.htm>. Last reviewed August 2014.

California Energy Commission. <http://www.energy.ca.gov/renewables/>

The White House. <http://www.whitehouse.gov/the-press-office/2014/05/09/fact-sheet-president-obama-announces-commitments-and-executive-actions-a/> May 09, 2014.

President Obama's Climate Action Plan. Cutting carbon pollution, protecting American communities, and leading internationally. http://www.whitehouse.gov/sites/default/files/docs/cap_progress_report_update_062514_final.pdf

US Energy Information Administration. <http://www.eia.gov/tools/faqs/faq.cfm?id=97&t=3>

U.S. Environmental Protection Agency (EPA). 2015. Greenhouse Gas Equivalencies Calculator. www.epa.gov/cleanenergy/energy-resources/calculator.html. Last updated April 16, 2014.

University of California, Davis. 2003. Integrated Pest Management for Home Gardeners and Landscape Professionals – Rats. Pest Notes Publication 74106. Website: <http://www.imp.usdavis.edu/PMG/PESTNOTES/pn74106.html>. Accessed November 11, 2014

EXHIBIT 8

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

SOLAR ELECTRICAL GENERATION FACILITY
SUPPLEMENTAL INFORMATION

CUP 3477 Project: 2267 Estrella
Jose & Julia Estrella
22694 East Parlier Avenue,
Reedley, CA 93654

Any person or entity wishing to submit a land use entitlement application proposing to establish a solar electrical generation facility in an agricultural area of the County, as well as any petition to cancel a Williamson Act Contract to establish a solar electrical generation facility as an alternate use, shall submit a supplemental information packet with the land use entitlement application and the cancellation petition addressing the following items:

1. Information about the historical agricultural operational/usage of the parcel including, specific crop type for the last ten years. (If no agricultural operation in the last ten years, specify when land was last in agricultural use)
 - a. No crops in the last ten years. Mr. Estrella bought the parcel about 10 years ago it was already open land. He doesn't know when the last agricultural use took place on the land.

2. Information identifying the source of water for the subject parcel (surface water from irrigation district, individual well(s), conjunctive system). If the source of water is via district delivery, the applicant shall submit information documenting the allocations received from the irrigation district and the actual disposition of. The water (i.e. utilized on-site or moved to other locations) for the last ten years. If an individual well system is used, provide production capacity of each well, water quality data and data regarding the existing water table depth; and
 - a. Mr. Estrella has two wells on site. 1 well for purpose of agriculture but he never used it because he never had agriculture on the land. There is a separate well for the home.
 - b. The ag well will be used for onsite water use for the project for things such as vegetation buffer maintenance if a vegetation buffer is implemented.
 - i. First well for the home has a Production capacity of 40 gallons per minute, & 2 horse power pump
 - ii. Second pump is 300 feet deep with an 80 foot water table depth. It is 10 horsepower pump @ 200-300 gallons per minute.

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

3. Identify all current restrictions on the parcel (Williamson Act Contract, Conservation Easement, retired land, etc.), as well as the purpose of any easement and limitations of the parcel. The applicant shall submit a Title Report or Lot Book Guarantee for verification; and
 - a. No restrictions on the parcel exist.
 - b. Please see attached title report & plotted easements
4. Identify (with supporting data) the current soil type and mapping units of the parcel pursuant to the standards of the California Stated Department of Conservation and Natural Resources Conservation Service.
 - a. Please see attached Soil Report
5. List all proposed measures and improvements intended to create a buffer between the proposed solar facility and adjacent agricultural operations (detailed information must be shown on the Site Plan) and provide factual/technical data supporting the effectiveness of said proposed buffering measures
 - a. The proposed solar array site will be fenced. There will be a 50-foot set-back buffer between the property line and the array. Please see attached site plan
6. Submit a Reclamation Plan detailing the lease life, timeline for removal of the improvements and specific measures to return the site to the agricultural capability prior to installation of solar improvements (guidelines for preparing the Reclamation Plan is attached)
 - a. Please see Decommissioning & Reclamation Plan
7. Provide information documenting efforts to locate the proposed solar facility on non-agricultural lands and non-contracted parcels and detailed information explaining why the subject site was selected; and
 - a. Property owner contacted Pristine Sun about developing solar to pursue an alternate source of income for his property as it has not been agriculturally productive for over 10 years.
 - b. Parcel is not under Williamson Act contract
8. Submit a project site Pest Management Plan to identify methods and frequency to manage weeds, insects, disease and vertebrate pests that may impact adjacent- sites; and
 - a. Please see Pest & Weed Management Plan
9. Acknowledge the County's Right-to-Farm Ordinance and record a Right-to-Farm Notice prior to issuance of any permits.
 - a. Pristine Sun acknowledge the Right-to-Farm Ordinance
 - b. Property owners will record a Right-to-Farm Notice
10. Note: The life of the approved land use permit will expire upon expiration of the initial life of the solar lease. If the solar lease is to be extended, approval of new land use permit will need to be obtained.

GUIDELINES FOR PREPARING A SOLAR ELECTRICAL GENERATION FACILITY RECLAMATION PLAN

1. Description of present use of the site.
2. Describe the proposed alternate use of the land (all equipment to be installed above and underground, structures, fencing, etc.).
3. Duration of the alternate use of the property (specify termination date).
4. Address ownership of the property (lease or sale).
 - a. Describe how the subject property will be reclaimed to its previous agricultural condition, specifically
 - b. Timeline for completion of reclamation after solar facility lease has termed (identify phasing if needed); and
 - c. Handling of any hazardous chemicals/materials to be removed; and
 - d. Removal of all equipment, structures, buildings and improvements at and above-grade; and
 - e. Removal of any below-grade foundations
 - f. Removal of any below-grade infrastructure (cables/lines, etc.) that are no longer deemed necessary by the local public utility company; and
 - g. Detail any grading necessary to return the site to original grade; and
 - h. Type of crops to be planted; and
 - i. Irrigation system details to be used (existing wells, pumps, etc. should remain throughout the solar facility use).
5. A Site Plan shall be submitted along with the text of the Reclamation Plan showing the location of equipment, structures, above and underground utilities, fencing, buffer area, reclamation phasing, etc.
6. An engineering cost estimate of reclaiming the site to its previous agricultural condition shall be submitted for review and approval.
7. Financial assurances equal to the cost of reclaiming the land to its previous agricultural condition shall be submitted to ensure the reclamation is performed according to the approved plan. Financial assurances shall be made to the County of Fresno and may take the form of cash, letter of credit or bond that complies with Section 66499 of the California Government Code, et. Seq.
8. Evidence that all owners of record have been notified of the proposed Reclamation Plan.



Fidelity National Title Company

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, Fidelity National Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a California Corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Countersigned by:

Authorized Signature



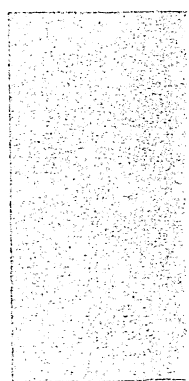
BY

President

ATTEST

Secretary

Authorized Signature



CUP 3477

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AUG 19 2014

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



Fidelity National Title Company
1300 Dove Street, Suite 310, Newport Beach, CA 92660
Phone: (949) 622-5000 • Fax: (949) 477-6813

PRELIMINARY REPORT

Title Officer: Mitch LaRiva

Order No.: 997-23049342-PP2

TO:

Pristine Sun
649 Mission, 5th Floor
San Francisco, CA 94105

ATTN: **Jessie O'Malley**
YOUR REFERENCE: 2267 Estrella

PROPERTY ADDRESS: 22694 East Parlier Avenue, Reedley, CA

EFFECTIVE DATE: July 11, 2014 at 7:30 a.m.

The form of policy or policies of title insurance contemplated by this report is:

CLTA Std. Owner's

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A FEE

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Jose Estrella and Julia Estrella, husband and wife as joint tenants

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

See Exhibit A attached hereto and made a part hereof.

/hm 07/24/14

PRELIMINARY REPORT
Your Reference:

Fidelity National Title Company
Order No.: 997-23049342-PP2

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA OF REEDLEY, COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 22 OF SPRINGFIELD COLONY, BEING THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 15 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 2 PAGE 30 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS

APN: 373-360-19/10

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2014-2015.
2. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
3. Taxes and assessments levied by the Alta Irrigation District.

All taxes and assessments currently due and payable to said District to date affecting said property have been paid.
4. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat:

Purpose: Sand Ridge Ditch
Affects: as shown on said map
5. Rights of the public to any portion of the Land lying within the area commonly known as Parilier Avenue formerly North Avenue.
6. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Reserved by: California Fruit and Wine Land Company
Purpose: Frank Flamming
Recording Date: May 17, 1922
Recording No.: Book 213. Page 397. of Official Records
Affects: portion of said land
7. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Lease
Lessor: Jose Estrella and Julia Estrella, individuals
Lessee: Pristine Sun Fund 2 LLC, a California Limited Liability Company
Recording Date: April 11, 2013
Recording No.: 2013-0052979. of Official Records
8. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$169,500.00
Dated: July 5, 2013
Trustor/Grantor: Jose Estrella and Julia Estrella, husband and wife as joint tenants
Trustee: ReContrust Company, N.A.
Beneficiary: Mortgage Electronic Registration Systems, Inc. ("MERS) as Nominee for Bank of America N. A.

Loan No.: None Shown
Recording Date: July 26, 2013
Recording No.: 2013-0104883-00. of Official Records

ITEMS (Continued)
Your Reference:

Fidelity National Title Company
Order No.: 997-23049342-PP2

9. In order to complete this report, the Company requires a Statement of Information to be completed by the following party(ies),

Party(ies): All parties

The Company reserves the right to add additional items or make further requirements after review of the requested Statement of Information.

NOTE: The Statement of Information is necessary to complete the search and examination of title under this order. Any title search includes matters that are indexed by name only, and having a completed Statement of Information assists the Company in the elimination of certain matters which appear to involve the parties but in fact affect another party with the same or similar name. Be assured that the Statement of Information is essential and will be kept strictly confidential to this file.

10. Matters which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.
11. Any easements not disclosed by the public records as to matters affecting title to real property, whether or not said easements are visible and apparent.
12. Water rights, claims or title to water, whether or not disclosed by the public records.
13. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

14. Any right, interest or claim that may exist, arise or be asserted against the Title under or pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.
15. The Company will require that an Owner's Affidavit be completed by the party(s) named below before the issuance of any policy of title insurance.

Party(s): All Parties

The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.

END OF ITEMS

NOTES

Note 1. Note: The name(s) of the proposed insured(s) furnished with this application for title insurance is/are:

No names were furnished with the application. Please provide the name(s) of the buyers as soon as possible.

Note 2. Note: The charge for a policy of title insurance, when issued through this application for title insurance, will be based on the Short Term Rate.

Note 3. Note: Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts were:

| | |
|--------------------|--------------|
| Tax ID No.: | 373-360-19 |
| Fiscal Year: | 2013-2014 |
| 1st Installment: | \$2,631.01 |
| 2nd Installment: | \$2,631.01 |
| Exemption: | \$0.00 |
| Land: | \$144,948.00 |
| Improvements: | \$278,324.00 |
| Personal Property: | \$0.00 |
| Code Area: | 169-001 |

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note 4. Note: The Company is not aware of any matters which would cause it to decline to attach CLTA Endorsement Form 116 indicating that there is located on said Land Agricultural Land, known as 22694 East Parlier Avenue, Reedley, California, to an Extended Coverage Loan Policy.

Note 5. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

Note 6. Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

Note 7. If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.

Note 8. Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.

END OF NOTES

OWNER'S DECLARATION

The undersigned hereby declares as follows:

1. (Fill in the applicable paragraph and strike the other)
 - a. Declarant ("Owner") is the owner or lessee, as the case may be, of certain premises located at _____
further described as follows: See Preliminary Report/Commitment No. 997-23049342-PP2 for full legal description (the "Land").
 - b. Declarant is the _____ of _____
("Owner"), which is the owner or lessee, as the case may be, of certain premises located at _____
further described as follows: See Preliminary Report/Commitment No. 997-23049342-PP2 for full legal description (the "Land").
2. (Fill in the applicable paragraph and strike the other)
 - a. During the period of six months immediately preceding the date of this declaration no work has been done, no surveys or architectural or engineering plans have been prepared, and no materials have been furnished in connection with the erection, equipment, repair, protection or removal of any building or other structure on the Land or in connection with the improvement of the Land in any manner whatsoever.
 - b. During the period of six months immediately preceding the date of this declaration certain work has been done and materials furnished in connection with _____ upon the Land in the approximate total sum of \$_____, but no work whatever remains to be done and no materials remain to be furnished to complete the construction in full compliance with the plans and specifications, nor are there any unpaid bills incurred for labor and materials used in making such improvements or repairs upon the Land, or for the services of architects, surveyors or engineers, except as follows: _____. Owner, by the undersigned Declarant, agrees to and does hereby indemnify and hold harmless Fidelity National Title Insurance Company against any and all claims arising therefrom.
3. Owner has not previously conveyed the Land; is not a debtor in bankruptcy (and if a partnership, the general partner thereof is not a debtor in bankruptcy); and has not received notice of any pending court action affecting the title to the Land.
4. Except as shown in the above-referenced Preliminary Report/Commitment, there are no unpaid or unsatisfied mortgages, deeds of trust, Uniform Commercial Code financing statements, claims of lien, special assessments, or taxes that constitute a lien against the Land or that affect the Land but have not been recorded in the public records.
5. The Land is currently in use as _____; _____ occupy/occupies the Land; and the following are all of the leases or other occupancy rights affecting the Land:

6. There are no other persons or entities that assert an ownership interest in the Land, nor are there unrecorded easements, claims of easement, or boundary disputes that affect the Land.
7. There are no outstanding options to purchase or rights of first refusal affecting the Land.

This declaration is made with the intention that Fidelity National Title Insurance Company (the "Company") and its policy issuing agents will rely upon it in issuing their title insurance policies and endorsements. Owner, by the undersigned Declarant, agrees to indemnify the Company against loss or damage (including attorneys fees, expenses, and costs) incurred by the Company as a result of any untrue statement made herein.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on ____ at _____.

Signature: _____

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the "Website"). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

Collection and Use of Information

The types of personal information FNF collects may include, among other things (collectively, "Personal Information"): (1) contact information (e.g., name, address, phone number, email address); (2) demographic information (e.g., date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student ID (SIN), driver's license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- From consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

Additional Ways Information is Collected Through the Website

Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

Cookies. From time to time, FNF or other third parties may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive and that can be re-sent to the serving website on

subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the [Third Party Opt Out](#) section below.

Web Beacons. Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as "clear gifs"). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the [Third Party Opt Out](#) section below.

Unique Identifier. We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

Third Party Opt Out. Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (e.g., click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity.

You can opt-out of online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at <http://www.networkadvertising.org/>.
- You can opt-out via the Consumer Choice Page at www.aboutads.info.
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at www.youronlinechoices.com.
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

When Information Is Disclosed By FNF

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your

prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party's own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

Information from Children

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this Privacy Notice, and to abide by and comply with this Privacy Notice. In any case, you affirm that you are over the age of 13, as **THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN.**

Parents should be aware that FNF's Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children – or others – in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

Privacy Outside the Website

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

European Union Users

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

Choices with Your Personal Information

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you.

You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances ("opt out"). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization unless you affirmatively consent to such disclosure and use.

You may opt out of online behavioral advertising by following the instructions set forth above under the above section "Additional Ways That Information Is Collected Through the Website," subsection "Third Party Opt Out."

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please contact us in the manner specified at the end of this Privacy Notice. We ask individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

Your California Privacy Rights

Under California's "Shine the Light" law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2013 will receive information regarding 2012 sharing activities).

To obtain this information on behalf of FNF, please send an email message to privacy@fnf.com with "Request for California Privacy Information" in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California's Online Privacy Protection Act requires us to disclose how we respond to "do not track" requests and other similar mechanisms. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

Your Consent to This Privacy Notice

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354
privacy@fnf.com

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EFFECTIVE AS OF: JANUARY 24, 2014

LAST UPDATED: JANUARY 24, 2014

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the field rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for each discount. These discounts only apply to transaction involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Company

FNTC - Fidelity National Title Company
FNTCCA - Fidelity National Title Company of California

FNF Underwriter

FNTIC - Fidelity National Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (FNTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 or 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (FNTC, FNTCCA and FNTIC)

Eligible customers shall receive \$20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al., Sacramento Superior Court Case No. 99AS02793, and related cases.*

DISASTER LOANS (FNTIC)

The charge for a lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (FNTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 40% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.

Notice

You may be entitled to receive a \$20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is the subject of your current transaction, you must inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provided the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount.

Effective through November 1, 2014

ATTACHMENT ONE (Revised 06-03-11)

CALIFORNIA LAND TITLE ASSOCIATION
STANDARD COVERAGE POLICY – 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.

2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;

- c. that result in no loss to You; or
- d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
- 5. Failure to pay value for Your Title.
- 6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.
 This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
- 7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

| Covered Risk | Your Deductible Amount | Our Maximum Dollar Limit of Liability |
|------------------|---|---------------------------------------|
| Covered Risk 16: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$10,000.00 |
| Covered Risk 18: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$25,000.00 |
| Covered Risk 19: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$25,000.00 |
| Covered Risk 21: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$5000.00 |

**AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)**

EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:

- * land use
- * improvements on the land
- * land division
- * environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date.

This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:

- * a notice of exercising the right appears in the public records
- * on the Policy Date
- * the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking

3. Title Risks:

- * that are created, allowed, or agreed to by you
- * that are known to you, but not to us, on the Policy Date – unless they appeared in the public records
- * that result in no loss to you
- * that first affect your title after the Policy Date – this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks

4. Failure to pay value for your title.

5. Lack of a right:

- * to any land outside the area specifically described and referred to in Item 3 of Schedule A

OR

- * in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

**2006 ALTA LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13 or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

2006 ALTA OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
 5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.
- The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10) EXCLUSIONS FROM COVERAGE

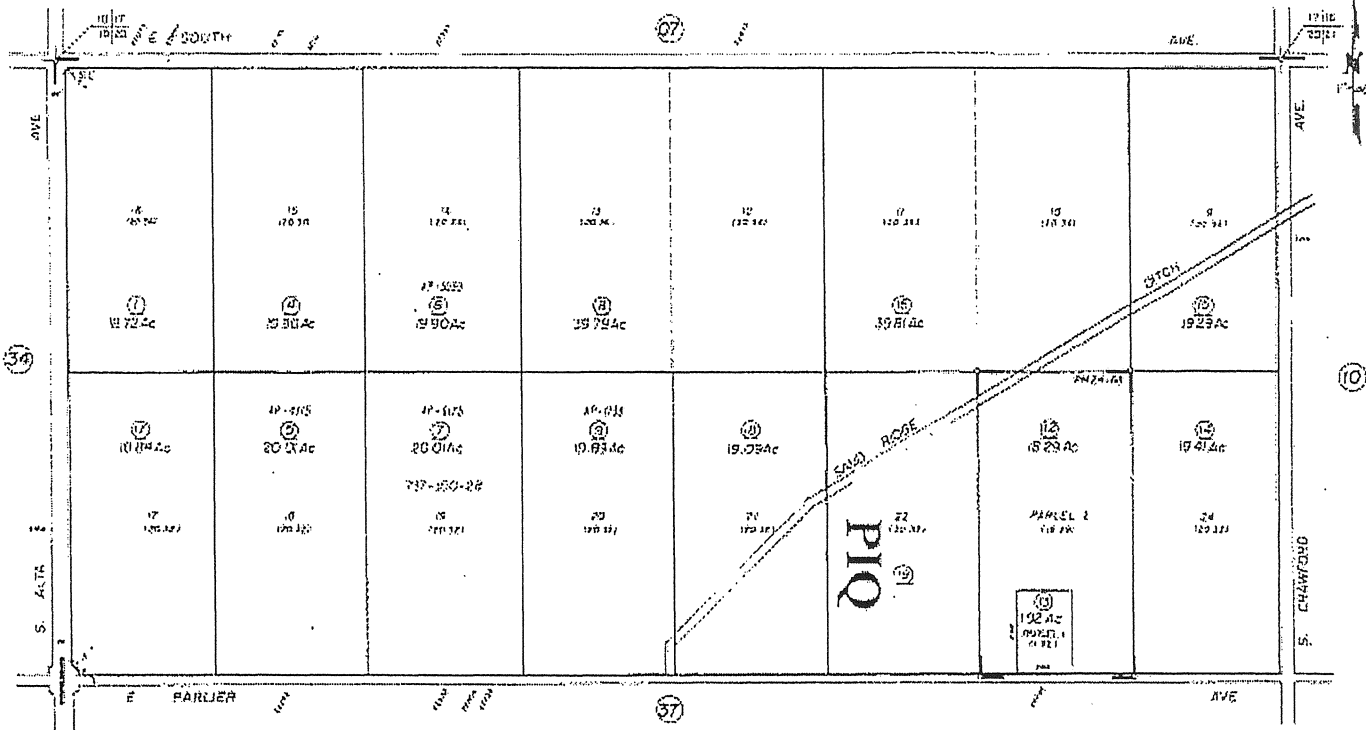
The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

SUBDIVIDED LAND IN POR. SEC. 20, T.15 S., R.24 E., M. D. B. & M.

Tax Rate Area
53-22

373-36



IMPORTANT: This plat is preliminary. It is hereby affirmed as a convenience to locate the land in relation to adjoining streets and other lands, and not to guarantee distances, bearings or acreage.

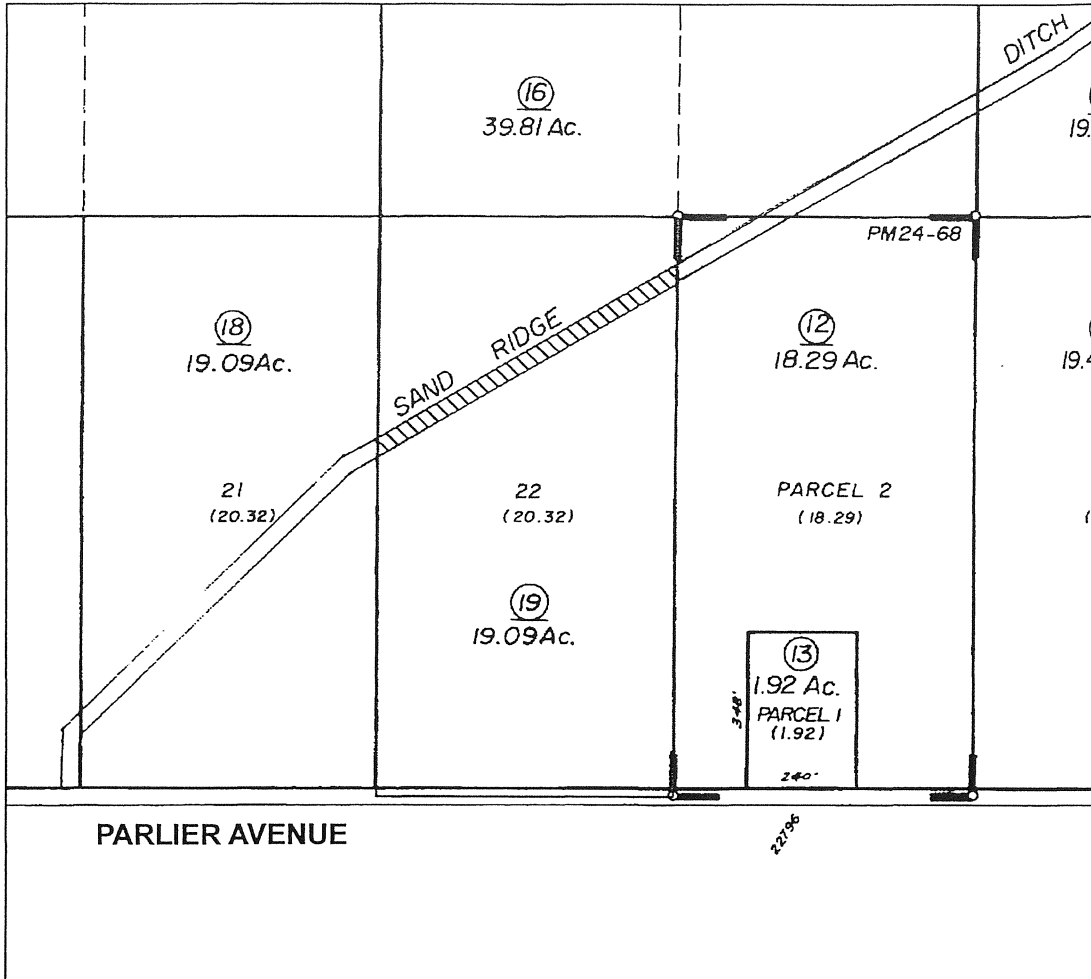
Agricultural Preserve
Parcel Map No. 3698 - Bk. 24, Pg. 68
Springfield Colony - R. S. Bk. 2, Pg. 30

NOTE -
This map is for Assessment purposes only
It is not to be construed as conveying legal
ownership or division of land for purposes
of zoning or other laws.

Assessor's Map Bk. 373 - Pg. 36
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Scale 1 inch = 255.25 feet



Legend

- Property In Question - Fee
- Item No. 4 - Easement for Sand Ridge Ditch
In Bk2 Pg30 of Record of Survey
Affects said portion as shown on the map
- Item No. 6 - Easement for Right of Way
In 05/17/1922 Bk213 Pg397 of Official Records
The exact location of said easement
cannot be determined and is not plottable

©2014
Fidelity National Title Company
 1300 Dove Street, Suite 310
 Newport Beach, CA 92660
 Phone: (949) 622-5000 Fax: (949) 477-6813

Title Order No. : 23049342, Preliminary Report dated July 11 2014
 Reference : 2267 Estrella
 Property : 22694 East

Drawing Date : 08/19/2014 - FNFI

Assessor's Parcel No. : 373-360-19

Data :

Any discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose and are not shown by the public records. This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any reason of reliance thereon.

Plat Showing : LOT 2
 TOWNSHIP 15 SOUTH
 BOOK 2 PAGE 30 OF

Exhibit 4 - Page 73

ARTER OF THE NORTHEAST QUARTER OF SECTION 20,
 N, ACCORDING TO THE MAP THEREOF RECORDED IN

Sheet
 1 of 1

Archives



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Eastern Fresno Area, California

2267-Estrella

CUP 3477
RECEIVED
COUNTY OF FRESNO

AUG 19 2014

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://soils.usda.gov/sqi/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://soils.usda.gov/contact/state_offices/).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Soil Data Mart Web site or the NRCS Web Soil Survey. The Soil Data Mart is the data storage site for the official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means

for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

Custom Soil Resource Report

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

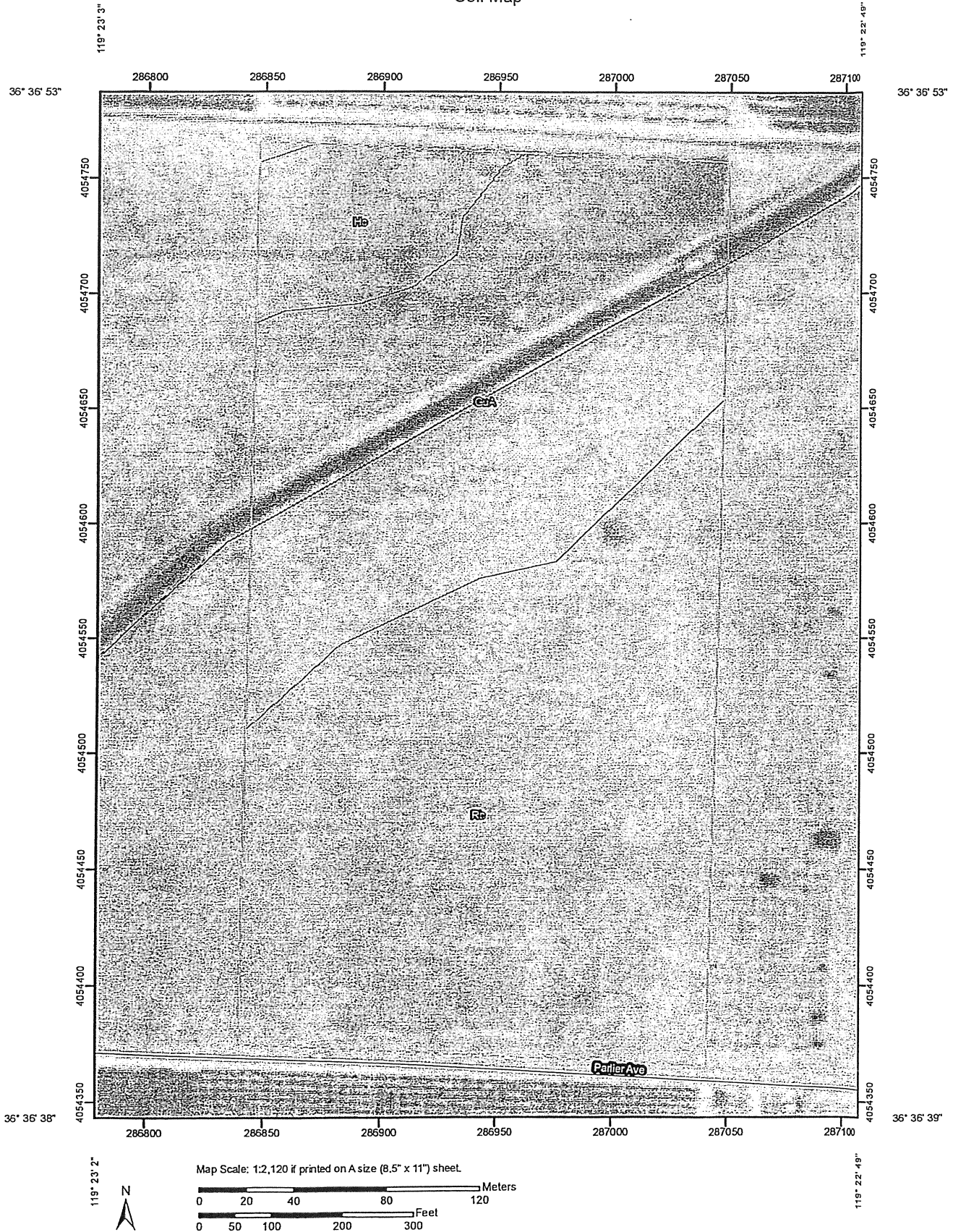
Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map




























The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

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Soil Map



Custom Soil Resource Report

MAP LEGEND

| | | | |
|---|------------------------|---|---------------------|
|  | Area of Interest (AOI) |  | Very Stony Spot |
|  | Soils |  | Wet Spot |
|  | Soil Map Units |  | Other |
|  | Special Point Features | Special Line Features | |
|  | Blowout |  | Gully |
|  | Borrow Pit |  | Short Steep Slope |
|  | Clay Spot |  | Other |
|  | Closed Depression | Political Features | |
|  | Gravel Pit |  | Cities |
|  | Gravelly Spot | Water Features | |
|  | Landfill |  | Streams and Canals |
|  | Lava Flow | Transportation | |
|  | Marsh or swamp |  | Rails |
|  | Mine or Quarry |  | Interstate Highways |
|  | Miscellaneous Water |  | US Routes |
|  | Perennial Water |  | Major Roads |
|  | Rock Outcrop |  | Local Roads |
|  | Saline Spot | | |
|  | Sandy Spot | | |
|  | Severely Eroded Spot | | |
|  | Sinkhole | | |
|  | Slide or Slip | | |
|  | Sodic Spot | | |
|  | Spoil Area | | |
| | Stony Spot | | |

MAP INFORMATION

Map Scale: 1:2,120 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 11N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Eastern Fresno Area, California
 Survey Area Data: Version 5, Sep 26, 2008

Date(s) aerial images were photographed: 7/1/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

| Eastern Fresno Area, California (CA654) | | | |
|---|---|--------------|----------------|
| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
| GuA | Greenfield sandy loam, moderately deep, 0 to 3 percent slopes | 7.7 | 39.4% |
| Hc | Hanford sandy loam | 1.5 | 7.5% |
| Rb | Ramona sandy loam, hard substratum | 10.4 | 53.1% |
| Totals for Area of Interest | | 19.5 | 100.0% |

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If

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intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Custom Soil Resource Report

Eastern Fresno Area, California

GuA—Greenfield sandy loam, moderately deep, 0 to 3 percent slopes

Map Unit Setting

Elevation: 250 to 2,000 feet

Mean annual precipitation: 9 to 17 inches

Mean annual air temperature: 60 to 63 degrees F

Frost-free period: 200 to 275 days

Map Unit Composition

Greenfield and similar soils: 85 percent

Minor components: 15 percent

Description of Greenfield

Setting

Landform: Alluvial fans

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Base slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Granitic alluvium

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: 24 to 48 inches to duripan

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low (0.01 to 0.14 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Low (about 5.2 inches)

Interpretive groups

Land capability classification (irrigated): 3s

Land capability (nonirrigated): 4s

Typical profile

0 to 16 inches: Sandy loam

16 to 38 inches: Sandy loam

38 to 48 inches: Cemented

Minor Components

Unnamed, compact subsoil

Percent of map unit: 5 percent

Landform: Alluvial fans

Unnamed, moderately sloping

Percent of map unit: 5 percent

Landform: Alluvial fans

Hanford

Percent of map unit: 5 percent

Landform: Alluvial fans

Custom Soil Resource Report

Hc—Hanford sandy loam

Map Unit Setting

Elevation: 200 to 500 feet

Mean annual precipitation: 8 to 15 inches

Mean annual air temperature: 61 to 63 degrees F

Frost-free period: 250 to 275 days

Map Unit Composition

Hanford and similar soils: 85 percent

Minor components: 15 percent

Description of Hanford

Setting

Landform: Alluvial fans, flood plains

Landform position (two-dimensional): Foothlope, toeslope

Landform position (three-dimensional): Base slope, rise

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Granitic alluvium

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Moderate (about 7.8 inches)

Interpretive groups

Land capability classification (irrigated): 2s

Land capability (nonirrigated): 4s

Typical profile

0 to 16 inches: Sandy loam

16 to 72 inches: Sandy loam

Minor Components

Unnamed

Percent of map unit: 10 percent

Landform: Alluvial fans, flood plains

Unnamed, channel

Percent of map unit: 5 percent

Landform: Channels on alluvial fans

Custom Soil Resource Report

Rb—Ramona sandy loam, hard substratum

Map Unit Setting

Elevation: 250 to 500 feet
Mean annual precipitation: 9 to 15 inches
Mean annual air temperature: 60 to 62 degrees F
Frost-free period: 225 to 275 days

Map Unit Composition

Ramona and similar soils: 80 percent
Minor components: 20 percent

Description of Ramona

Setting

Landform: Stream terraces, alluvial fans
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Granitic alluvium

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: 40 to 60 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low (0.01 to 0.14 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.6 inches)

Interpretive groups

Land capability classification (irrigated): 2s
Land capability (nonirrigated): 4s

Typical profile

0 to 12 inches: Sandy loam
12 to 24 inches: Sandy loam
24 to 40 inches: Sandy clay loam
40 to 50 inches: Cemented

Minor Components

Ramona, moderately deep

Percent of map unit: 15 percent
Landform: Alluvial fans, stream terraces
Down-slope shape: Linear
Across-slope shape: Linear

Custom Soil Resource Report

Unnamed, clay subsoil

Percent of map unit: 5 percent

Landform: Alluvial fans, stream terraces

Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

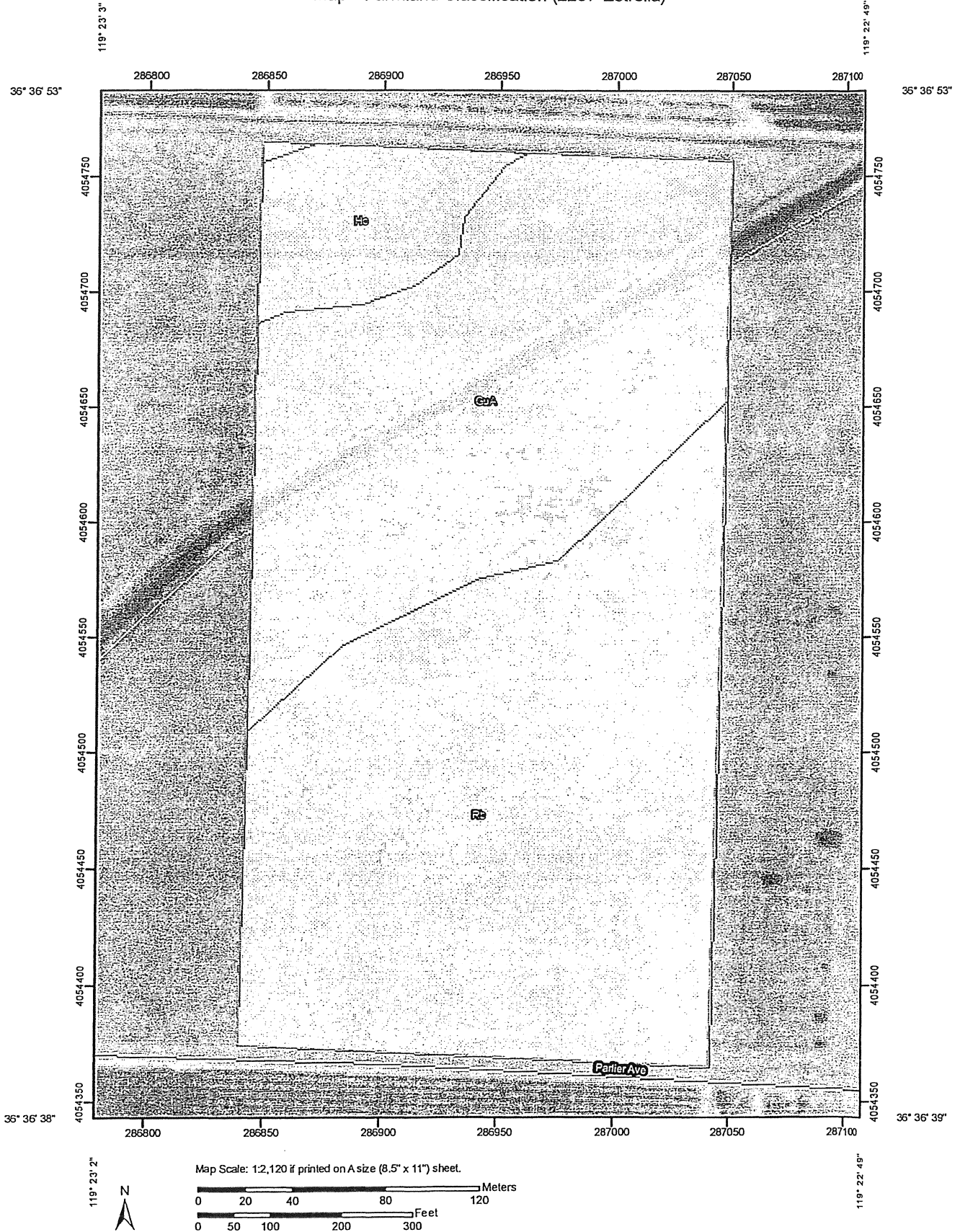
Land Classifications

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

Farmland Classification (2267-Estrella)

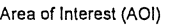























Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Custom Soil Resource Report
Map—Farmland Classification (2267-Estrella)



Custom Soil Resource Report

MAP LEGEND

- Area of Interest (AOI)**
 -  Area of Interest (AOI)
- Soils**
 -  Soil Map Units
- Soil Ratings**
 -  Not prime farmland
 -  All areas are prime farmland
 -  Prime farmland if drained
 -  Prime farmland if protected from flooding or not frequently flooded during the growing season
 -  Prime farmland if irrigated
 -  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
 -  Prime farmland if irrigated and drained
 -  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer** 
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60** 
- Prime farmland if irrigated and reclaimed of excess salts and sodium** 
- Farmland of statewide importance** 
- Farmland of local importance** 
- Farmland of unique importance** 
- Not rated or not available** 
- Political Features**
 -  Cities
- Water Features**
 -  Streams and Canals
- Transportation**
 -  Rails
 -  Interstate Highways
 -  US Routes
- Major Roads** 
- Local Roads** 

MAP INFORMATION

Map Scale: 1:2,120 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 11N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Eastern Fresno Area, California
 Survey Area Data: Version 5, Sep 26, 2008

Date(s) aerial images were photographed: 7/1/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Custom Soil Resource Report

Table—Farmland Classification (2267-Estrella)

| Farmland Classification— Summary by Map Unit— Eastern Fresno Area, California (CA654) | | | | |
|---|---|----------------------------------|--------------|----------------|
| Map unit symbol | Map unit name | Rating | Acres in AOI | Percent of AOI |
| GuA | Greenfield sandy loam, moderately deep, 0 to 3 percent slopes | Farmland of statewide importance | 7.7 | 39.4% |
| Hc | Hanford sandy loam | Prime farmland if irrigated | 1.5 | 7.5% |
| Rb | Ramona sandy loam, hard substratum | Prime farmland if irrigated | 10.4 | 53.1% |
| Totals for Area of Interest | | | 19.5 | 100.0% |

Rating Options—Farmland Classification (2267-Estrella)

Aggregation Method: No Aggregation Necessary

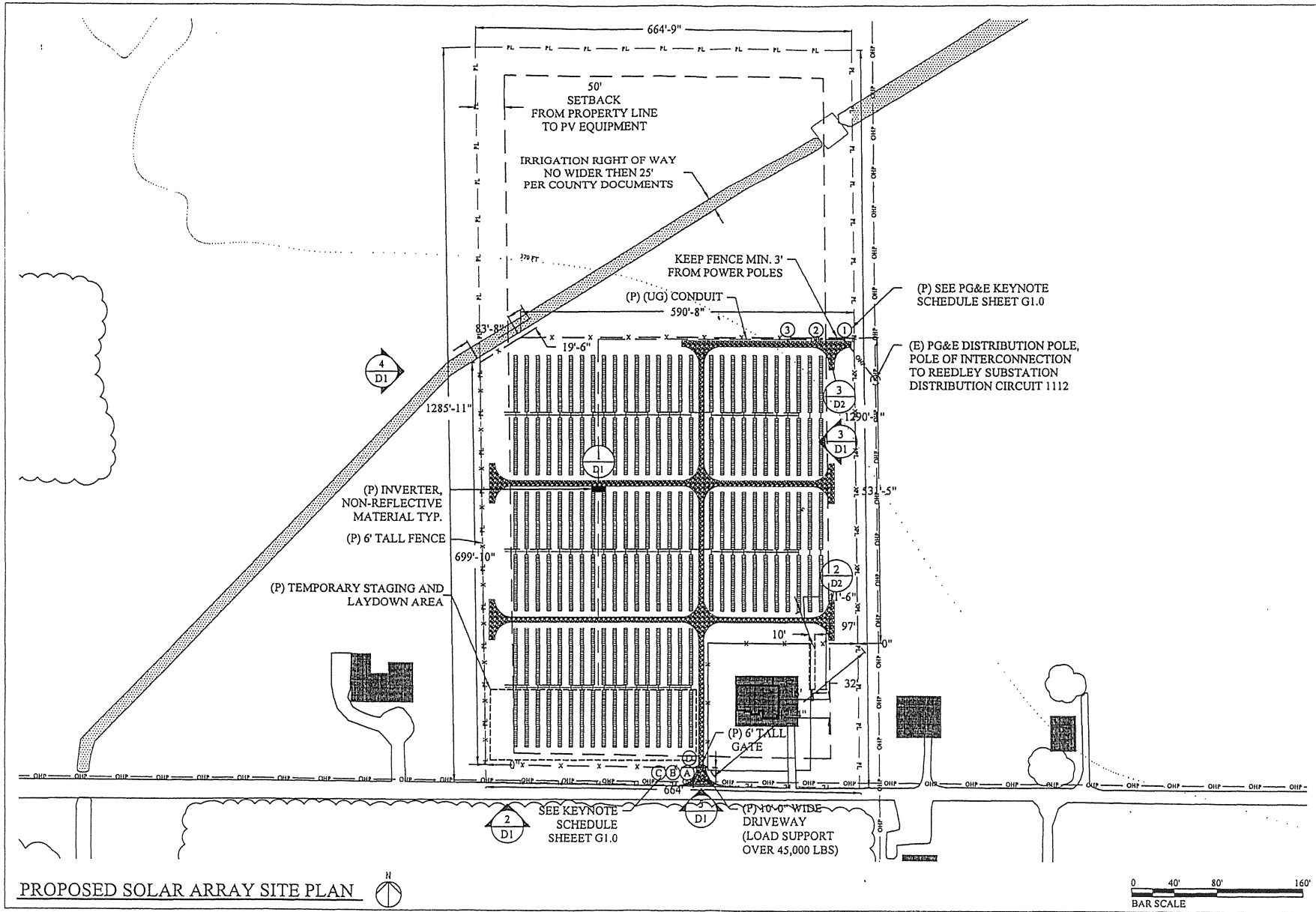
Tie-break Rule: Lower

References

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United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210.



PRISTINE SUN, LLC
 101 Mission Street, #1050,
 San Francisco, CA 94105
 (415) 448-8100

PRELIMINARY
 NOT FOR
 CONSTRUCTION

ENGINEER'S STAMP

PROJECT NO.: 2267 EXC'D BY T. A.
 PROJECT ADDRESS:
 22694 East
 Reedley

| DATE | BY | REVISION |
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PROJECT TITLE:
PROPOSED SOLAR SYSTEM

DRAWN BY:
 PRISTINE SUN, LLC

REVISION:
 C1.1

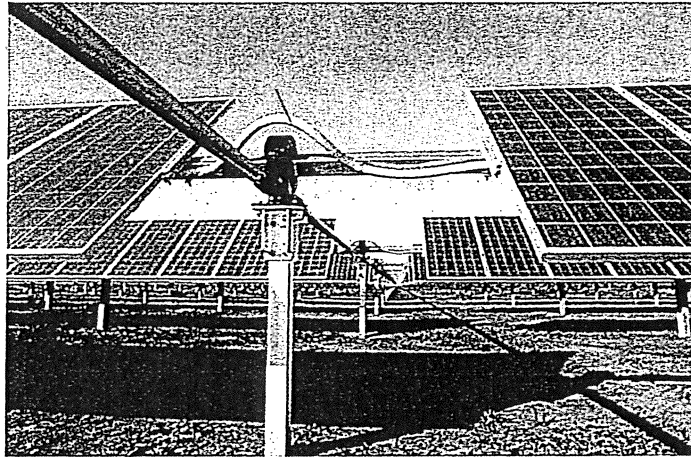
SCALE:
 1" = 150'



Pristine Sun PV Solar Generator Facility Decommissioning & Reclamation Plan

Site: 2267 Estrella 0.999 MW
22964 E. Parlier Avenue
Reedley, CA 93654

CUP #3477



Contact Information

Pristine Sun LLC 101 Mission Street, #1050

San Francisco, CA 94105

info@pristinesun.com

Telephone: 415-848-8100

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

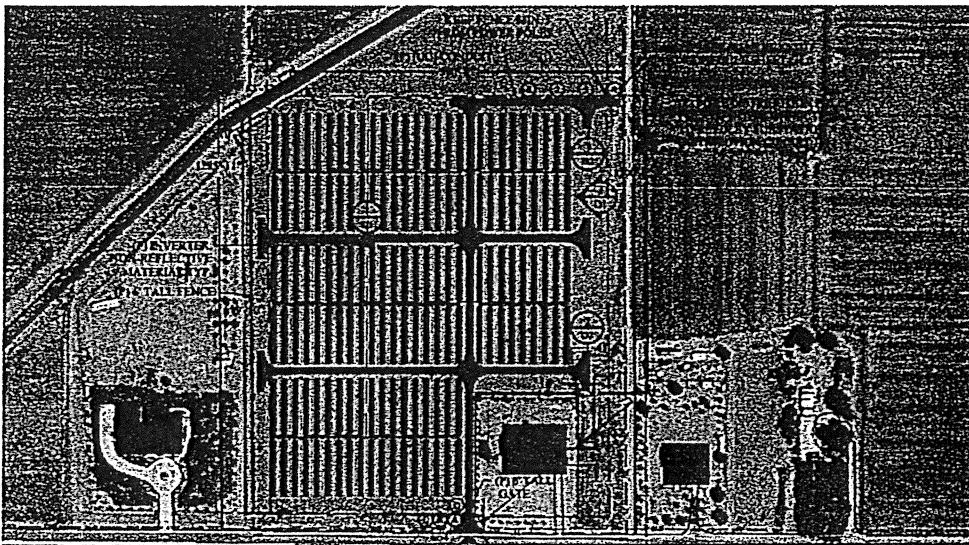
Pristine Sun LLC | www.PristineSun.com | info@PristineSun.com

101 Mission Street, 10th

94105 | 415.848.8100

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1. INTRODUCTION

The purpose of this document is to outline the operation, maintenance, and the decommissioning plan for Pristine Sun’s proposed **0.999 MW** photovoltaic solar electric generating facility (PVSGF) **2267 Estrella**. This plan covers the initial commissioning, long-term operation, and outlines decommissioning the facility at the end of its service. The PVSGF will be built on private land owned by Jose and Julia Estrella. Pristine Sun has entered into an agreement to lease the land for 20 years.

SYSTEM DESCRIPTION

The **0.999 MW 2267 Estrella** photovoltaic solar electric generating system will facility that sells electricity to Pacific Gas & Electric under the California Public Utility Commission (CPUC) Feed-in-Tariff (FIT) program. Pacific Gas & Electric have entered into a power purchase agreement (PPA) for a term of 20 years.

The facility generates electricity by harvesting the sun’s energy through **1,080** anti-reflective – 300-watt direct current (DC) photovoltaic poly-crystalline panels. The PVSGF would generate clean renewable energy from solar power; the generated energy would be sold to a public utility company and distributed through the local power lines from the **Fresno Substation** for public consumption. The PVSGF project would require County approval of a conditional use permit (CUP), under the name Pristine Sun LLC, to allow for facility construction, operation, and maintenance. Approval of the CUP is a discretionary action triggering environmental review of the project under the California Environmental Quality Act (CEQA).

SYSTEM DESCRIPTION

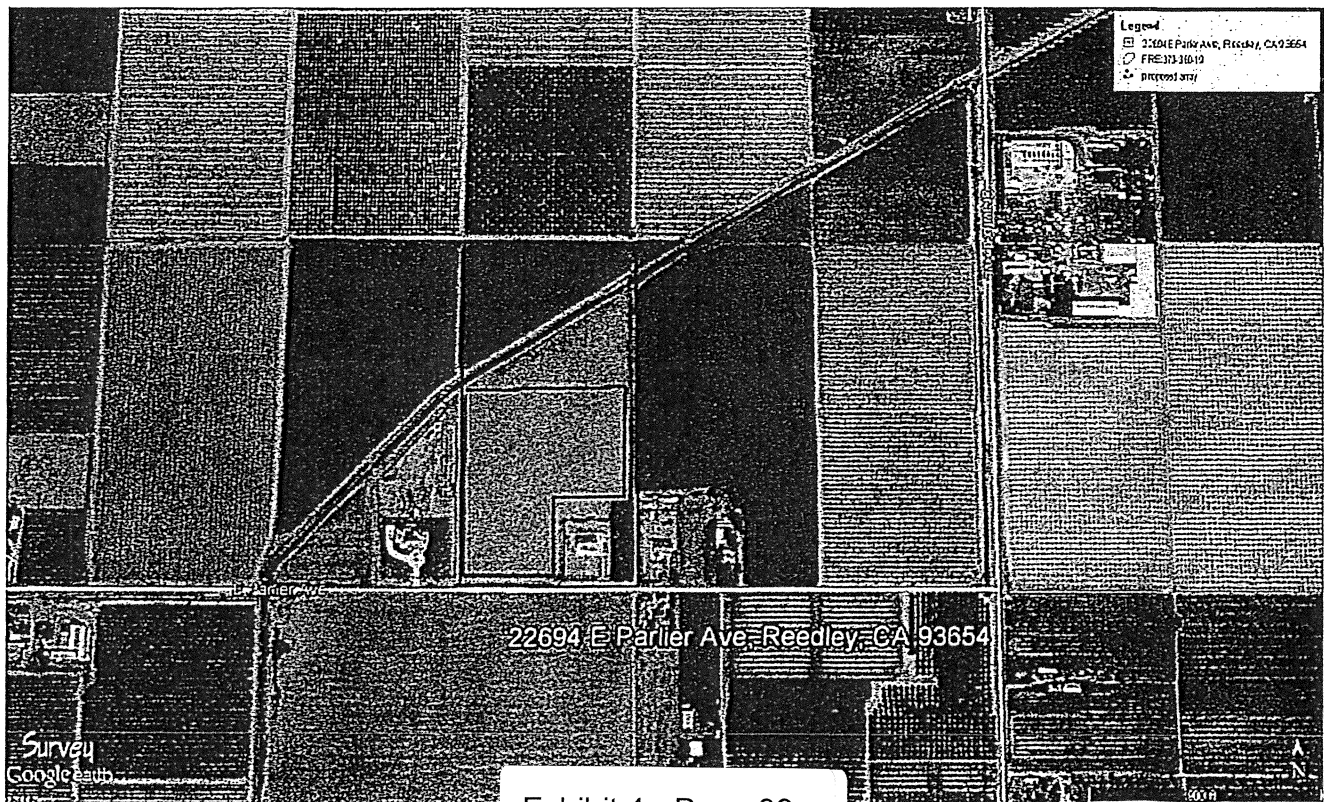
System Description .999 MW Solar photovoltaic power system
Location: 22694 East Parlier Ave, Reedley, CA 93654
Utility Granting Operating Permission: Pacific Gas and Electric
Operator Representative: Peter Coughlin Sr.
Customer Representative: Alison Khalaf
Emergency Contacts for Site: Peter Coughlin Sr.

The facility includes the following equipment to be installed above and below ground, structures, fencing etc.

- 18 rows of trackers
- 60 modules per row
- Total 1080 modules
- 2 inverters
- Combiner boxes/AC/DC wiring, power poles
- 1 Transformer
- Fencing 2780 linear feet
- I-beams

LOCATION

The PVSGF project site is located on flat agricultural land at an elevation of approximately 378 feet. The site is has not been productive over the past 10 years. The PVSGF site is located approximately .25 miles west of Crawford Avenue, .50 miles South of E. South Avenue, .50 miles north of J19/E Manning Ave, and .75 miles east of Rd 80/Alta Avenue. The nearest population center is the community of Reedley California. The PVSGF project site can be accessed from E. Parlier Avenue to the south. The 0.999 MW 2267 Estrella solar electric generating facility will be enclosed by high security fencing, a six-foot-high chain-link perimeter fence topped with three-strand barbed wire; one point of ingress/egress would be provided equipped with a locked gate. Minimum setbacks from the security fencing to the array blocks are 50 feet. The south end of the facility will have a pole mounted full pan-tilt-zoom security camera which is accessible remotely through the internet.



2. Procedures for Decommissioning after Ceasing Operation

The Project has an estimated useful lifetime of 30 years or more, with an opportunity for a lifetime of 50 years or more with equipment replacement and repowering. This section, however, assumes that at the end of the 20 year power generation contract with Pacific Gas and Electric (PG&E) the system will be completely dismantled and the site restored to its preconstruction state.

Pristine Sun (PS) is committed to improving the global environment. Therefore, as a renewable energy developer PS is dedicated to recycling as many of the products as possible throughout the project site. Along with the recycling of the used equipment on the project we will minimize waste throughout the decommissioning process.

The decommissioning and reclamation plan is intended to provide a secure mechanism for the removal of the solar energy equipment (Embedded Energy System™, or “EES”) at the end of the 20 year term, including any extensions, either planned or unplanned, during the useful life of the EES, and restoring the land to its previous agricultural condition, estimated to take approximately 100 to 120 days.

It is not expected that any water courses, hazards or bodies will be impacted by the renewable energy project. The required setbacks will be respected in the site layout. As a result, no specific restoration of the water courses, either during construction or decommissioning, is planned.

2.1 PV Module Collection and Recycling

PS will be utilizing solar PV modules with recycling plans to promote the collection and recycling of modules and to minimize the potential for modules to be disposed of as municipal waste. Alternatively, solar panels with remaining useful life can be sold for other applications. The module recycling program includes the glass and the encapsulated semiconductor material, which will be collected by the manufacturer and recycled into new solar modules or other products.

Some key elements of recycling PV Modules include:

- **Collection:** PS will manage the logistics of collecting the modules and provide packing and transportation to the recycling center. The module owners only requirement is to dismantle and package the modules in accordance with the Mann Engineering’s instructions;
- **Recycling:** The module manufacturer, or a comparable recycler, will recycle or reuse as much of the module as possible. All recycling processes are monitored to ensure compliance with applicable regulatory requirements regarding occupational health & safety, recycling, waste management, etc. Any elements that can’t be recycled will be disposed of outside the project location’s municipality and in an environmentally friendly way.

Managing the product life cycle, from raw material sourcing through end-of-life collection and recycling, enables PS to create a sustainable product life cycle that strives to provide the most environmental benefits.

2.2 Facility Dismantling and Site Restoration

The Project consists of numerous recyclable materials, including glass, semiconductor material, steel, and wiring. When the Project reaches the end of its operational life, the component parts can be dismantled and recycled. The Project components will be dismantled and removed using minimal impact conventional construction equipment and recycled or disposed of safely. All components shall be removed from the site using experienced local subcontractors.

2.3 Decommission / Reclamation Methodology:

Please note that no hazardous materials will be stored onsite. The Decommissioning Plan shall consist of the following:

- 1) A timeline of 100-120 days, including weather delay, comprised of the following phases:
 - a) Phase 1: Decommission (35 days).
 - i) Removal of solar modules, trackers, racking and driven posts (15 days).
 - ii) Removal of the PowerStation electrical equipment (5 days).
 - iii) Removal of the below-grade conduits and associated cables (5 days).
 - iv) Removal of the concrete pad under the PowerStation or PowerStation ground screws, where applicable (5 days, concurrent with step (iii) above).
 - v) Removal of fences and any remaining equipment including but not limited to 3 power poles, security camera, weather station anemometer, rainfall catchment cup, irradiance meter(s), etc. (5 days, concurrent with step (iii) above).
 - vi) Removal and haul off of gravel contained in any roads added as part of the Project plus the underlying aggregate, unless the land adjacent to the Premises as defined in the site lease is used for livestock grazing or non-tilled farming such as alfalfa, hay, and/or other grasses in which case the gravel shall be removed to a level of 12" below the surface and the underlying aggregate beneath shall remain in place (10 days).
 - vii) No grading is necessary, since the Project construction plan does not require any grading other than possibly smoothing or knocking down any piles of debris, dirt, or aggregate that may already be on the Premises. This is due to the design of the single axis tracker from Array Technologies to be installed as part of the EES.
 - viii) Note: in the event that the landowner elects to keep the fence and/or the gravel road(s) installed as part of the Project in order to increase the agricultural output of the property (such as to contain sheep or other livestock for grazing and have use of the gravel road for servicing water or feed troughs for the livestock), and Jose Estrella approves such request in writing either as a part of this permit application or at a later date, Pristine Sun and its assigns shall comply with that request and remove all other equipment pursuant to this Plan.
 - b) Phase 2: Reclamation (35 to 65 days).
 - i) Hire a third party biologist to determine a species of crop, native grass or grasses that are consistent with the crop or grasses contained on the property immediately adjacent to the Premises ("Crop"). At this time Pristine Sun's first choice for the biologist is Ecorp, based in San Francisco, California (to be contacted and engaged

- by the Pristine Sun or the Trustee (defined below) at least 90 days prior to the end of the Term, and completed at least 30 days prior to the end of the Term).
- ii) Order the appropriate Crop seeds (30 days prior to the end of the Term).
 - iii) Prepare the soil as needed to plant the Crop (15 days).
 - iv) Prepare any necessary temporary irrigation, such as a temporary water tank, hose, or rental of a watering truck to nurture the Crop seeds after planting (15 days, concurrent with step (iv) above).
 - v) Plant the Crop seeds (5 days).
 - vi) Water and fertilize as needed, using agricultural grade probiotics and if needed additional non-toxic fertilizers (15-45 days).
- c) Weather delay allowance, needed only for below grade removal as described in Phase 1, sections (iii), (iv), and (vi) (30 days).

3. Project Decommissioning Cost

Financial Guarantee / Security

Pristine Sun or its designated subsidiary shall issue a bond in the amount of **\$99,709** to the benefit of **Fresno County** in the amount of the Plan Cost and in full compliance with Section 66499 of the California Government Code, et. seq. (the "LOC").

Signed: _____

Name: Jose Estrella

Title: Owner

Date: _____

Signed: _____

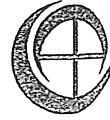
Name: Julia Estrella

Title: Owner

Date: _____

REALM ENGINEERING

1135 Pine Street, Suite 006 Redding CA 96001 530.526.7493



ENGINEERS OPINION OF RECLAMATION COSTS FOR 2267 Estrella Decommissioning Project Reedly, CA 93654

| ITEM | DESCRIPTION | QTY. | UNIT | UNIT COST | COST | |
|------|--|---------|------|--------------------------|-------------------|-----------------|
| 1 | Disconnect, dismantle, pack and store solar modules for shipping | 30 | EA | \$792.42 | \$23,773 | |
| 2 | Removal of inverters and AC/DC combiner boxes AC/DC wiring, power poles, refill trenching, and any holes with native soil | 2 | EA | \$2,377.25 | \$4,755 | |
| | | 8 | EA | \$1,285.00 | \$10,280 | |
| 3 | Removal of Power Station and concrete pad | 1 | LS | \$2,500.00 | \$2,500 | |
| 4 | Removal of I-Beams | 841 | EA | \$8.00 | \$6,728 | |
| 5 | Removal of dirt/gravel roads 12" deep | 1,110 | CY | \$10.00 | \$11,100 | |
| 6 | Removal of Fencing and Posts | 2,780 | LF | \$3.50 | \$9,730 | |
| 7 | Re-vegetation back to native | 434,926 | SF | \$0.06 | \$26,096 | |
| | | | | Subtotal | \$6,976.23 | \$94,961 |
| | | | | Contingency of 5% | 5% | \$99,709 |
| | | | | TOTAL | | \$99,709 |

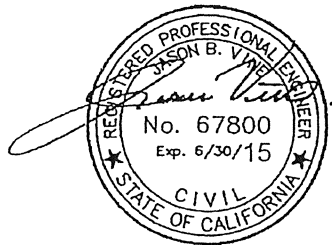
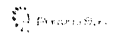
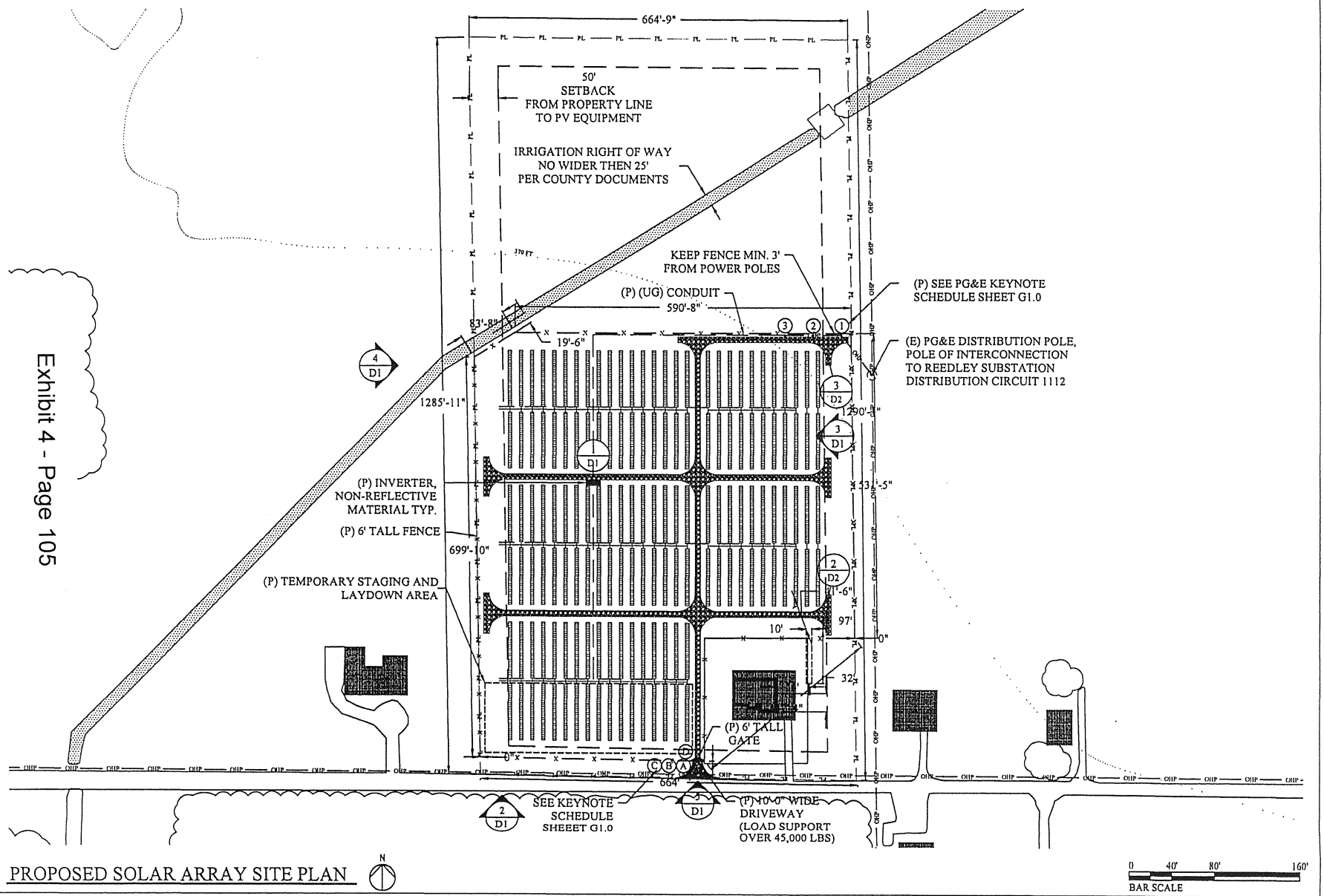
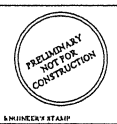


EXHIBIT B
INSURANCE

General Liability Insurance. Single limit insurance against claims for third-party bodily injury, including death, and third-party property damage occurring as a result of the ownership, use, maintenance or operation of the System in an amount at least equal to \$1,000,000 per occurrence and \$2,000,000 in aggregate.



PRISTINE SUN, LLC
 101 Mission Street, #1050,
 San Francisco, CA, 94105
 (415) 848-3100



0.99 MW AC
 1.30 MW DC
 PHOTOVOLTAIC
 ON GRID SYSTEM

2267 ESTRELLA
 22694 East Partier Avenue,
 Reedley, CA 93654

| NO. | DATE | BY | CHKD | DESCRIPTION |
|-----|------|----|------|-------------|
| | | | | |
| | | | | |
| | | | | |

PROJECT TITLE: 2267 ESTRELLA
 PROJECT ADDRESS: 22694 East Partier Avenue, Reedley, CA 93654
 SCALE: 1" = 150'

Biological Resources Assessment

ESTRELLA SOLAR FACILITY Reedley, Fresno County, California

Prepared for:

Alison Biondi Khalaf
Pristine Sun
101 Mission Street, Suite 1050
San Francisco, CA 94105

Prepared by:

WRA, Inc.
2169-G East Francisco Blvd.
San Rafael, CA 94901

Contact:

Dana Riggs
riggs@wra-ca.com

Date:

February 2015



2169-G East Francisco Blvd., San Rafael, CA 94702 (415) 454-8868 tel (415) 454-0129 fax info@wra-ca.com
www.wra-ca.com

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LIST OF ACRONYMS AND ABBREVIATIONS

| | |
|-----------|--|
| CCR | California Code of Regulations |
| CDFG | California Department of Fish and Game |
| CDFW | California Department of Fish and Wildlife |
| CEQA | California Environmental Quality Act |
| CESA | California Endangered Species Act |
| CFR | Code of Federal Regulations |
| CNDDDB | California Natural Diversity Database |
| CNPS | California Native Plant Society |
| Corps | United States Army Corps of Engineers |
| ESA | Federal Endangered Species Act |
| Inventory | CNPS Inventory of Rare and Endangered Plants |
| MTBA | Migratory Bird Treaty Act |
| Rank | California Rare Plant Rank |
| RWQCB | Regional Water Quality Control Board |
| SJKF | San Joaquin Kit Fox |
| SWPPP | Stormwater Pollution Prevention Plan |
| USFWS | United States Fish and Wildlife Service |
| USGS | United States Geological Survey |
| WRA | WRA, Inc. |

EXECUTIVE SUMMARY

The purpose of this report is to provide an analysis of natural community and special-status species issues at the Estrella property in Reedley, Fresno County, California.

On January 15, 2015, WRA, Inc. (WRA) conducted a biological resources assessment within the Estrella property. WRA observed two biological communities, 28 plant species and seven wildlife species. One potentially sensitive biological community type covering 0.4 acre was identified. Four special-status wildlife species and no special-status plant species have a moderate or high potential to occur within the Project Area.

The Project has no potential to impact special-status plant species, and impacts to the one potentially sensitive community (irrigation canal) within the Project Area will be completely avoided through Project design and the incorporation of a minimum setback. The Project has the potential to impact special-status wildlife species including San Joaquin kit fox, loggerhead shrike, tricolored blackbird, and Swainson's hawk, if no avoidance, minimization or mitigation measures are implemented. However, with the incorporation of the prescribed avoidance measures described herein, potential impacts to special-status wildlife species and their habitats will be reduced to less than significant.

1.0 INTRODUCTION

On January 15, 2015, WRA, Inc (WRA) performed an assessment of biological resources at the approximately 20-acre Estrella property (Project Area) located at 22694 East Parlier Avenue in Reedley, Fresno County, California (Figures 1 and 2). The purpose of the assessment was to gather information necessary to complete a review of biological resources under the California Environmental Quality Act (CEQA). This report describes the results of the site visit, which assessed the Project Area for the (1) potential to support special-status species; and (2) presence of other sensitive biological resources protected by local, state, and federal laws and regulations. If special-status species were observed during the site visit, they were recorded. Specific findings on the habitat suitability or presence of special-status species or sensitive habitats may require that protocol-level surveys be conducted. This report also contains an evaluation of potential impacts to special-status species and sensitive biological resources that may occur as a result of the proposed Project and potential mitigation measures to compensate for those impacts.

A biological resources assessment provides general information on the potential presence of sensitive species and habitats. The biological assessment is not an official protocol-level survey for listed species that may be required for Project approval by local, state, or federal agencies. This assessment is based on information available at the time of the study and on site conditions that were observed on the date of the site visit.

2.0 REGULATORY BACKGROUND

The following sections explain the regulatory context of the biological assessment, including applicable laws and regulations that were applied to the field investigations and analysis of potential Project impacts.

2.1 Sensitive Biological Communities

Sensitive biological communities include habitats that fulfill special functions or have special values, such as wetlands, streams, or riparian habitat. These habitats are protected under federal regulations such as the Clean Water Act; state regulations such as the Porter-Cologne Act, the CDFW Streambed Alteration Program, and CEQA; or local ordinances or policies such as city or county tree ordinances, Special Habitat Management Areas, and General Plan Elements.

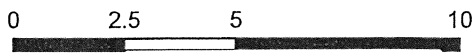
Waters of the United States

The U.S. Army Corps of Engineers (Corps) regulates "Waters of the United States" under Section 404 of the Clean Water Act. Waters of the U.S. are defined in the Code of Federal Regulations (CFR) as waters susceptible to use in commerce, including interstate waters and wetlands, all other waters (intrastate waterbodies, including wetlands), and their tributaries (33 CFR 328.3). Potential wetland areas, according to the three criteria used to delineate wetlands as defined in the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory



Figure 1. Location of Project Area

Estrella Solar Facility
 Fresno County, California



ENVIRONMENTAL CONSULTANTS

Map Prepared Date: 1/26/2015
 Map Prepared By: MRochelle
 Base Source: National Geographic
 Data Source(s): WRA

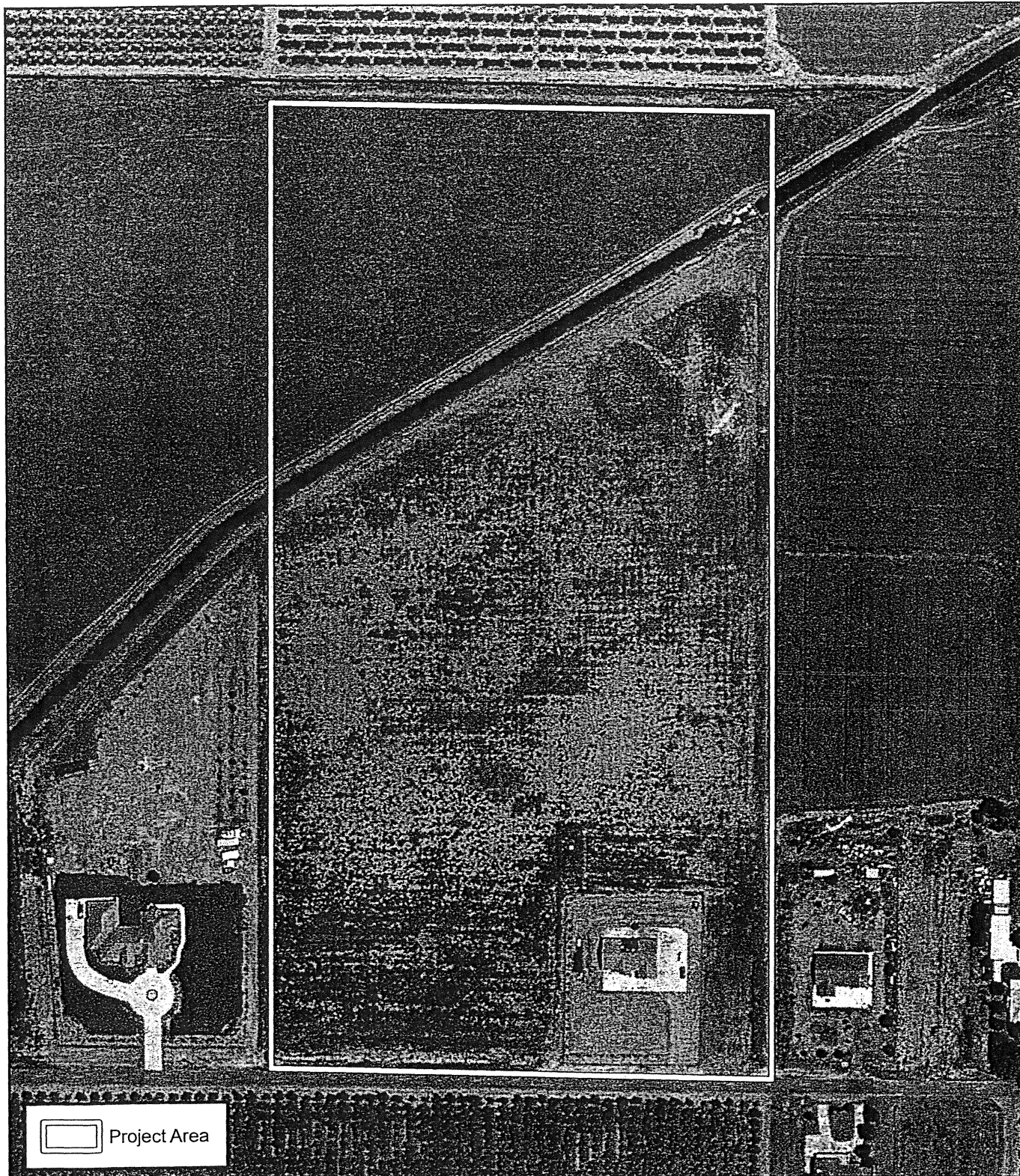


Figure 2. Project Area



Estrella Solar Facility
Fresno County, California



Map Prepared Date: 1/26/2015
Map Prepared By: MRochelle
Base Source: Microsoft Aerial flown 8/27/2010
Data Source(s): WRA

1987), are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. Areas that are inundated at a sufficient depth and for a sufficient duration to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as "other waters" and are often characterized by an ordinary high water mark. Other waters, for example, generally include lakes, rivers, and streams. The placement of fill material into Waters of the U.S generally requires an individual or nationwide permit from the Corps under Section 404 of the Clean Water Act.

Waters of the State

The term "Waters of the State" is defined by the Porter-Cologne Act as "any surface water or groundwater, including saline waters, within the boundaries of the state." The Regional Water Quality Control Board (RWQCB) protects all waters in its regulatory scope and has special responsibility for wetlands, riparian areas, and headwaters. These waterbodies have high resource value, are vulnerable to filling, and are not systematically protected by other programs. RWQCB jurisdiction includes "isolated" wetlands and waters that may not be regulated by the Corps under Section 404. Waters of the State are regulated by the RWQCB under the State Water Quality Certification Program which regulates discharges of fill and dredged material under Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Control Act. Projects that require a Corps permit, or fall under other federal jurisdiction, and have the potential to impact Waters of the State, are required to comply with the terms of the Water Quality Certification determination. If a proposed project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the RWQCB has the option to regulate the dredge and fill activities under its state authority in the form of Waste Discharge Requirements.

Streams, Lakes, and Riparian Habitat

Streams and lakes, as habitat for fish and wildlife species, are subject to jurisdiction by CDFW under Sections 1600-1616 of California Fish and Game Code. Alterations to or work within or adjacent to streambeds or lakes generally require a 1602 Lake and Streambed Alteration Agreement. The term "stream", which includes creeks and rivers, is defined in the California Code of Regulations (CCR) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life [including] watercourses having a surface or subsurface flow that supports or has supported riparian vegetation" (14 CCR 1.72). In addition, the term "stream" can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife (CDFG 1994a). "Riparian" is defined as "on, or pertaining to, the banks of a stream." Riparian vegetation is defined as "vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself" (CDFG 1994a). Removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement from CDFW.

Other Sensitive Biological Communities

Other sensitive biological communities not discussed above include habitats that fulfill special functions or have special values. Natural communities considered sensitive are those identified in local or regional plans, policies, regulations, or by the CDFW. CDFW ranks sensitive communities as "threatened" or "very threatened" and keeps records of their occurrences in its California Natural Diversity Database (CNDDB; CDFW 2015). Sensitive plant communities are

also identified by CDFW (2010). CNDDDB vegetation alliances are ranked 1 through 5 based on NatureServe's (2010) methodology, with those alliances ranked globally (G) or statewide (S) as 1 through 3 considered sensitive. Impacts to sensitive natural communities identified in local or regional plans, policies, or regulations or those identified by the CDFW or USFWS must be considered and evaluated under CEQA (CCR Title 14, Div. 6, Chap. 3, Appendix G). Specific habitats may also be identified as sensitive in city or county general plans or ordinances.

2.2 Special-Status Species

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These acts afford protection to both listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern, and CDFW special-status invertebrates are all considered special-status species. Bat species are also evaluated for conservation status by the Western Bat Working Group (WBWG), a non-governmental entity. Although CDFW Species of Special Concern and WBWG-evaluated bats generally have no special legal status, they are given special consideration under the CEQA. In addition to regulations for special-status species, most native birds and raptors in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918 and Fish and Game Code protection of raptors sections 3503, 3503.5 and 3513. Under these regulations, destroying active nests, eggs, and young is illegal.

Plant species on the California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (Inventory) with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA. Rank 3 and Rank 4 species are afforded little or no protection under CEQA, but are included in this analysis for completeness. A description of the CNPS Ranks is provided below in Table 1.

Table 1. Description of CNPS Ranks and Threat Codes

| California Rare Plant Ranks (formerly known as CNPS Lists) | |
|---|--|
| Rank 1A | Presumed extirpated in California and either rare or extinct elsewhere |
| Rank 1B | Rare, threatened, or endangered in California and elsewhere |
| Rank 2A | Presumed extirpated in California, but more common elsewhere |
| Rank 2B | Rare, threatened, or endangered in California, but more common elsewhere |
| Rank 3 | Plants about which more information is needed - A review list |
| Rank 4 | Plants of limited distribution - A watch list |
| Threat Ranks | |
| 0.1 | Seriously threatened in California |
| 0.2 | Moderately threatened in California |
| 0.3 | Not very threatened in California |

Critical Habitat

Critical habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. The ESA requires federal agencies to consult with the USFWS to conserve listed species on their lands and to ensure that any activities or projects they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. In consultation for those species with critical habitat, federal agencies must also ensure that their activities or projects do not adversely modify critical habitat to the point that it will no longer aid in the species' recovery. In many cases, this level of protection is similar to that already provided to species by the ESA jeopardy standard. However, areas that are currently unoccupied by the species but which are needed for the species' recovery are protected by the prohibition against adverse modification of critical habitat.

3.0 METHODS

On January 15, 2015, the Project Area was traversed on foot to determine (1) plant communities present within the Project Area, (2) if existing conditions provided suitable habitat for any special-status plant or wildlife species, and (3) if sensitive habitats are present. All plant and wildlife species encountered were recorded, and are summarized in Appendix A. Plant nomenclature follows Baldwin et al. (2012) and subsequent revisions by the Jepson Flora Project (2015), except where noted. Because of recent changes in classification for many of the taxa treated by Baldwin et al. and the Jepson Flora Project, relevant synonyms are provided in brackets. For cases in which regulatory agencies, CNPS, or other entities base rarity on older taxonomic treatments, precedence was given to the treatment used by those entities.

3.1 Biological Communities

Prior to the site visit, available reference materials were reviewed, including soil survey data for the Project Area (California Soil Resource Lab 2015), the U.S. Geological Survey (USGS) 7.5-minute quadrangle map for Reedley and the eight quadrangle maps surrounding Newman (USGS 2012a-i), the USFWS National Wetland Inventory (USFWS 2014a), and aerial imagery of the Project Area (Google Earth 2014) to determine if any unique soil types that could support sensitive plant communities and/or aquatic features were present in the Project Area. Biological communities present in the Project Area were classified based on existing plant community descriptions described in the *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986) and *A Manual of California Vegetation, Second Edition* (Sawyer et al. 2009). However, in some cases it is necessary to identify variants of community types or to describe non-vegetated areas that are not described in the literature. Biological communities were classified as sensitive or non-sensitive as defined by CEQA and other applicable laws and regulations.

3.1.1 Non-sensitive Biological Communities

Non-sensitive biological communities are those communities that are not afforded special protection under CEQA, and other state, federal, and local laws, regulations and ordinances. These communities may, however, provide suitable habitat for some special-status plant or wildlife species and are identified or described in Section 4.1.1 below.

3.1.2 Sensitive Biological Communities

Sensitive biological communities are defined as those communities that are given special protection under CEQA and other applicable federal, state, and local laws, regulations and ordinances. Applicable laws and ordinances are discussed above in Section 2.0. Special methods used to identify sensitive biological communities are discussed below.

Wetlands and Non-Wetland Waters

The Project Area was surveyed to determine if any wetlands and non-wetland waters potentially subject to jurisdiction by the Corps, RWQCB, or CDFW were present. The assessment was based primarily on the presence of wetland plant indicators, but may also include any observed indicators of wetland hydrology or wetland soils. Any potential wetland areas were identified as areas dominated by plant species with a wetland indicator status¹ of OBL, FACW, or FAC as given on the U.S. Army Corps of Engineers National Wetlands Plant List (Lichvar et al. 2014). Evidence of wetland hydrology can include direct evidence (primary indicators), such as visible inundation or saturation, algal mats, and oxidized root channels, or indirect (secondary) indicators, such as a water table within two feet of the soil surface during the dry season. Some indicators of wetland soils include dark colored soils, soils with a sulfidic odor, and soils that contain redoximorphic features as defined by the Corps Manual (Environmental Laboratory 1987) and Field Indicators of Hydric Soils in the United States (NRCS 2010).

Other Sensitive Biological Communities

The Project Area was evaluated for the presence of other sensitive biological communities, including riparian areas and sensitive plant communities recognized by CDFW. Prior to the site visit, aerial photographs, local soil maps, the *List of Vegetation Alliances* (CDFG 2009), and *A Manual of California Vegetation* (Sawyer et al. 2009) were reviewed to assess the potential for sensitive biological communities to occur in the Project Area. All alliances within the Project Area with a ranking of 1 through 3 were considered sensitive biological communities and mapped, if found. These communities are described in Section 4.1.2 below.

3.2 Special-Status Species

3.2.1 Literature Review

Potential occurrence of special-status species in the Project Area was evaluated by first determining which special-status species occur in the vicinity of the Project Area through a literature and database search. Database searches for known occurrences of special-status species focused on the Reedley 7.5 minute USGS quadrangle and the eight surrounding USGS quadrangles (USGS 2012a-i). The following sources were reviewed to determine which special-status plant and wildlife species have been documented to occur in the vicinity of the Project Area:

¹ OBL = Obligate, always found in wetlands (> 99% frequency of occurrence); FACW = Facultative wetland, usually found in wetlands (67-99% frequency of occurrence); FAC = Facultative, equal occurrence in wetland or non-wetlands (34-66% frequency of occurrence).

- California Natural Diversity Database (CNDDDB) records (CDFW 2014)
- USFWS quadrangle species lists (USFWS 2014)
- CNPS Inventory records (CNPS 2014)
- California Department of Fish and Game (CDFG) publication "California's Wildlife, Volumes I-III" (Zeiner et al. 1990)
- CDFG publication "California Bird Species of Special Concern" (Shuford and Gardali 2008)
- CDFG publication "Amphibians and Reptile Species of Special Concern in California" (Jennings and Hayes 1994)
- Western Bat Working Group (WBWG) Species Accounts (WBWG 2010)
- A Field Guide to Western Reptiles and Amphibians (Stebbins 2003)
- Fairy Shrimps of California's Puddles, Pools and Playas (Eriksen and Belk 1999)

3.2.2 Site Assessment

A site visit was made to the Project Area to search for suitable habitats for special-status species. Habitat conditions observed at the Project Site were used to evaluate the potential for presence of special-status species based on these searches and the professional expertise of the investigating biologists. The potential for each special-status species to occur in the Project Area was then evaluated according to the following criteria:

- No Potential. Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- Unlikely. Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- Moderate Potential. Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- High Potential. All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
- Present. Species is observed on the site or has been recorded (i.e. CNDDDB, other reports) on the site recently.

The site assessment is intended to identify the presence or absence of suitable habitat for each special-status species known to occur in the vicinity in order to determine its potential to occur in the Project Area. The site visit does not constitute a protocol-level survey and is not intended to determine the actual presence or absence of a species; however, if a special-status species is observed during the site visit, its presence will be recorded and discussed.

In cases where little information is known about species occurrences and habitat requirements, the species evaluation was based on best professional judgment of WRA biologists with experience working with the species and habitats. If necessary, recognized experts in individual species biology were contacted to obtain the most up to date information regarding species biology and ecology.

If a special-status species was observed during the site visit, it was recorded and discussed below in Section 4.2. For some species, a site assessment visit at the level conducted for this report may not be sufficient to determine presence or absence of a species to the specifications of regulatory agencies. In these cases, a species may be assumed to be present or further protocol-level special-status species surveys may be necessary. Special-status species for which further protocol-level surveys may be necessary are described below in Section 5.0

4.0 RESULTS

The Project Area is located in rural Fresno County and is surrounded by agricultural land. The Project Area is primarily flat, with elevations in the Project Area ranging from approximately 375 to 380 feet. The Project Area has been significantly altered from its native state. The majority of the site is a fallow field that has been historically used for agriculture. A 10-foot wide, manmade irrigation canal drains from northeast to southwest across the northern portion of the Project Area. In addition, a house is present in the southeast corner of the Project Area. The site is characterized by ruderal herbaceous vegetation, though landscaped vegetation is present around the house. Indications of wildlife use of the Project Area include visual observations of passerine birds and black-tailed jack rabbit (*Lepus californicus*), as well as a few gopher burrows with characteristic dirt splays obscuring the burrow entrances. No other burrows with larger entrances (e.g., fox, ground squirrel) or dirt splays and runways characteristic of other small mammals (e.g., kangaroo rat) were present at the time of the site visit. The following sections present the results and discussion of the biological assessment within the Project Area.

4.1 Biological Communities

Table 2 summarizes the area of each biological community type observed in the Project Area. Non-sensitive biological communities in the Project Area include developed land and ruderal herbaceous vegetation. One potentially sensitive biological community—an irrigation canal—is found in the Project Area. Descriptions for each biological community are contained in the following sections. Biological communities within the Project Area are shown in Figure 3.

Table 2. Summary of Biological Communities in the Project Area

| Community Type | Area |
|-------------------------------|------------|
| Developed land | 1.64 acres |
| Ruderal herbaceous vegetation | 17.5 acres |
| Irrigation canal | 0.4 acres |
| Total Project Area Size | 19.5 acres |

4.1.1 Non-Sensitive Biological Communities

Developed/disturbed land

Although not described in the literature, developed/disturbed areas are those that have been altered by humans and may contain structures, landscaped areas, paved areas, or other non-

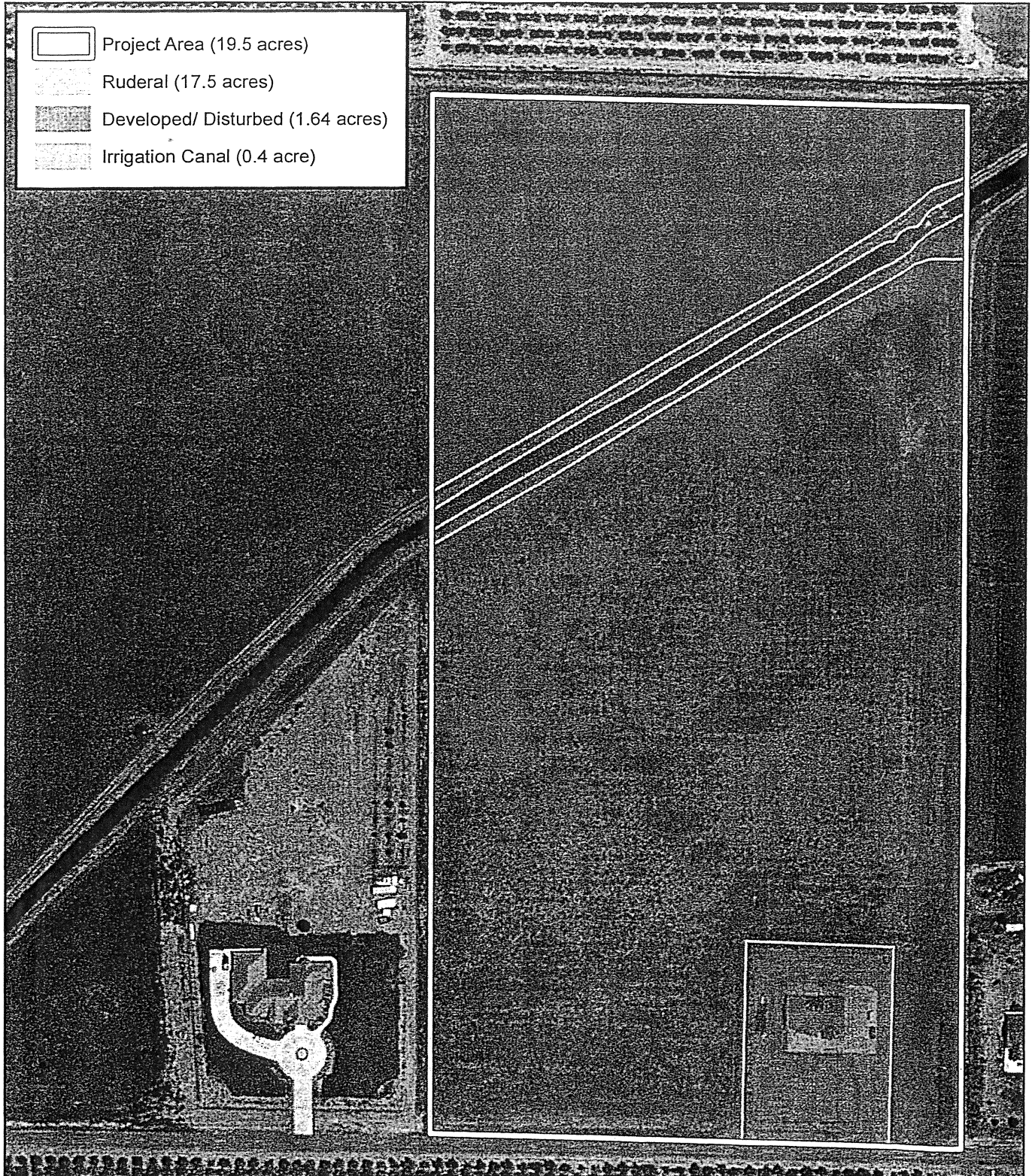
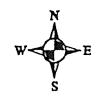
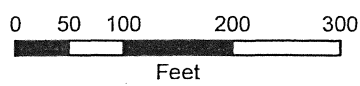


Figure 3. Biological Communities within the Project Area



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Estrella Solar Facility
Fresno County, California



Map Prepared Date: 1/26/2015
Map Prepared By: M.Rochelle
Base Source: Microsoft Aerial flown 8/27/2010
Data Source(s): WRA

natural surfaces. This land cover type is present in the southeast corner of the Project Area and includes a gravel driveway, a house, other built structures, and landscape plantings. This land cover type is also located along dirt roads that follow the irrigation canal in the Project Area where the ground is highly compacted and appears to be frequently graded.

Ruderal herbaceous vegetation

Although not described in the literature, ruderal herbaceous vegetation includes areas that have been used in the past for agriculture. However, these areas are not currently used for agricultural activities, and have been allowed to revert to a semi-natural condition. Approximately 17.5 acres of the Project Area is composed of ruderal herbaceous vegetation in fields that appear to be frequently disked. Plant species observed in ruderal herbaceous vegetation in the Project Area include red maids (*Calandrinia ciliata*), bull mallow (*Malva nicaeensis*), white-stemmed filaree (*Erodium brachycarpum*), and long-beaked filaree (*Erodium botrys*). The portion of the Project Area north of the irrigation canal appears to have most recently been used to grow alfalfa (*Medicago sativa*) because that species is common in that area.

4.1.2 Potentially Sensitive Biological Communities

Irrigation canal

An approximately 10-foot wide, 6-foot deep, man-made irrigation canal is present in the northern portion of the Project Area, entering from the east and exiting to the west. It appears recently maintained, as evidenced by low vegetation cover and abundant bare ground. At the time of the site visit, the irrigation canal did not contain water or signs of saturation and was dominated by species typically known from uplands, including Johnsongrass (*Sorghum halepense*; FACU), Bermuda grass (*Cynodon dactylon*; FACU) and bull mallow (UPL). Other species present include white-stemmed filaree and red maids. Although not dominant in the canal, some wetland species were observed in low concentrations including variable flatsedge (*Cyperus difformis*; OBL) and rough cocklebur (*Xanthium strumarium*; FAC). The irrigation canal appeared recently maintained and appears to be a ditch dug in uplands, and such features are sometimes considered jurisdictional by the Corps and RWQCB. As such, the irrigation canal is being considered a potentially sensitive biological community for the purposes of this report.

4.2 Special-Status Species

As described in Section 3.2, potential occurrence of special-status species in the Project Area was evaluated by first determining which special-status species occur in the vicinity of the Project Area through a literature and database search. Within the vicinity of the Project Area, 11 special-status plants and 23 special-status animals were documented to occur. None of the special-status plants observed were determined to have a high or moderate potential for occurrence. Four special-status wildlife species were determined to have a moderate potential for occurrence.

4.2.1 Plants

Based upon a review of the resources and databases given in Section 3.2.1, 11 special-status plant species have been documented in the vicinity of the Project Area (Figure 4). All 11 of these species, as listed below, are unlikely or have no potential to occur in the Project Area:

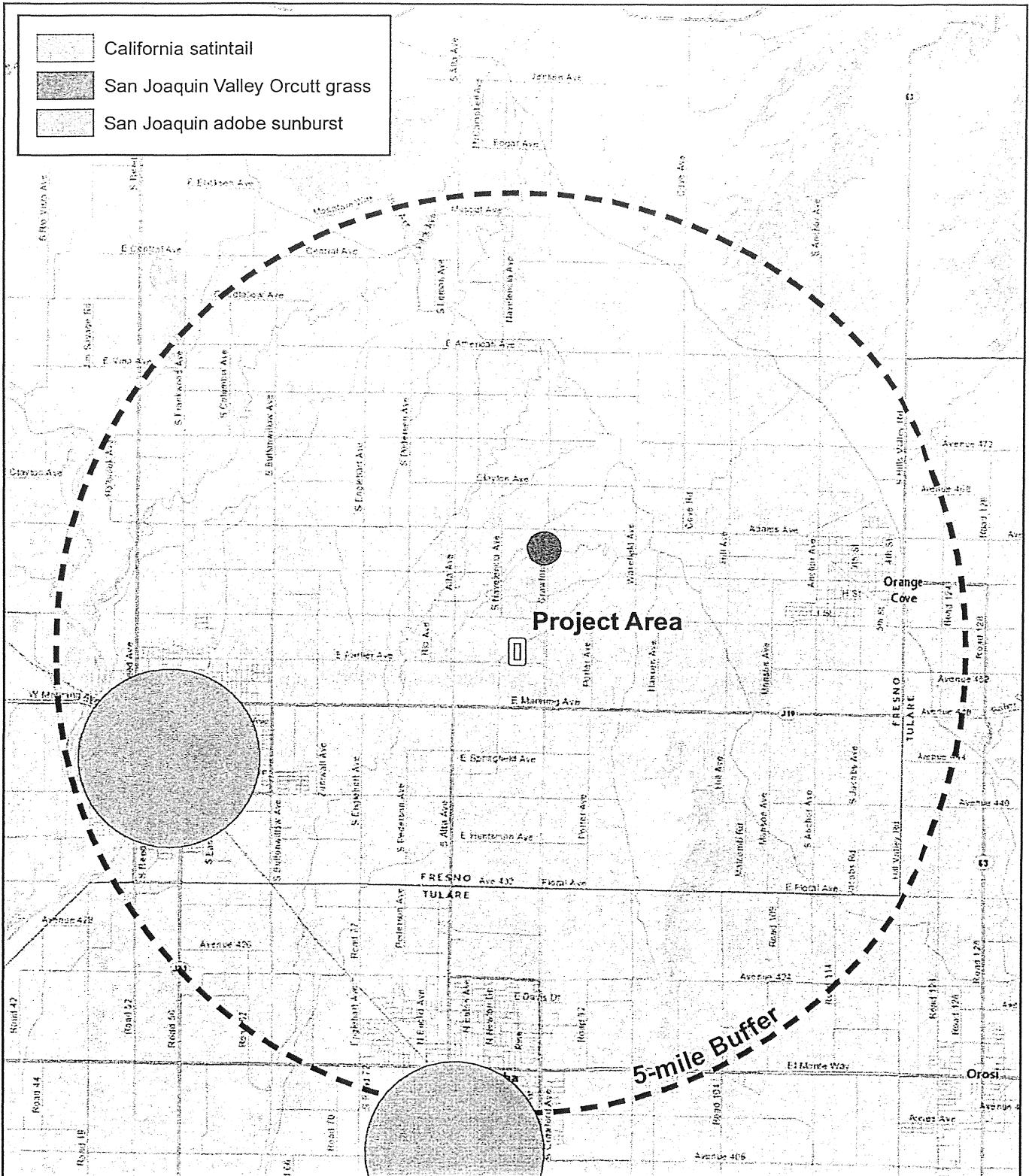
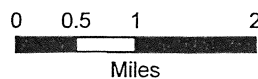


Figure 4. Special-Status Plant Species within 5 miles of the Project Area



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Estrella Solar Facility
Fresno County, California



Map Prepared Date: 1/26/2015
Map Prepared By: MRochelle
Base Source: National Geographic
Data Source(s): CNDDDB (December 2014)

- Earlimart orache (*Atriplex cordulata* var. *erecticaulis*). Rank 1B.2
- brittlescale (*Atriplex depressa*). Rank 1B.2
- lesser saltscale (*Atriplex minuscula*). Rank 1B.1
- Hoover's spurge (*Euphorbia hooveri* [*Chamasyce h.*]). Federal Threatened; Rank 1B.2
- recurved larkspur (*Delphinium recurvatum*). Rank 1B.2
- spiny-sepaled button-celery (*Eryngium spinosepalum*). Rank 1B.2
- Winter's sunflower (*Helianthus winteri*). Rank 1B.2
- California satintail (*Imperata brevifolia*). Rank 2B.1
- San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*). Federal Threatened; State Endangered; Rank 1B.1
- San Joaquin adobe sunburst (*Pseudobahia peirsonii*). Federal Threatened; State Endangered; Rank 1B.1
- Greene's tuctoria (*Tuctoria greenei*); Federal Endangered. State Rare; Rank 1B.1

These species are unlikely or have no potential to occur in the Project Area due to one or more of the following reasons:

- Hydrologic conditions (e.g., marsh habitat, vernal pools) necessary to support the special-status plant(s) are not present in the Project Area;
- Edaphic (soil) conditions (e.g., sand, serpentine) necessary to support the special-status plant(s) are not present in the Project Area;
- Topographic positions (e.g., slopes) necessary to support the special-status plant(s) are not present in the Project Area;
- Associated vegetation communities (e.g., chaparral, chenopod scrub, cismontane woodland) necessary to support the special-status plant(s) are not present in the Project Area.

No special-status plant species were observed in the Project Area during the assessment site visit. See Appendix B for the CNDDDB records of special-status species documented in the vicinity of the Project Area. Federal- or State-listed species that are documented in the vicinity of the Project Area but are unlikely to occur within the Project Area are described below.

San Joaquin adobe sunburst. Federal Threatened; State Endangered; Rank 1B.1. San Joaquin adobe sunburst is an annual herb that occurs on adobe clay in cismontane woodland and valley and foothill grassland at elevations ranging from 295 to 2,625 feet. It blooms between March and April. This species is unlikely to occur in the Project Area because the ruderal herbaceous vegetation is poor quality grassland-like habitat, and the substrate is loamy, not clayey.

4.2.2 Wildlife

Twenty-three special-status species of wildlife have been recorded in the vicinity of the Project Area. Special-status wildlife species documented to occur within 5 miles of the Project Area are shown in Figure 5. No special-status wildlife species were observed in the Project Area during the site assessment. No special-status wildlife species have a high potential to occur in the Project Area, and four special-status wildlife species have a moderate potential to occur in the Project Area. Most of the species found in the review of background literature were determined to have no potential or to be unlikely to occur within the Study Area due to one or more of the following reasons:

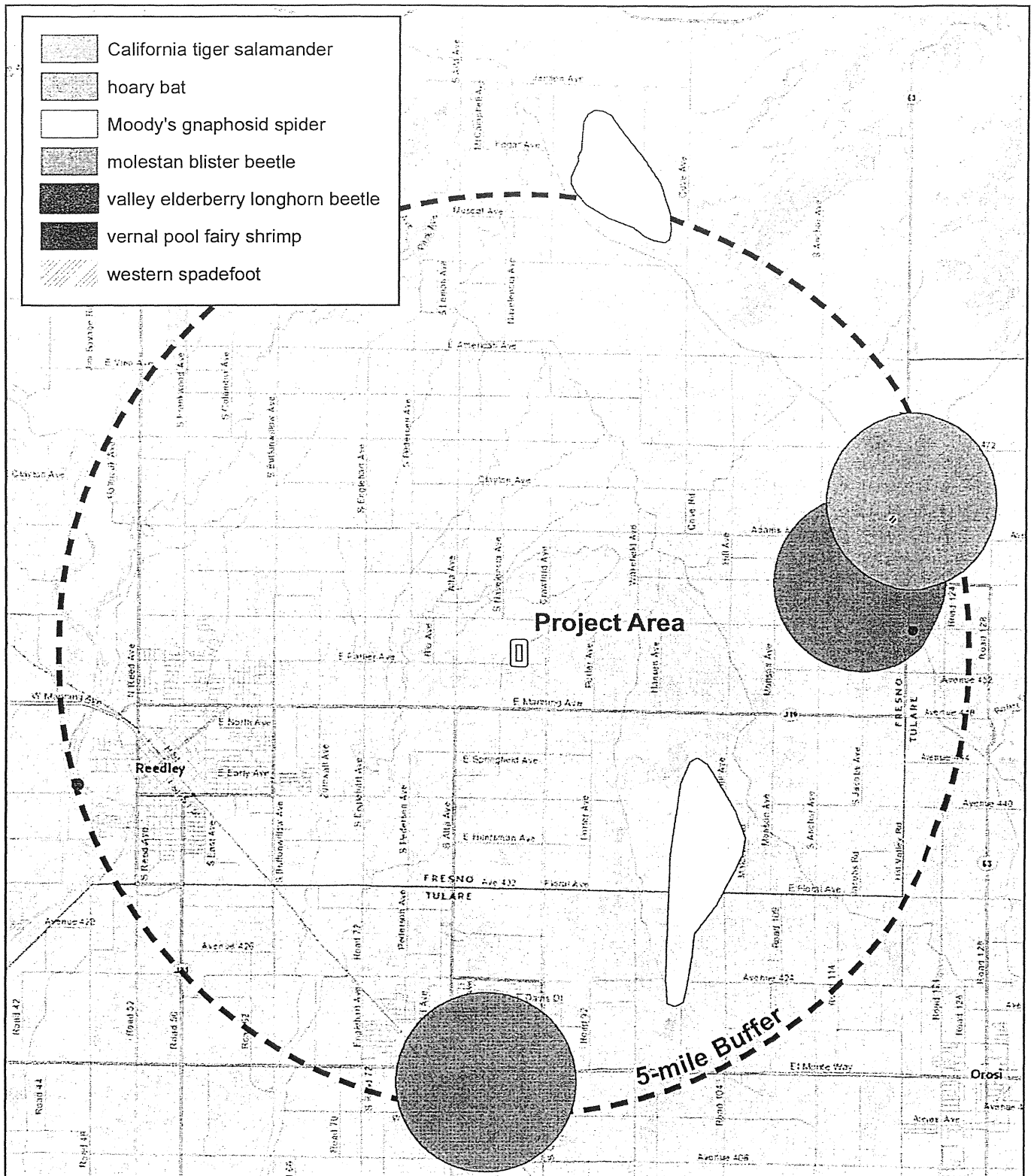
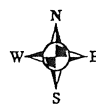
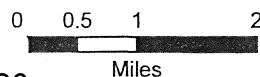


Figure 5. Special-Status Wildlife Species within 5 miles of the Project Area



ENVIRONMENTAL CONSULTANTS

Estrella Solar Facility
Fresno County, California



Map Prepared Date: 1/26/2015
Map Prepared By: MRochelle
Base Source: National Geographic
Data Source(s): CNDDB (December 2014)

- Lack of suitable aquatic features. The only aquatic feature in or adjacent to the Project Area is the irrigation canal, which provides water only occasionally and irregularly for agricultural use. Thus, no fish, reptiles, amphibians or invertebrates dependent on aquatic habitat have potential to occur within the Project Area.
- Lack of suitable burrows. Only a few scattered gopher burrows were present within the site, eliminating the potential for burrow-dependent wildlife, as well as larger burrowing mammals, to occupy the site under current conditions.
- Lack of roost structures within or adjacent to the Project Area. Bats are unlikely to roost within the Project Area because the landscape vegetation is sparsely vegetated and the house is relatively new and maintained, with few (if any) crevices or overhangs that could act as bat roosts.
- No elderberry shrubs were observed within or adjacent to the Project Area. Thus there is no potential for Valley elderberry longhorn beetle to occur.
- The Project site is outside the known range of the species.

Special-status wildlife species that were observed, or have a moderate potential to occur in the Project Area are discussed below.

Swainson's hawk (*Buteo swainsoni*). State Threatened, USFWS Bird of Conservation Concern. Swainson's hawk is a summer resident and migrant in California's Central Valley and scattered portions of the southern California interior. Nests are constructed of sticks and placed in trees located in otherwise largely open areas. Areas typically used for nesting include the edge of narrow bands of riparian vegetation, isolated patches of oak woodland, lone trees, and also planted and natural trees associated with roads, farmyards and sometimes adjacent residential areas. Nesting success declines when the foraging radius of a breeding pair is more than 5 miles from the nest (England et al. 1995). Foraging occurs in open habitats, including grasslands, open woodlands, and agricultural areas. While breeding, adults feed primarily on rodents (and other vertebrates); for the remainder of the year, large insects (e.g., grasshoppers, dragonflies) comprise most of the diet. In many areas, Swainson's hawks have adapted to foraging primarily in and around agricultural plots (particularly alfalfa, wheat and row crops), as prey is both numerous and conspicuous at harvest and/or during flooding or burning (Bechard et al. 2010).

The nearest documented Swainson's hawk nesting occurrence is located approximately 12 miles south of the Project Area (CDFW 2014). Trees within and immediately adjacent to the Project Area are small in stature and do not provide suitable nesting habitat for Swainson's hawk; however, potentially suitable nest trees are present within 0.5 mile of the site. The site consists of dry cropland and thus provides only low- to marginal-quality foraging habitat. Based on the lack of documented occurrences in the vicinity and the absence of suitable nesting habitat on-site, this species has only a moderate potential to occur.

Loggerhead shrike (*Lanius ludovicianus*), CDFW Species of Special Concern, USFWS Bird of Conservation Concern. Moderate Potential. A common resident of lowlands and foothills throughout California, this species prefers open habitats with scattered trees, shrubs, posts, fences, utility lines, or other perches. Nests are usually built on a stable branch in a densely-foliaged shrub or small tree. This species is found most often in open-canopied valley foothill hardwood, conifer, pinyon-juniper, or desert riparian habitats. While this species eats mostly arthropods, it also takes amphibians, small reptiles, small mammals or birds, and is also known to scavenge on carrion.

The nearest documented occurrence of loggerhead shrike is approximately 12 miles south of the Project Area (CDFW 2014). The only area that may provide marginal nesting habitat for loggerhead shrike is in the landscape plantings that surround the house. This species may also forage through the Project Area, though its prey base is likely reduced or degraded due to agricultural activities on the site and in the region. Thus, there is a moderate potential for this species to forage within the Project Area and nest adjacent to the house.

Tricolored blackbird (*Agelaius tricolor*). State Endangered, CDFW Species of Special Concern, USFWS Bird of Conservation Concern. The tricolored blackbird is a locally common resident in the Central Valley and along coastal California. Most Tricolored Blackbirds reside in the Central Valley March through August, then moving into the Sacramento-San Joaquin Delta and east to Merced County and coastal locations during winter (Meese et al. 2014). This species breeds adjacent to fresh water, preferring emergent wetlands with tall, dense cattails or tules, thickets of willow or blackberry, and/or tall herbs. Flooded agricultural fields with dense vegetation are also used (Shuford and Gardali 2008). This species is highly colonial; nesting habitat must be large enough to support a minimum of 30 pairs, and colonies are commonly substantially larger (up to thousands of pairs). The tricolored blackbird often intermingles with other blackbird species during the non-breeding season. Individuals typically forage up to 5.6 miles (9 kilometers) from their colonies although in most cases only a small part of the area within this range provides suitable foraging (Hamilton and Meese 2006).

The Project Area is located within the eastern boundary of this species range in the southern San Joaquin Valley. There is no freshwater marsh breeding habitat located within or immediately adjacent to the Project site. Tricolored blackbird breeding colony locations are well-documented, and the closest recorded breeding colony to the Project site is located more than 10 miles (16 kilometers) away to the northwest (CalPIF 2015, CDFW 2015, eBird 2015). This distance is greater than the typical foraging distance limits described by Hamilton and Meese (2006) and greater than the 13 kilometer foraging radius described by Hamilton (1998) as exceptionally far. Therefore, it is unlikely that individuals from a tricolored blackbird breeding colony would forage within the Project Area.

After breeding is complete, the majority of tricolored blackbirds migrate north out of the southern San Joaquin Valley, though some remain as residents throughout the year. For the permanent relatively small number of resident birds that occur in the vicinity of the Project Area, the Project site may provide suitable foraging habitat, particularly to the north of the irrigation canal where vegetation composition is more suitable than that found in the southern Project Area. Therefore, although this species has no potential to breed within the Project Area and is very unlikely to forage within it during the breeding season, year-round resident birds have a moderate potential to forage within the Project Area during the non-breeding season based on the relatively small number of birds that occur in the vicinity outside of the breeding season, and the marginal quality of habitat that is present in the Project Area.

San Joaquin Kit Fox (*Vulpes macrotis mutica*) Federally Endangered. State Threatened.

The San Joaquin kit fox (SJKF) occurs in grasslands, scrublands, vernal pool areas, alkali meadows and playas, and an agricultural matrix of row crops, irrigated pastures, orchards, vineyards, and grazed annual grasslands. This species uses dens year-round and typically inhabits loose-textured soils suitable for burrowing, though they can enlarge existing burrows in areas with high clay content in the soils. Typical dens may include the following: (1) one or more entrances that are approximately 5 to 8 inches in diameter; (2) dirt berms adjacent to the entrances; (3) SJKF tracks, scat, or prey remains in the vicinity of the den; (4) matted vegetation adjacent to the den entrances; and (5) manmade features such as culverts, pipes, and canal

banks. SJKF prey consists primarily of kangaroo rats, California ground squirrels and other small rodents, as well as large insects and occasionally rabbits.

Although SJKF have been found in agricultural settings, farm lands present problems and may be marginally suitable to unsuitable for this species. For example, ground disturbance (e.g., tilling) and irrigation can destroy dens, and the use of herbicides and pesticides can greatly reduce the fox's prey base and/or lead to secondary poisoning. Annual crops (e.g., cotton, tomatoes, alfalfa, carrots) typically provide very little prey and are subject to frequent disturbance. Orchards and vineyards may provide additional prey items and increase the ability of SJKF to detect predators, and thus these lands may provide higher-quality habitat than annual crops. Coyote and red fox are also highly adaptable species that persist in agricultural settings, where they often prey upon or out-compete SJKF. The value of agricultural land for SJKF is therefore dependent on the type of crop present, the management regime, the availability of denning habitat in the area, and the prevalence of predators and competitors.

The Project Area is located near the eastern edge of the SJKF known range. The nearest documented occurrence of this species is approximately 11 miles south of the Project Area, and the most recent report from this location is from 1975 (CNDB 2014). To access the Project Area from surrounding lands, SJKF may travel through low- to marginally-suitable agricultural lands or along the irrigation canal corridor. However, WRA traversed transect lines which allowed 100 percent visual coverage of the site, and no SJKF sign or dens large enough to house this species were observed. Additionally, there was little evidence that small mammals use the site, and thus prey availability for SJKF is low. Although SJKF do not currently occupy the Project Area and are unlikely to forage there, it is possible that SJKF occasionally disperse through the Project Area.

All of the wildlife observed in the Project Area are commonly found species, and many are adapted to occupying disturbed or urban areas. No special-status wildlife species were observed.

5.0 SIGNIFICANCE THRESHOLD CRITERIA

Pursuant to Appendix G, Section IV of the State CEQA Guidelines, a project would have a significant impact on biological resources if it would:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and/or,
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

This report utilizes these thresholds in the analysis of impacts and determination of the significance of those impacts. The assessment of impacts under CEQA is based on the change caused by the Project relative to the existing conditions at the proposed Project Site. The existing conditions at the Project site are described above, based on surveys conducted in 2015. In applying CEQA Appendix G, the terms “substantial” and “substantially” are used as the basis for significance determinations in many of the thresholds, but are not defined qualitatively or quantitatively in CEQA or in technical literature. In some cases, such as direct impacts to special-status species listed under the CESA or ESA, the determination of a substantial impact may be relatively straightforward. In other cases, the determination is less clear, and requires application of best professional judgment based on knowledge of site conditions as well as the ecology and physiology of biological resources present in a given area. Determinations of whether or not Project activities will result in a substantial adverse effect to biological resources are discussed in the following sections for sensitive biological communities, special-status plant species, and special-status wildlife species.

6.0 POTENTIAL IMPACTS AND MITIGATION

6.1 Project Description

The Applicant (Pristine Sun) proposes to construct a 0.999 MW solar electric generating facility on the 20-acre Project Area as part of a 20-year Power Plan Agreement (PPA) with PG&E. The Project will entail construction of solar panels, trackers, inverters, medium-voltage transformers, access roads, and electrical wiring as shown in the Site Plan (Appendix D). Underground conduits will be trenched in approximately two feet to connect adjacent tracker systems; one overground utility line and four utility poles will be installed to connect panels to PG&E transmission lines on East Parlier Avenue. One meteorological data collection system will also be installed on one solar shield.

All components including trackers, inverter, power poles, and telecommunication tower will avoid potentially sensitive resources as depicted in Appendix D. No other federal or state jurisdictional features are present on the property.

Access to the site will be from East Parlier Avenue; access roads will be constructed as shown in Appendix D. These roads will be graded to a width of between 10 to 18 feet and compacted with native soil or gravel. The total area of impact from access roads is 0.65 acre. A 20-foot by 20-foot pad will be constructed at the center of the Project Area for placement of the powerstation consisting of 1 transformer. The total impact area from the transformer is 0.66 acre. No other grading activities are proposed. Solar panels will be installed using 3-point

helical pier anchoring system designed to minimize ground disturbance both during installation and decommissioning.

A barbed wire fence around the perimeter of the property will be installed for security purposes. All fencing will be modified to include a minimum opening of 5 to 7 inches from the bottom of the fence to the ground along the entire length of the fence to allow passage for small mammals and/or SJKF. The bottom of the fence edges will be wrapped back to form a smooth edge to allow unrestricted movement. The fence will be see-through to avoid appearance of a barrier. No additional landscaping or other visual deterrents will be implemented. No continuous night lighting is proposed and all construction and operational activities will be restricted to daylight hours.

Operation and maintenance (O&M) activities would be managed remotely and no on-site O&M facilities are proposed as part of the project. The project would contract with a regional O&M provider, who may lease warehouse and office space in an existing facility in the surrounding community. The regional O&M provider would use this existing facility to store tools, equipment, and supplies necessary for scheduled and unscheduled maintenance, including but not limited to spare parts for inverters, electrical infrastructure, panels, tracking systems, panel washing, and vegetation maintenance. Vegetation and pest management will be controlled using mechanical measures and will not include the use of rodenticides, pesticides, or herbicides.

6.2 Potentially Significant Impacts

Most of the Project Area is comprised of ruderal herbaceous vegetation, which is not considered a sensitive habitat under CEQA. The only potentially sensitive biological community within the Project Area is the irrigation canal. No special-status plants have the potential to occur within the Project Area; thus, there is no potential for the Project to impact special-status plants. Special-status wildlife species, including Swainson's hawk, loggerhead shrike and SJKF have moderate potential to occur on the Project site. Loggerhead shrike may nest and/or forage within the Project Area, though Swainson's hawks only have potential to use the site for foraging. San Joaquin kit fox is unlikely to forage within the Project Area and it does not currently den at the site, but it may occasionally disperse through the Project Area. In addition to these species, non-special-status, native avian species may be impacted if Project activities affect nesting success. Potentially significant impacts as a result of the Project and the associated mitigation measures are discussed below.

Impact BIO-1: Potentially Sensitive Biological Communities

The Project Area contains part of an irrigation canal, which is potentially within Corps jurisdiction under Section 404 of the Clean Water Act and under the jurisdiction of the RWQCB under the Porter-Cologne Act. Potential mitigation measures for impacts to Corps and RWQCB jurisdictional features are discussed below in Section 6.2.

Level of Significance: Not Significant

Impact BIO-2: Special-Status Wildlife Species

The Project has the potential to impact four special-status wildlife species: Swainson's hawk, loggerhead shrike, tricolored blackbird, and SJKF. The Project may affect loggerhead shrike, tricolored blackbird and Swainson's hawk by modifying foraging habitat, and it could affect SJKF

if fencing were to cause an impediment to dispersal. These impacts would be considered significant under CEQA, the ESA, or Fish and Game Code. The Project is not anticipated to impact the nests or dens of special-status species as no trees or shrubs are slated for removal, and all dens of special-status species shall be avoided.

The Project also has the potential to impact birds protected by the Migratory Bird Treaty Act (MTBA) and Fish and Game Code. Potential impacts to these species or their habitats could occur during the removal of vegetation or during grading and ground-disturbing activities. These activities could result in the direct removal or destruction of the active nests of non-special-status bird species. Activities that result in the direct removal of active nests or disturbance to nesting birds sufficient to result in the abandonment of active nests would be considered a significant impacts under CEQA and a violation of the MBTA and Fish and Game Code.

Significance of Impact Before Mitigation: Potentially Significant

6.3 Mitigation Measures

This section describes the mitigation measures to be implemented prior to and during Project activities to reduce the potential impacts described above to a less-than-significant level.

MM BIO-1: Sensitive Biological Communities

All components of the Project, including trackers, substation, and power poles, shall avoid the irrigation canal. A SWPPP shall be prepared and implemented to prevent discharge of any materials during Project-related activities such as trenching. Only natural fiber or biodegradable materials shall be used. All erosion control products shall be removed at the completion of construction activities. With the incorporation of this avoidance measure, impacts to features potentially within jurisdiction of the Corps and RWQCB will be reduced to less than significant.

Level of Significance after Mitigation: Less than Significant

MM BIO-2: Special-Status Wildlife Species

Swainson's Hawk

To avoid potential Project-related impacts to Swainson's hawk during the nesting season (March 1 – September 15), pre-construction nest surveys for Swainson's hawk shall be conducted in accessible areas within 0.5 mile of the Project Area within 30 days prior to the initiation of Project-related activities. Surveys shall follow the methodology developed by the Swainson's hawk Technical Advisory Committee (SWHA TAC 2000). If Swainson's hawk is detected nesting within 0.5 mile of the Project Area during the pre-construction surveys, the biologist shall consult with CDFW to determine an appropriate no-disturbance buffer based on proximity to disturbance, timing, and visual barriers. After the biologist has determined that all young have become independent of the nest or the nest has been naturally predated, then construction activities may take place in the former exclusion zone.

If a Swainson's hawk nest is discovered during pre-construction surveys, degradation of foraging habitat shall be mitigated at a 1:1 ratio in accordance with the *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California*

(CDFG 1994b). If credits are purchased at a CDFW approved bank, the ratio may be reduced to 0.5:1 per Staff Report guidelines (for prey-managed lands).

Furthermore, all hollow vertical pipes associated with the solar mounts and fencing shall be capped as they are installed to prevent bird deaths; construction shall be limited to daylight hours only; and no pesticides, rodenticides or herbicides shall be used. With the implementation of the above-described avoidance, minimization and mitigation measures, Project-related impacts to Swainson's hawk will be less than significant.

Loggerhead Shrike and Tricolored Blackbird

Loggerhead shrike and tricolored blackbird may forage within the Project Area; however, impacts to foraging habitat shall be avoided during both Project construction and maintenance activities. Solar mounts shall be installed with a 3-point helical pier anchoring system, which is designed to minimize ground disturbance and allow vegetation to grow and persist under and between the solar trackers. Access road area has been minimized to further avoid ground and habitat disturbance. The Pest Management Plan also promotes native vegetation growth and prohibits the use of pesticides, rodenticides and herbicides within the Project site, which in combination is expected to enhance potential avian foraging habitat. With the implementation of these design features and impact minimization measures, potential Project-related impacts to loggerhead shrike and tricolored blackbird foraging habitat are reduced to a less-than-significant level.

San Joaquin Kit Fox

SJKF may forage adjacent to and disperse through the Project site. Surveys and avoidance measures described in the USFWS Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented before starting Project-related activities likely to impact SJKF. If Project-related activities are delayed or suspended for more than 30 days, the area shall be resurveyed. If SJKF dens are identified, they shall be avoided completely and exclusion zones will be established in accordance with the USFWS protocol. If dens cannot be avoided, the applicant conduct a 3-day tracking survey to establish occupancy; if dens are unoccupied after 3 days of tracking they shall be collapsed. If occupied, the applicant shall consult with USFWS to implement an appropriate exclusion plan. Additionally, to avoid impacts to SKJF dispersal, the perimeter fence shall be designed to allow SJKF to move unimpeded through the Project site, as described in Section 5.1 above.

Native Nesting Birds

For the protection of raptors and migratory song birds and to assist in avoiding take of avian species as required by Fish and Game Code sections 3503, 3503.5 and 3513, Project activities shall occur during the non-nesting bird season to the extent feasible. However, if ground-disturbing activities must occur during the breeding season (January through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not result in any violation of the MBTA or relevant Fish and Game Code sections as referenced above. Prior to work commencing, surveys for active nests shall be conducted by a qualified wildlife biologist no more than 10 days prior to the start of the Project, and the surveys shall be conducted in a sufficient area around the work site to identify the location and status of any nests that are present. A sufficient area means any nest within an area that could potentially be affected by the Project.

In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests shall be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline, and once work commences, all nests shall be continuously monitored to detect any behavioral changes. If behavioral changes are observed, the work causing that change shall cease and CDFW shall be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around the nests of unlisted raptors shall be established until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. Any variance from these buffers shall be supported by a qualified wildlife biologist and CDFW shall be notified in advance of implementation of a no-disturbance buffer variance.

Level of Significance after Mitigation: Less than Significant

7.0 CONCLUSION

Based on the results of the site assessment, it is not anticipated that the Project will result in potentially significant impacts to sensitive biological communities, special-status plant species, or special-status wildlife species. The irrigation canal shall be avoided, and erosion control materials shall be used to prevent discharge of any materials during Project activity. No special-status plants were observed during the site visit, and none are expected to occur within the Project Area; accordingly, no avoidance measures are required. No special-status wildlife species were observed during the site visit. Four special-status wildlife species have the potential to occur within the Project Area. Avoidance measures including breeding bird surveys, maintaining or enhancing avian foraging habitat, capping all vertical pipes, pre-construction SJKF den surveys and installing a barrier fence that does not impede SJKF movement shall be utilized to avoid impacts to these species. Accordingly, all potential Project-related impacts to sensitive biological resources shall be avoided or reduced to less than significant.

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APPENDIX A
LIST OF OBSERVED PLANT AND WILDLIFE SPECIES

Appendix A.1. List of observed plant species at the Estrella Solar Site during field surveys on January 15, 2015.

| Family | Scientific Name | Common Name | Phenology | Form | Origin | Rare Status ¹ | Invasive Status ² | Wetland Status (Arid West) ³ |
|----------------|---|--------------------------|-----------|-----------|------------|--------------------------|------------------------------|---|
| Amaranthaceae | <i>Amaranthus albus</i> | pigweed amaranth | annual | forb | non-native | -- | -- | FACU |
| Asteraceae | <i>Erigeron [Conyza] canadensis</i> | Canadian horseweed | annual | forb | native | -- | -- | FACU |
| Asteraceae | <i>Helianthus annuus</i> | common sunflower | annual | forb | native | -- | -- | FACU |
| Asteraceae | <i>Lactuca serriola</i> | prickly lettuce | annual | forb | non-native | -- | assessed | FACU |
| Asteraceae | <i>Senecio vulgaris</i> | old man in the Spring | annual | forb | non-native | -- | -- | FACU |
| Asteraceae | <i>Sonchus oleraceus</i> | common sow thistle | annual | forb | non-native | -- | -- | NL |
| Asteraceae | <i>Xanthium strumarium</i> * | rough cocklebur | annual | forb | native | -- | -- | FAC |
| Boraginaceae | <i>Amsinckia intermedia</i> | common fiddleneck | annual | forb | native | -- | -- | NL |
| Brassicaceae | <i>Capsella bursa-pastoris</i> | shepherd's purse | annual | forb | non-native | -- | -- | FACU |
| Chenopodiaceae | <i>Dysphania ambrosioides</i> | Mexican tea | perennial | forb | non-native | -- | -- | FAC |
| Chenopodiaceae | <i>Salsola australis</i> [S. tragus] | Russian thistle | annual | forb | non-native | -- | limited | FACU |
| Cyperaceae | <i>Cyperus difformis</i> * | variable flatsedge | annual | graminoid | native | -- | -- | OBL |

| Family | Scientific Name | Common Name | Phenology | Form | Origin | Rare Status ¹ | Invasive Status ² | Wetland Status (Arid West) ³ |
|----------------------------|------------------------------|-----------------------|-----------|------|------------|--------------------------|------------------------------|---|
| Euphorbiaceae | Croton [Eremocarpus] setiger | turkey mullein | annual | forb | native | -- | -- | NL |
| Fabaceae | Medicago sativa | alfalfa | perennial | forb | non-native | -- | -- | NL |
| Fabaceae | Trifolium dubium | Shamrock clover | annual | forb | non-native | -- | -- | UPL |
| Geraniaceae | Erodium botrys | longbeak stork's bill | annual | forb | non-native | -- | assessed | FACU |
| Geraniaceae | Erodium brachycarpum | foothill filaree | annual | forb | non-native | -- | limited | NL |
| Geraniaceae | Erodium cicutarium | redstem stork's bill | annual | forb | non-native | -- | limited | NL |
| Lamiaceae | Stachys sp. | hedgenettle | ? | forb | ? | -- | -- | ? |
| Malvaceae | Malva nicaeensis | bull mallow | annual | forb | non-native | -- | -- | NL |
| Malvaceae | Malva parviflora | cheeseweed mallow | annual | forb | non-native | -- | -- | NL |
| Montiaceae [Portulacaceae] | Calandrinia ciliata | common redmaids | annual | forb | native | -- | -- | FACU |
| Montiaceae [Portulacaceae] | Claytonia perfoliata | miner's lettuce | annual | forb | native | -- | -- | FAC |
| Myrsinaceae [Primulaceae] | Anagallis arvensis | scarlet pimpernel | annual | forb | non-native | -- | -- | NL |

| Family | Scientific Name | Common Name | Phenology | Form | Origin | Rare Status ¹ | Invasive Status ² | Wetland Status (Arid West) ³ |
|------------|---------------------------|--------------------|-----------|-----------|------------|--------------------------|------------------------------|---|
| Poaceae | <i>Cynodon dactylon</i> | Bermuda grass | perennial | graminoid | non-native | -- | moderate | FACU |
| Poaceae | <i>Distichlis spicata</i> | saltgrass | perennial | graminoid | native | -- | -- | FAC |
| Poaceae | <i>Sorghum halepense</i> | Johnsongrass | perennial | graminoid | non-native | -- | -- | FACU |
| Solanaceae | <i>Datura wrightii</i> | sacred thorn apple | perennial | forb | native | -- | -- | NL |

All species identified using the *Jepson eFlora* (eFlora 2015) and the *Jepson Manual, 2nd Edition* (Baldwin et al. 2012); nomenclature follows Jepson eFlora with older names from previous versions of the Jepson Manual given in brackets for ease of reference.

*These species were located within the irrigation ditch in Project Area and not observed elsewhere in the Project Area.

¹Rare Status: The CNPS Inventory of Rare and Endangered Plants (CNPS 2015)

- FE: Federal Endangered
- FT: Federal Threatened
- SE: State Endangered
- ST: State Threatened
- SR: State Rare

List 1A: Plants presumed extirpated in California and either rare or extinct elsewhere

List 1B: Plants rare, threatened, or endangered in California and elsewhere

List 2A: Plants presumed extirpated in California, but more common elsewhere

List 2B: Plants rare, threatened, or endangered in California, but more common elsewhere

List 3: Plants about which we need more information – a review list

List 4: Plants of limited distribution – a watch list

²Invasive Status follows the designations follow the 20104 California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory Database

³Wetland Status: National List of Plant Species that Occur in Wetlands, California – Region 10 (Lichvar 2014)

- OBL: Almost always a hydrophyte, rarely in uplands
- FACW: Usually a hydrophyte, but occasionally found in uplands
- FAC: Commonly either a hydrophyte or non-hydrophyte
- FACU: Occasionally a hydrophyte, but usually found in uplands
- UPL: Rarely a hydrophyte, almost always in uplands
- NL: Rarely a hydrophyte, almost always in uplands
- NI: No information; not factored during wetland delineation

Appendix A.2. List of observed wildlife species at the Estrella Solar Site during field surveys on January 15, 2015.

| Scientific Name | Common name |
|-------------------------------|--------------------------|
| <i>Lepus californicus</i> | Black-tailed jack rabbit |
| <i>Thomomys</i> sp. | Gopher species (burrows) |
| <i>Melospiza melodia</i> | Song sparrow |
| <i>Passer domesticus</i> | House sparrow |
| <i>Zonotrichia leucophrys</i> | White-crowned sparrow |
| <i>Charadrius vociferus</i> | Killdeer |
| <i>Colaptes auratus</i> | Northern flicker |
| <i>Corvus brachyrhynchos</i> | American crow |

APPENDIX B

CNDDDB DATABASE AND USFWS 9-QUADRANGLE SEARCH RESULTS



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Query Criteria: Taxonomic Group is (Fish or Amphibians or Reptiles or Birds or Mammals or Mollusks or Arachnids or Crustaceans or Insects) and Quad is (Sanger (3611965) or Orange Cove North (3611963) or Wahtoke (3611964) or Selma (3611955) or Reedley (3611954) or Orange Cove South (3611953) or Burris Park (3611945) or Traver (3611944) or Monson (3611943))

| Species | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|---|--------------|----------------|--------------|-------------|------------|--------------------------------|
| <i>Ambystoma californiense</i> California tiger salamander | AAAAA01180 | Threatened | Threatened | G2G3 | S2S3 | SSC |
| <i>Antrozous pallidus</i> pallid bat | AMACC10010 | None | None | G5 | S3 | SSC |
| <i>Athene cunicularia</i> burrowing owl | ABNSB10010 | None | None | G4 | S3 | SSC |
| <i>Branchinecta lynchi</i> vernal pool fairy shrimp | ICBRA03030 | Threatened | None | G3 | S2S3 | |
| <i>Buteo swainsoni</i> Swainson's hawk | ABNKC19070 | None | Threatened | G5 | S3 | |
| <i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo | ABNRB02022 | Threatened | Endangered | G5T3Q | S1 | |
| <i>Desmocerus californicus dimorphus</i> valley elderberry longhorn beetle | IICOL48011 | Threatened | None | G3T2 | S2 | |
| <i>Emys marmorata</i> western pond turtle | ARAAD02030 | None | None | G3G4 | S3 | SSC |
| <i>Eumops perotis californicus</i> western mastiff bat | AMACD02011 | None | None | G5T4 | S3S4 | SSC |
| <i>Lanius ludovicianus</i> loggerhead shrike | ABPBR01030 | None | None | G4 | S4 | SSC |
| <i>Lasiurus cinereus</i> hoary bat | AMACC05030 | None | None | G5 | S4? | |
| <i>Lepidurus packardii</i> vernal pool tadpole shrimp | ICBRA10010 | Endangered | None | G3 | S2S3 | |
| <i>Lithobates pipiens</i> northern leopard frog | AAABH01170 | None | None | G5 | S2 | SSC |
| <i>Lytta molesta</i> molestan blister beetle | IICOL4C030 | None | None | G2 | S2 | |
| <i>Spea hammondi</i> western spadefoot | AAABF02020 | None | None | G3 | S3 | SSC |
| <i>Talanites moodyae</i> Moody's gnaphosid spider | ILARA98020 | None | None | G1G2 | S1S2 | |
| <i>Vulpes macrotis nutica</i> San Joaquin kit fox | AMAJA03041 | Endangered | Threatened | G4T2 | S2 | |

Record Count: 17



Selected Elements by Scientific Name
 California Department of Fish and Wildlife
 California Natural Diversity Database



Query Criteria: Taxonomic Group is (Ferns or Gymnosperms or Monocots or Dicots or Lichens or Bryophytes) and Quad is (Sanger (3611965) or Orange Cove North (3611963) or Wahtoke (3611964) or Selma (3611955) or Reedley (3611954) or Orange Cove South (3611953) or Burris Park (3611945) or Monson (3611943) or Traver (3611944))

| Species | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|--|--------------|----------------|--------------|-------------|------------|--------------------------------|
| <i>Atriplex cordulata</i> var. <i>erecticaulis</i> Earlimart orache | PDCHE042V0 | None | None | G3T1 | S1 | 1B.2 |
| <i>Atriplex depressa</i> brittlescale | PDCHE042L0 | None | None | G2 | S2 | 1B.2 |
| <i>Atriplex minuscula</i> lesser saltscale | PDCHE042M0 | None | None | G2 | S2 | 1B.1 |
| <i>Chamaesyce hooveri</i> Hoover's spurge | PDEUP0D150 | Threatened | None | G2 | S2 | 1B.2 |
| <i>Delphinium recurvatum</i> recurved larkspur | PDRAN0B1J0 | None | None | G3 | S3 | 1B.2 |
| <i>Eryngium spinosepalum</i> spiny-sepaled button-celery | PDAP10Z0Y0 | None | None | G2 | S2 | 1B.2 |
| <i>Helianthus winteri</i> Winter's sunflower | PDAST4N260 | None | None | G1G2 | S1S2 | 1B.2 |
| <i>Imperata brevifolia</i> California satintail | PMPOA3D020 | None | None | G3 | S3 | 2B.1 |
| <i>Orcuttia inaequalis</i> San Joaquin Valley Orcutt grass | PMPOA4G060 | Threatened | Endangered | G1 | S1 | 1B.1 |
| <i>Pseudobahia peirsonii</i> San Joaquin adobe sunburst | PDAST7P030 | Threatened | Endangered | G1 | S1 | 1B.1 |
| <i>Tuctoria greenei</i> Greene's tuctoria | PMPOA6N010 | Endangered | Rare | G1 | S1 | 1B.1 |

Record Count: 11

U.S. Fish & Wildlife Service
Sacramento Fish & Wildlife Office
Federal Endangered and Threatened Species that Occur in
or may be Affected by Projects in the Counties and/or
U.S.G.S. 7 1/2 Minute Quads you requested
 Document Number: 141208015722
 Current as of: December 8, 2014

Quad Lists

Listed Species

Invertebrates

- Branchinecta conservatio*
Conservancy fairy shrimp (E)
- Branchinecta lynchi*
Critical habitat, vernal pool fairy shrimp (X)
vernal pool fairy shrimp (T)
- Desmocerus californicus dimorphus*
valley elderberry longhorn beetle (T)
- Lepidurus packardii*
Critical habitat, vernal pool tadpole shrimp (X)
vernal pool tadpole shrimp (E)

Fish

- Hypomesus transpacificus*
delta smelt (T)

Amphibians

- Ambystoma californiense*
California tiger salamander, central population (T)
Critical habitat, CA tiger salamander, central population (X)
- Rana draytonii*
California red-legged frog (T)

Reptiles

- Gambelia (=Crotaphytus) sila*
blunt-nosed leopard lizard (E)
- Thamnophis gigas*
giant garter snake (T)

Birds

- Coccyzus americanus occidentalis*
Western yellow-billed cuckoo (T)

Mammals

- Dipodomys nitratooides exilis*
Fresno kangaroo rat (E)
- Dipodomys nitratooides nitratooides*
Tipton kangaroo rat (E)
- Vulpes macrotis mutica*
San Joaquin kit fox (E)

Plants

- Chamaesyce hooveri*
Critical habitat, Hoover's spurge (X)

Hoover's spurge (T)

Orcuttia inaequalis

Critical habitat, San Joaquin Valley Orcutt grass (X)

San Joaquin Valley Orcutt grass (T)

Pseudobahia peirsonii

San Joaquin adobe sunburst (T)

Tuctoria greenei

Greene's tuctoria (=Orcutt grass) (E)

Quads Containing Listed, Proposed or Candidate Species:

MONSON (334A)

TRAVER (334B)

BURRIS PARK (335A)

ORANGE COVE NORTH (356A)

WAHTOKE (356B)

REEDLEY (356C)

ORANGE COVE SOUTH (356D)

SANGER (357A)

SELMA (357D)

Key:

(E) *Endangered* - Listed as being in danger of extinction.

(T) *Threatened* - Listed as likely to become endangered within the foreseeable future.

(P) *Proposed* - Officially proposed in the Federal Register for listing as endangered or threatened.

(NMFS) Species under the Jurisdiction of the National Oceanic & Atmospheric Administration Fisheries Service. Consult with them directly about these species.

Critical Habitat - Area essential to the conservation of a species.

(PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.

(C) *Candidate* - Candidate to become a proposed species.

(V) Vacated by a court order. Not currently in effect. Being reviewed by the Service.

(X) *Critical Habitat* designated for this species

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, **or may be affected by** projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

Plants

Any plants on your list are ones that have actually been observed in the area covered by the

list. Plants may exist in an area without ever having been detected there. You can find out what's in the surrounding quads through the California Native Plant Society's online [Inventory of Rare and Endangered Plants](#).

Surveying

Some of the species on your list may not be affected by your project. A trained biologist and/or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. See our [Protocol](#) and [Recovery Permits](#) pages.

For plant surveys, we recommend using the [Guidelines for Conducting and Reporting Botanical Inventories](#). The results of your surveys should be published in any environmental documents prepared for your project.

Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a formal [consultation](#) with the Service. During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a biological opinion by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.
- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as critical habitat. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our [MapRoom](#) page.

Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Species of Concern

The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts. [Moreinfo](#)

Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6520.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be March 08, 2015.

APPENDIX C
SITE PHOTOGRAPHS



Above: Irrigation canal looking west from the eastern edge of the Project Area.

Below: Irrigation canal looking east from the western edge of the Project Area. The irrigation canal was dominated by non-native annual, ruderal weeds, most of which were FACU species although small amounts of FAC and FACW species were present. Species included sorghum (*Sorghum halepense*), storksbill (*Erodium spp.*), dove weed (*Croton setigerus*), rough cocklebur (*Xanthium strumarium*), and flatsedge (*Cyperus difformis*). A large amount of bare ground was present. Vegetation was low-lying and showed evidence of frequent disturbance due to maintenance activities.

Photographs taken January 15, 2015





Above: Photograph showing site conditions and species assemblages in the field north of the irrigation canal. Species included Mexican tea (*Dysphania ambrosioides*), common fiddleneck (*Amsinckia intermedia*), alfalfa (*Medicago sativa*), and various other grasses and forbs.

Below: Photograph showing vegetation assemblages in the field south of the irrigation canal. Species included high amounts of storksbill (*Erodium spp.*), bull mallow (*Malva nicaeensis*), cheeseweed (*Malva parviflora*), and red maids (*Calandrinia ciliata*).

Photographs taken January 15, 2015





Above: Overview of Project Area facing southeast with residence and landscaping in the background.

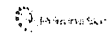
Below: Fresh gopher burrows along eastern Project Area boundary. Few burrows were observed within the Project Area, and of those found few were active and all were likely gopher burrows.

Photographs taken January 15, 2015

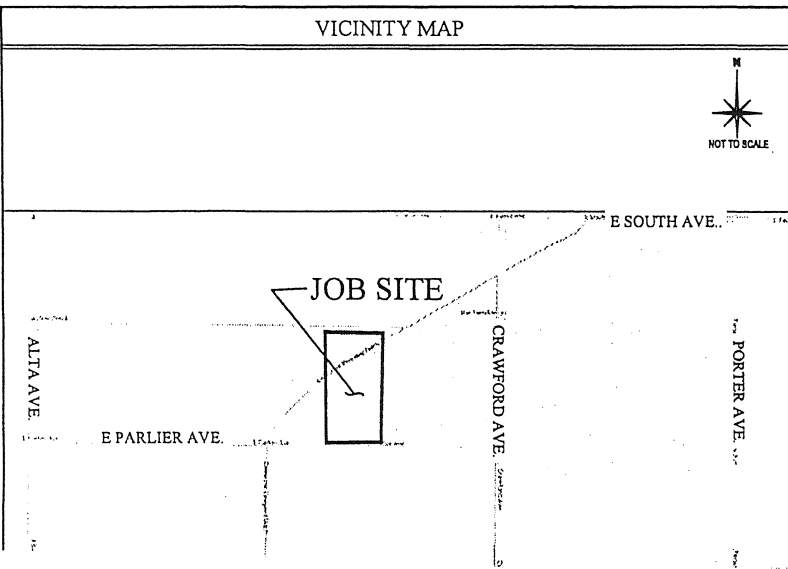


APPENDIX D
SITE PLANS

PRISTINE SUN, LLC



VICINITY MAP



KEYNOTE SCHEDULE

- Ⓐ KNOX BOX:
 1. EXACT LOCATION AND HEIGHT AS PER LOCAL FIRE MARSHALL.
 2. KNOX BOX TO BE ORDERED THRU THE LOCAL FIRE MARSHALL.
 3. KNOX BOX AT THE ENTRANCE GATE SHALL CONTAIN THE KEY FOR THE ENTRANCE GATE.
 4. KNOX BOX AT THE FACILITY GATE SHALL CONTAIN THE KEYS FOR THE FACILITY GATE AND THE DOOR AT THE POWER STATION.
- ⓑ PERMANENTLY POSTED ADDRESSING VISIBLE 100 FEET IN BOTH DIRECTIONS OF TRAVEL. SIZE OF LETTERS SHALL BE 3 INCH MINIMUM IN HEIGHT, 3/8 THS INCH STROKE, REFLECTIVE WITH CONTRASTING BACKGROUND.
- ⓒ PERMANENT POSTED SIGN LOCATED AT THE MAIN FACILITY ENTRANCE DISPLAYING THE SITE ADDRESS AND A 24 HOUR EMERGENCY CONTACT PHONE NUMBER. SIZE OF LETTERS, NUMBERS AND SYMBOLS FOR THE SIGN SHALL BE A MINIMUM 3 INCH STROKE, REFLECTIVE AND CONTRASTING WITH THE BACKGROUND. THE SIGN SHALL BE VISIBLE WHEN APPROACHING THE SITE FROM THE REQUIRED ROAD ACCESS AND SHALL BE MAINTAINED THROUGHOUT THE PRODUCTIVE LIFE OF THE FACILITY.
- ⓓ 2-A:10-B-C-RATED FIRE EXTINGUISHER, 10 POUND EACH WITH STATE FIRE MARSHAL CERTIFICATION TAGS. FIRE EXTINGUISHERS SHALL BE INSTALLED NEAR THE EXITS AND IN VISIBLE LOCATIONS IN EGRESS PATHS. PROVIDE A FIRE EXTINGUISHER SIGN AT A MAXIMUM HEIGHT OF (8) FEET ABOVE EACH LOCATION. THE DISTANCE FROM FINISH FLOOR OR GRADE TO TOP OF EXTINGUISHER SHALL NOT EXCEED 4 FEET. EXACT NUMBER OF REQUIRED EXTINGUISHERS AS PER LOCAL FIRE MARSHALL.

LEGEND

- PL — PL — PROPERTY LINES
- --- SETBACK LINES
- ELEVATION & CONTOUR LINES
- X - X - (N) PROPOSED 6' HIGH FENCE LINE
- OHP --- (E) OVER HEAD POWER LINES
- POWER POLE
- ===== SOLAR ARRAY TRACKER ROW
- POWER STATION OR INVERTER, PER PLAN, NON-REFLECTIVE MATERIAL, TYP.
- ☁ VEGETATION TO REMAIN
- ▨ VEGETATION TO BE REMOVED BY OWNER
- ▨ WATER, WETLANDS, IRRIGATION, DRAINAGE
- ▨ FLOOD PLAIN
- ▨ NEW ROADS
- (P) PROPOSED
- (E) EXISTING

PG&E KEYNOTE SCHEDULE

- ⓑ POWER POLE #1 (RISER POLE), CUSTOMER RISER POLES SPACED @ 50'-0" MAX., LAST RISER POLE CONNECT TO INVERTER/POWER STATION VIA 6-IN. DIA. UNDERGROUND CONDUIT.
- ⓓ POWER POLE #2 (SECOND POLE), WITH CUSTOMER INSTALLED PRIMARY PROTECTION (RE-CLOSER) ON THE SECOND POLE ON THEIR PROPERTY, NOT TO EXCEED 50'-0" FROM THE REVENUE METERING POLE (POLE#3)
- ⓔ POWER POLE #3 (THIRD POLE), CUSTOMER WILL INSTALL POLE-TOP REVENUE-METERING
- ⓕ POWER POLE #4 (FOURTH POLE), PG&E WILL INSTALL POLE WITH AIR SWITCH

NOTES

1. MAIN ROAD: COUNTY, CITY OR STATE HIGHWAY THAT TAKES YOU TO THE PROJECT LOCATION.
2. ACCESS ROAD: THIS ROAD SHALL BE 18 FT MIN. IN WIDTH AND 30 FT MIN. IN LENGTH. THE LENGTH SHALL BE MEASURED FROM THE EDGE OF THE MAIN ROAD. ALL RADII OFF THE MAIN ROAD SHALL BE 30 FT MIN.
3. ALL DRIVEWAYS: ALL DRIVEWAYS SHALL BE 10 FT MIN. IN WIDTH AND SHALL START FROM THE END OF THE ACCESS ROAD. ALL RADII AT DRIVEWAY INTERSECTIONS, CIRCULAR & HAMMERHEAD/T TURNAROUNDS SHALL HAVE 30 FT MIN. RADII, TYP. U.N.O.
4. ENTRANCE GATE: GATE MUST BE 2 FEET WIDER THAN THE ROAD ON EACH SIDE.
5. ALL SKEWED FENCE LINES ARE AT 45° ANGLES, TYP., U.N.O.
6. NO NIGHT-TIME LIGHTING WILL BE INSTALLED. ONLY SECURITY LIGHTING ON MOTION SENSORS, SHIELDED FROM LIGHT TRESPASS BEYOND THE SOLAR FARM, AND TURNED OFF IN A SHORT RESONABLE TIME.

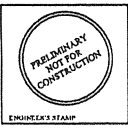
SOLAR ARRAY NOTES

- OPEN SPACE:
 - GROUND COVERAGE RATIO - 33.3%
- PHOTOVOLTAIC SYSTEM:
 - DESIGNED WITH RENESOLA 300W MODULES
 - 1080 MODULES PER TRACKER
- ATI TRACKER SYSTEM:
 - 12 MODULES PER STRING
 - 5 STRINGS PER TRACKER ROW
 - 60 MODULES PER TRACKER ROW
 - 18 ROWS PER TRACKER TYP.
- ADVANCED ENERGY INVERTER SYSTEM:
 - (2) - ADVANCED ENERGY SOLARON 500KW, 480V INVERTER

| PROJECT INFORMATION: | |
|----------------------|---------------|
| OWNER'S NAME: | JOSE ESTRELLA |
| APH: | 373-360-19 |
| COUNTY: | FRESNO |
| ZONING: | AGRICULTURE |
| PARCEL ACREAGE: | 19.59 ACRES |

| FENCING INFORMATION: | |
|-------------------------------|-------------|
| TOTAL LINEAL FOOTAGE: | 2787'-4" |
| TOTAL ACREAGE INSIDE FENCE: | 9.94 ACRES |
| TOTAL LAND IMPROVEMENT RATIO: | 0.51 |
| TOTAL LAND DISTURBANCE AREA: | |
| TOTAL AREA OF ACCESS ROADS: | 0.634 ACRES |
| TOTAL AREA OF EQUIPMENTS: | 0.006 ACRES |
| TOTAL LAND DISTURBANCE AREA: | 0.66 ACRES |

PRISTINE SUN, LLC
 101 Mission Street, #1050,
 San Francisco, CA 94105
 (415) 848-8100



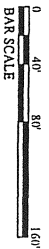
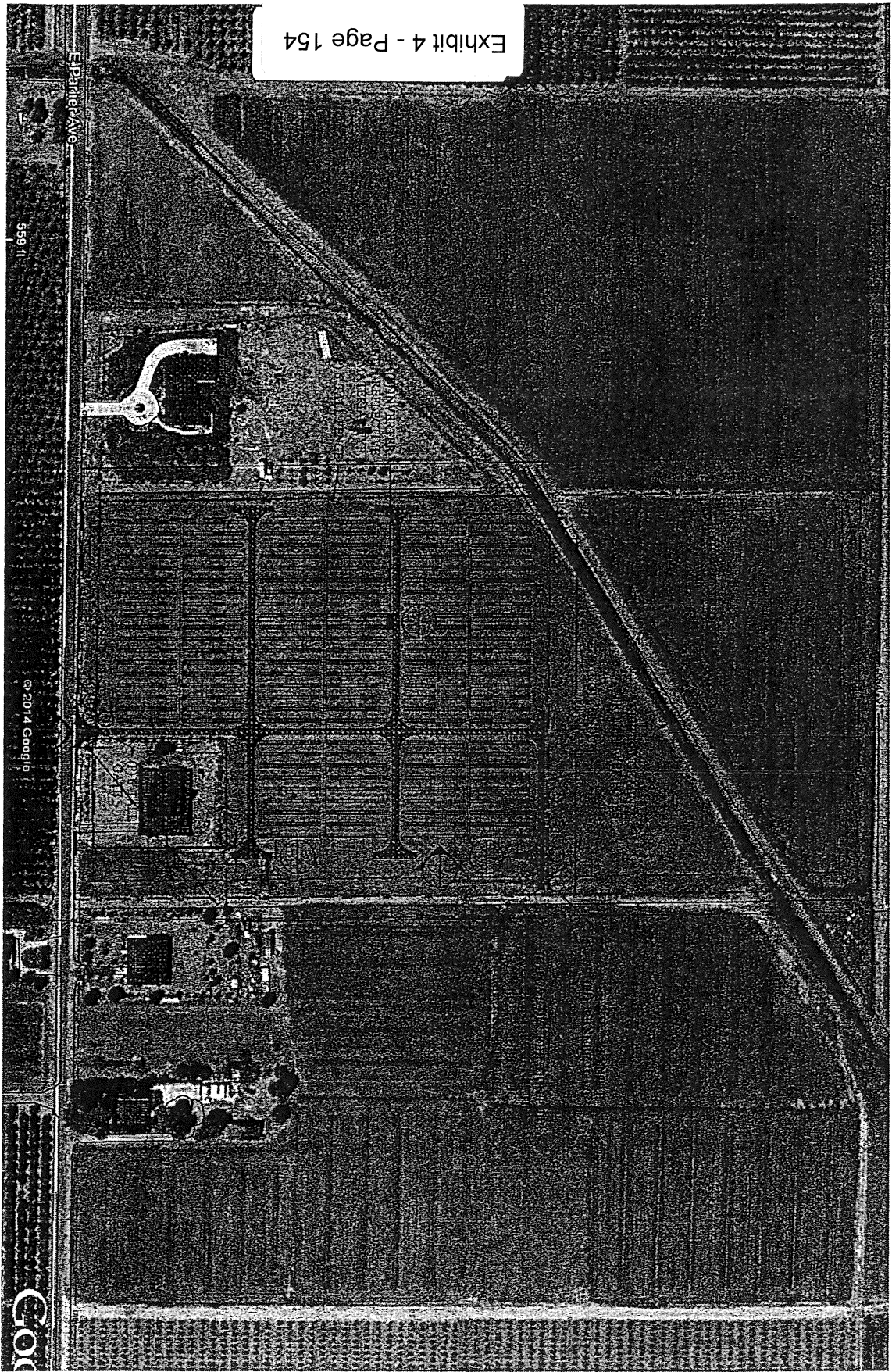
0.99 MW AC
 1.3 MW DC
 PHOTOVOLTAIC
 ON GRID SYSTEM

PROJECT NO.: 2267 ESTRELLA
 PROJECT ADDRESS:
 22694 East Parlier Avenue,
 Reedley, CA 93654

| DATE | BY | DESCRIPTION |
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PROJECT TITLE: 731145 SHUBT
 DRAWN BY: PRISTINE SUN, LLC
 PROJECT NO.: G1.0
 SCALE: NOT TO SCALE

PROPOSED SOLAR ARRAY SITE PLAN

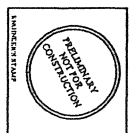


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|---------------|--|
| DATE | 1/15/17 |
| SCALE | 1" = 150' |
| PROJECT NO. | 2267 ESTRELLA |
| PROJECT TITLE | 0.99 MW AC 1.30 MW DC PHOTOVOLTAIC ON GRID SYSTEM |
| COMPANY | PRISTINE SUN, LLC 101 Mission Street, #1050, San Francisco, CA 94105 (415) 848-8100 |

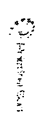
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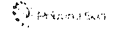
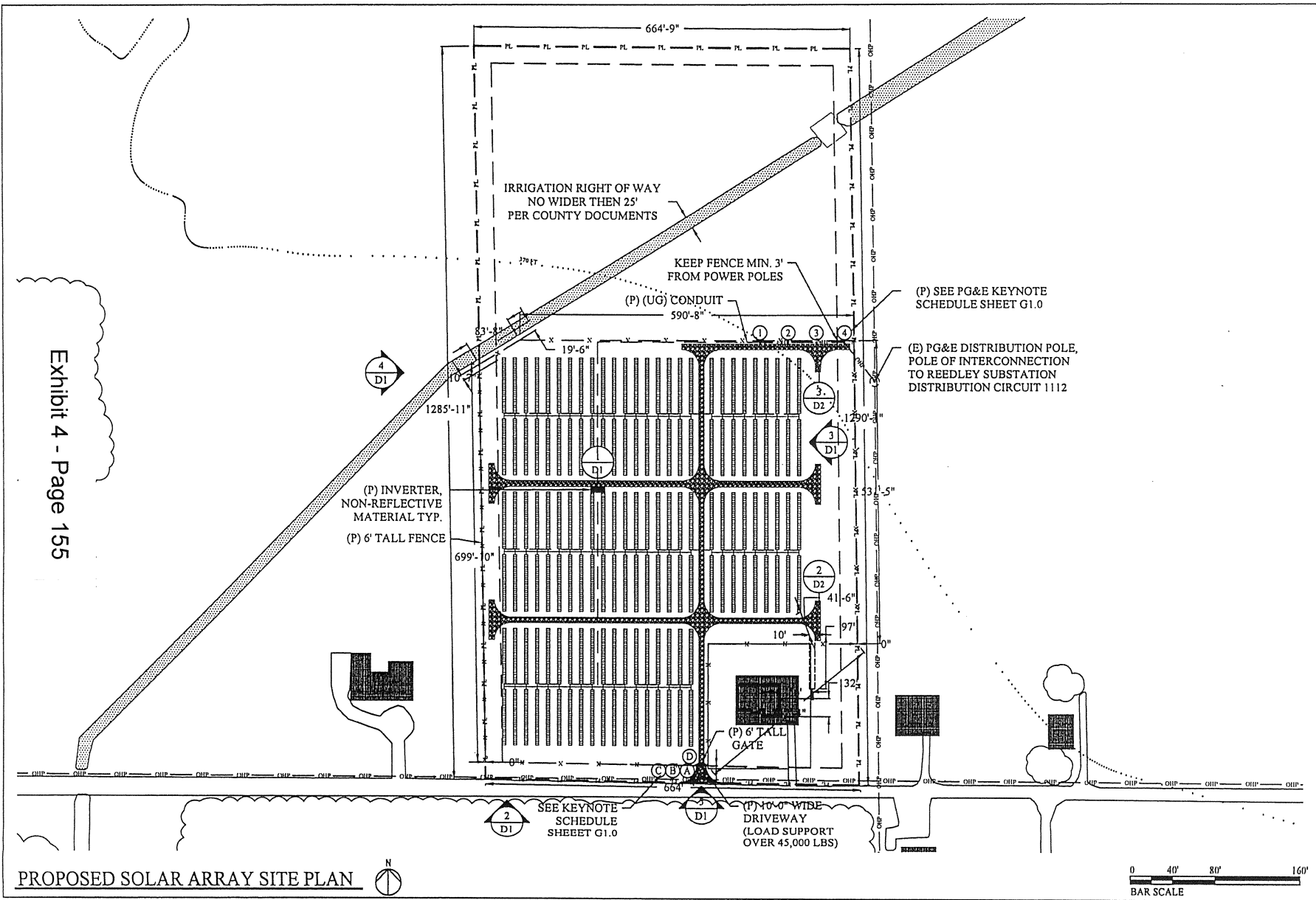
PROJECT NO.: 2267 ESTRELLA
PROJECT ADDRESS: 22694 East Parlier Avenue, Reedley, CA 93654

PROJECT TITLE: 0.99 MW AC
1.30 MW DC
PHOTOVOLTAIC
ON GRID SYSTEM



COMPANY: PRISTINE SUN, LLC
101 Mission Street, #1050,
San Francisco, CA 94105
(415) 848-8100





COMPANY:
PRISTINE SUN, LLC
101 Mission Street, #1050,
San Francisco, CA 94105
(415) 848-8100



PROJECT TITLE:
0.99 MW AC
1.30 MW DC
PHOTOVOLTAIC
ON GRID SYSTEM

PROJECT NO.: 2267 ESTRELLA
PROJECT ADDRESS:
22694 East Parlier Avenue,
Reedley, CA 93654

| NO. | DATE | DESCRIPTION |
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| 1 | | |
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| 3 | | |
| 4 | | |

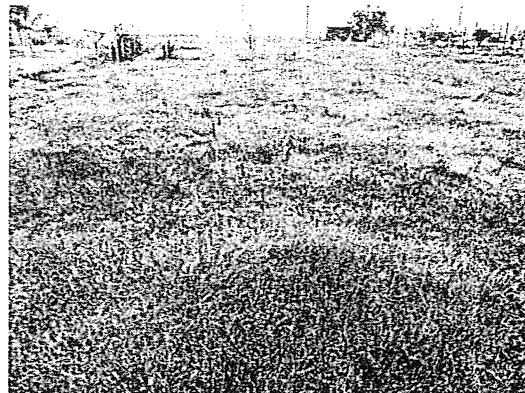
SHEET TITLE:
PROPOSED SOLAR
SYSTEM
DATE:
PREPARED BY:
PRISTINE SUN, LLC
SCALE:
1" = 150'

Pest and Weed Management Plan

PRISTINE SUN ESTRELLA PHOTOVOLTAIC SOLAR GENERATION FACILITY REEDLEY, FRESNO COUNTY, CALIFORNIA

Prepared For:

Alison Biondi Khalef
Pristine Sun, LLC
101 Mission St., Suite 1050
San Francisco, California 94105



WRA Contact:

Dana Riggs
riggs@wra-ca.com

Date:

January 2015



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1.0 INTRODUCTION

On behalf of Pristine Sun, LLC (Pristine Sun), WRA, Inc. (WRA) submits this Pest and Weed Management Plan (PWMP) to the Fresno County Department of Public Works and Planning as a requirement of the Solar Facility Guidelines for the construction of the Estrella Photovoltaic Solar Generation Facility Project (Project). The Project is located approximately four miles north of the town of Reedley, in Fresno County, California (APN 373-360-19; Figure 1). The primary objective of this PWMP is to establish pest management procedures and strategies for controlling noxious weeds and pests that may impact properties adjacent to the project site. All pest management activities will be conducted in a manner that ensures the lowest environmental impact whenever feasible.

1.1 Property Description

The Project Area (Figure 2) is characterized as “Ruderal Field” that is surrounded by agricultural land and has been significantly altered from its native state. The majority of the site is fallow field that has been historically used for agriculture. A 10-foot wide, manmade irrigation canal drains from northeast to southwest across the northern portion of the Project Area. In addition, a house is present in the southeast corner of the Project Area. The site is characterized by ruderal herbaceous vegetation, though landscaped vegetation is present around the house. The topography, natural biotic community, and physical characteristic of the site have been significantly altered by human activity.

1.2 Project Description

The Project consists of the construction of a photovoltaic (PV) solar installation on 10 acres of a 19.09-acre project site within APN 373-360-19 at 22694 East Parlier Avenue (Figure 3).

1.3 Responsible Parties

The Project contact is: Alison Biondi Khalef
Pristine Sun, LLC
101 Mission St., Suite 1050
San Francisco, California 94105

The preparer of this plan is: WRA, Inc.
2169 East Francisco Boulevard, Suite G
San Rafael, California 94901
Contact: Erich Schickenberg
Phone: (415) 454-8868 ext. 1870

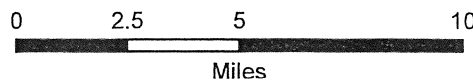
Pristine Sun will implement this Pest Management Plan for the duration of project operations.

Figure 1. Project Area Location Map



Figure 1. Location of Project Area

Estrella Solar Facility
 Fresno County, California



ENVIRONMENTAL CONSULTANTS

Map Prepared Date: 1/26/2015
 Map Prepared By: MRochelle
 Base Source: National Geographic
 Data Source(s): WRA

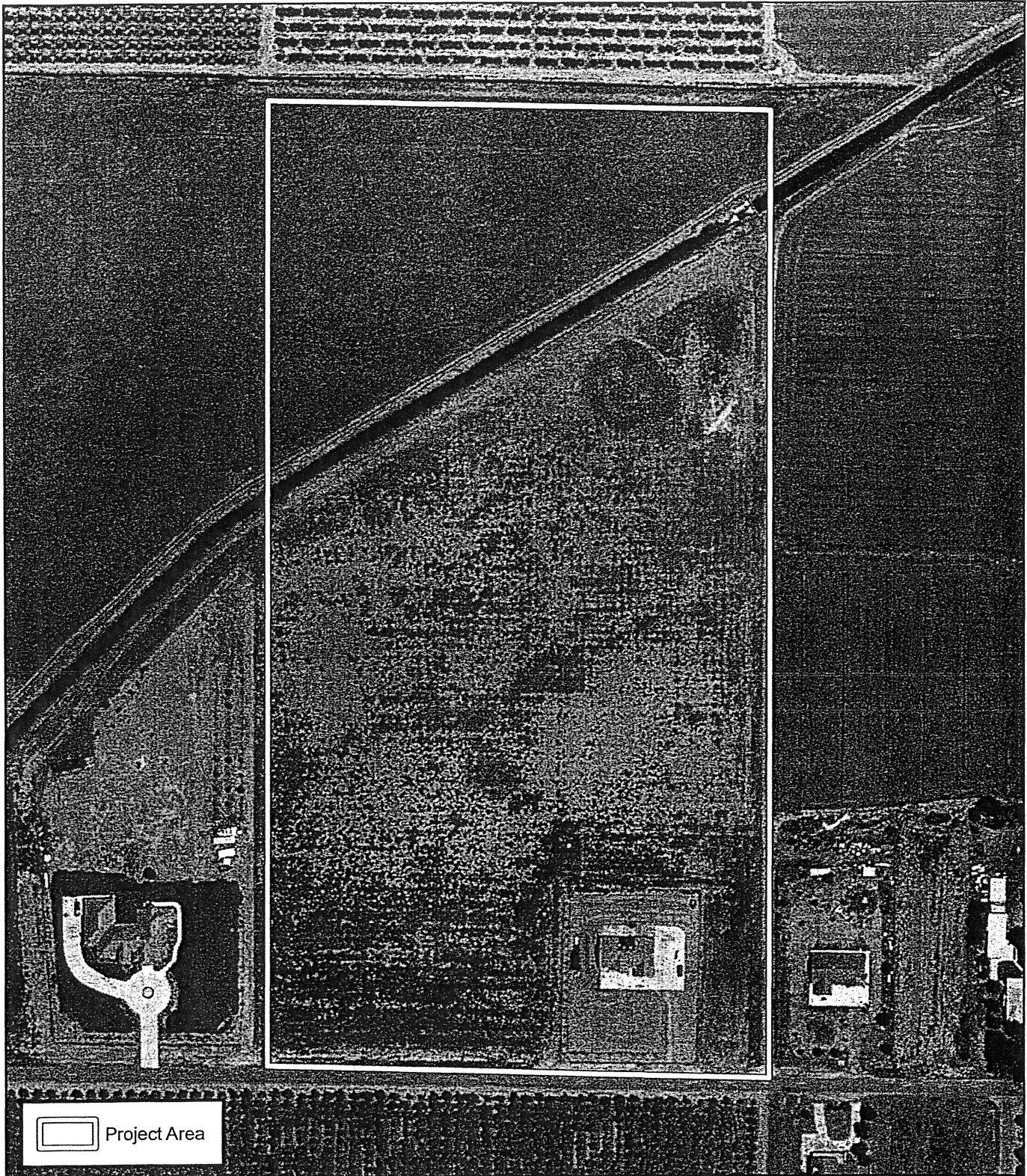
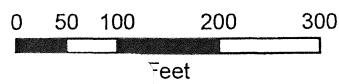


Figure 2. Project Area



ENVIRONMENTAL CONSULTANTS

Estrella Solar Facility
Fresno County, California



Map Prepared Date: 1/26/2015
Map Prepared By: MRochelle
Base Source: Microsoft Aerial flown 8/27/2010
Data Source(s): WRA

2.0 BASELINE CONDITIONS

The Project Area is entirely flat and consists of a developed/disturbed area in the southeast corner of the parcel and includes a gravel driveway, a house, other built structures, and landscape plantings as well as dirt roads that follow the irrigation canal. The ground along the roads is highly compacted and appears to be frequently graded. Also present in the Project Area is a field that has been historically used for agriculture. However, these areas are not currently used for agricultural activities, and have been allowed to revert to a semi-natural condition. Approximately 17.5 acres of the Project Area is composed of ruderal herbaceous vegetation in fields that appear to be frequently disked. No highly invasive plants species were observed in the Project Area. Two soil types are found in the Project Area. These include Ramona sandy loam soil in the southern portion and Greenfield sandy loam soil in the north. An approximately 10-foot wide, 6-foot deep, man-made irrigation canal is present in the northern portion of the Project Area, entering from the east and exiting to the west. It appears recently maintained, as evidenced by low vegetation cover and abundant bare ground. Indications of wildlife use of the Project Area include visual observations of passerine birds and black-tailed jack rabbit (*Lepus californicus*), as well as a few gopher burrows with characteristic dirt splays obscuring the burrow entrances. No other burrows or dirt splays and runways characteristic of other small mammals (e.g., kangaroo rat) were present at the time of the site visit.

3.0 WEED MANAGEMENT

The management and control of noxious weeds, with a California Invasive Plant Council (Cal-IPC; 2014) rating of “high”, would be implemented throughout the Project Area for the duration of the solar site operations. Plant species classified as “high” by CAL-IPC are defined as having severe ecological impacts on physical processes, plant and animal communities, and vegetation structure. These plants have reproductive biology and other attributes that are conducive to moderate to high rates of dispersal and establishment and most are widely distributed ecologically. Management will consist of mechanical or manual control methods only. Pristine Sun will determine the method and frequency of the management strategies bases on weed species and location, fuel load, environmental conditions, and availability of resources and equipment.

3.1 Mechanical and Manual Management

Both mechanical and manual methods can be used to manage invasive weed populations and reduce fuel load within the Project Area. Pristine Sun will make reasonable efforts to use local or regional labor and equipment operators to assist with weed and vegetation control. Mechanical and manual vegetation management techniques result in fewer impacts than herbicides and will be used as the primary methods of weed abatement for this site.

4.0 RODENT MANAGEMENT

In a joint effort to control populations of undesirable pests, such as rodents, and protect non-target wildlife species, two management strategies are proposed. These include habitat reduction and predator-prey methods.

4.1 Habitat Reduction

Because uncontrolled, dense, or tall vegetation can provide food and shelter for rodents, the construction of the solar array and subsequent vegetation management would make the Project Area less attractive to rodents when compared to existing site conditions. The UC Davis Integrated Pest Management (IMP) guidance (US Davis 2010) recommends removing weeds, heavy mulch, and dense vegetation cover to make habitat for voles less favorable.

Although the UC Davis guidance for rat control indicates that solar panels do not provide habitat preferred by rats (UC Davis 2003), the wire trays used by this solar array can serve as a nesting place for rodents. Habitat reduction will eliminate pathways, cover, and food sources for rats, making the panels not suitable for nesting activities.

4.2 Predator-Prey Techniques

In an effort to support and increase wildlife habitat value on the Project Area during operations, natural predator-prey techniques are recommended to control rodent populations.

In order to continue to provide or improve foraging habitat for raptors and to reduce rodent populations, raptor poles and owl boxes will be installed in the Project Area. The weed and vegetation management methods listed in Section 3 will provide optimum foraging habitat for predator species by ensuring vegetation height do not impede visual spotting of or access to prey.

4.3 Chemical Management

In accordance with the California Department of Fish and Wildlife comments regarding the IS, the use of rodenticides that may impact non-target species and/or reduce prey sources for existing wildlife will be prohibited. Rodents will be removed using live traps instead of rodenticides. Live traps should be sized such that inadvertent trapping of non-target species would not occur.

5.0 INSECT MANAGEMENT

Because no agricultural crops will be grown within the Project Area, agricultural insect pests are not expected to be attracted to the site. No standing water is expected to be necessary as part of the project installation or long-term maintenance. As such, no additional vector controls for mosquitos are needed.

6.0 DISEASE MANAGEMENT

Insects such as mosquitos can act as vectors for disease. As stated in Section 5, the solar array would not attract or harbor insect pests that could serve as disease vectors.

7.0 REPORTING

Reporting requirements will include a yearly activity calendar and an annual re-assessment of the PWMP that will identify any adaptive management actions, which may be needed. The

annual re-assessment will take place in the spring of each year. The re-assessment will also serve to identify noxious weeds, vegetation height, insects, disease, and vertebrate pests that may impact adjacent sites and to identify any new threats not identified in this management plan. Pristine Sun will maintain a log containing all reports and records. This log will contain photograph files, all records of inspections, all records of weed treatment applications, and all records of pest management actions.

8.0 REFERENCES

- Brannon Solar. 2012. Integrated Pest Management Plan Rodent Control. Pacific Valley LLC, Santa Barbara, CA
- California Invasive Plant Council (Cal-IPC). 2014. California Invasive Plant Inventory: Cal-IPC Publication 2006-2. California Invasive Plant Council, Berkeley, CA. Available online: <http://www.cal-ipc.org/ip/inventory/index.php>.
- The County of Fresno. 2014. County Department Contact Information. Website: <http://www.co.fresno.ca.us/CountyPage.aspx?id=32283>. Accessed January 24, 2015
- University of California, Davis. 2010. Integrated Pest Management for Home Gardeners and Landscape Professionals – Voles (Meadow Mice). Pest Notes Publication 7439. Website: <http://www.imp.usdavis.edu/PDF/PESTNOTES/pnvoles.pdf>. Accessed January 24, 2015
- University of California, Davis. 2003. Integrated Pest Management for Home Gardeners and Landscape Professionals – Rats. Pest Notes Publication 74106. Website: <http://www.imp.usdavis.edu/PMG/PESTNOTES/pn74106.html>. Accessed January 24, 2015



EXHIBIT 9

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Pristine Sun, LLC

APPLICATION NOS.: Initial Study Application No. 6879 and Unclassified
Conditional Use Permit Application No. 3477

DESCRIPTION: The applicant proposes to construct and operate a 0.999-MW photovoltaic solar generation facility (PVSGF) with related improvements on a 10.00-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection from the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line.

LOCATION: The project site is located adjacent to Parlier Avenue, between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (Sup. Dist.: 4) (APN: 373-360-19).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT

The site of the proposed project is located in an established agricultural area with four residences in close proximity. No scenic vistas, scenic resources, or historic buildings that may be impacted by the proposed project were identified on or near the site. The site is not located along or near a state scenic highway. The proposed project will have no impact on scenic resources.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

DEVELOPMENT SERVICES DIVISION

2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 262-4055 / 262-4029 / 262-4302 / 262-4022 FAX 262-4893
Equal Employment Opportunity • Affirmative Action • Disabled Employer

FINDING: LESS THAN SIGNIFICANT IMPACT

The proposed PVSGF will consist of photovoltaic (PV) modules, trackers, inverters, medium-voltage transformers, access roads, electrical wiring, a medium-voltage interconnection tie line, and four new utility poles.

Module arrays will be mounted on I-beams typically spaced 14 feet on center and installed to a height of 4 to 6 feet above grade. A single-axis tracking system will be utilized to maximize capture of solar insolation. The system consists of a galvanized metal racking system to hold the PV modules in the ideal position starting at a 45 degree angle facing east at sunrise and tracking to a 45 degree angle facing west at sunset. Each row of panels (north to south) will be a maximum length of 300 feet with spacing between each row of approximately 16 to 17 feet. The height of the modules measured from ground surface will be a maximum of 10 feet.

An equipment pad with two inverters, a transformer, and a switchboard will be located near the center of the project site. The switchboard will typically measure 11 and one-half feet above ground surface, and will be the tallest equipment on the pad. The PVSGF will interconnect directly to the existing PG&E 12-kV power line that runs along the eastern boundary of the parcel, perpendicular to East Parlier Avenue. Three new power poles will be installed by the applicant at the south end of the project, more than 500 feet to the south of the existing residence. Another power pole will be installed by PG&E approximately 100 feet to the north of the applicant's power poles.

The subject parcel is located in an agricultural area marked by relatively large agricultural parcels, but with four residences adjacent or in close proximity to the project site. A County required 50-foot buffer from the edges of the property boundaries to the closest structural improvements or equipment will protect the existing visual character of the area. As such, this project will not have a significant impact on the visual character of the site or its surroundings.

- D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT

With regard to project development, improvements will be constructed during a four month construction period. The presence of construction workers and the operation of construction equipment may have the potential of generating new sources of light and glare in the area. However, such impacts will be less than significant considering the temporary presence of such sources.

Once operational, the project will have no lighting on site. The modules are covered by a tempered glass pane with highly absorptive properties resulting in very low reflectivity properties.

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

FINDING: LESS THAN SIGNIFICANT IMPACT

The parcel on which the proposed PVSGF will be located is classified as Farmland of Local Importance on the Fresno County Important Farmland 2012 Map, is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size), and is designated Agriculture in the Fresno County General Plan. The proposed PVSGF is an allowed use on land designated for agriculture with discretionary approval and adherence to applicable General Plan Policies. The Fresno County Ag Commissioner did not express any concerns regarding this matter.

The parcel is not under a Williamson Act Contract.

- C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g)); or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

FINDING: NO IMPACT

Neither the subject parcel nor any surrounding land is zoned for forest land, timberland, or timberland zoned Timberland Production. Therefore, the proposed project will not result in the loss or conversion of forest. The proposed project will not result in a permanent conversion of Farmland to non-agricultural uses. The proposed project will require the removal of the panels at the end of their lease or discontinuance per the Reclamation Plan submitted by the Applicant.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or

- B. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT

The San Joaquin Valley Air Pollution Control District (Air District) has approved an Air Impact Assessment application for the proposed project. The District determined that baseline emissions for construction and operation will be less than two tons NO_x and two tons PM₁₀. There are no objectionable odors anticipated from the proposed project. Compliance with the Air District's Monitoring and Reporting Schedule will reduce air quality impacts of this proposal to a less than significant level.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The proposed project has the potential to impact four special-status wildlife species: Swainson's hawk (SWHA), loggerhead shrike, tricolored blackbird, and San Joaquin Kit Fox (SJKF). The proposed project may affect loggerhead shrike, tricolored blackbird and SWHA by modifying foraging habitat, and it could affect SJKF if fencing were to cause an impediment to dispersal. These impacts would be considered significant under CEQA, the Endangered Species Act, or Fish and Wildlife Code. The proposed project is not anticipated to impact the nests or dens of special-status species as no trees or shrubs are slated for removal, and all dens of special-status species shall be avoided.

The proposed project also has the potential to impact birds protected by the Migratory Bird Treaty Act (MBTA) and Fish and Wildlife Code. Potential impacts to these species or their habitats could occur during the removal of vegetation or during grading and ground-disturbing activities. These activities could result in the direct removal or destruction of the active nests of non-special-status bird species. Activities that result in the direct removal of active nests or disturbance to nesting birds sufficient to result in the abandonment of active nests would be considered a significant impact under CEQA and a violation of the MBTA and Fish and Wildlife Code.

The Applicant proposes to construct a 0.999 MW solar electric generating facility on the 20-acre project area as part of a 20-year Power Plan Agreement (PPA) with PG&E. The proposed project will entail construction of solar panels, trackers, inverters, medium-voltage transformers, access roads, and electrical wiring. Underground conduits will be trenched in approximately two feet to connect adjacent tracker systems. One overground utility line and four utility poles will be installed to connect panels to PG&E transmission lines on East Parlier Avenue. One meteorological data collection system will also be installed on one solar shield.

All components including trackers, inverters, power poles, and telecommunication system will avoid potentially sensitive resources. No other federal or state jurisdictional features are present on the property.

Access to the site will be from East Parlier Avenue. These roads will be graded to a width of between 10- to 18-feet and compacted with native soil or gravel. The total area of impact from access roads is 0.65 acres. A 20' x 20' pad will be constructed at the center of the project area for placement of the powerstation consisting of one transformer. No other grading activities are proposed. Solar panels will be installed using a 3-point helical pier anchoring system designed to minimize ground disturbance both during installation and decommissioning.

A barbed wire fence around the perimeter of the property will be installed for security purposes. All fencing will be modified to include a minimum opening of 5 to 7 inches from the bottom of the fence to the ground along the entire length of the fence to allow passage for small mammals and/or SJKF. The bottom of the fence edges will be wrapped back to form a smooth edge to allow unrestricted movement. The fence will be see-through to avoid appearance of a barrier. No additional landscaping or other visual deterrents will be implemented. All construction and operational activities will be restricted to daylight hours.

Operation and maintenance (O&M) activities would be managed remotely and no on site O&M facilities are proposed as part of the project. The project would contract with a regional O&M provider, who may lease warehouse and office space in an existing facility in the surrounding community. The regional O&M provider would use this existing facility to store tools, equipment, and supplies necessary for scheduled and unscheduled maintenance such as panel washing, vegetation maintenance, and general maintenance and repairs on the facility. Vegetation and pest management will be controlled using mechanical measures and will not include the use of rodenticides, pesticides, or herbicides.

Most of the project area is comprised of ruderal herbaceous vegetation, which is not considered a sensitive habitat under CEQA. The only potentially sensitive biological community within the project area is the irrigation canal. No special-status plants have the potential to occur within the project area; thus, there is no potential for the proposed project to impact special-status plants. Special-status wildlife species, including SWHA, loggerhead shrike, and SJKF have moderate potential to occur on the project site. Loggerhead shrike may nest and/or forage within the project area, though SWHA only

have potential to use the site for foraging. SJKF is unlikely to forage within the project area and it does not currently den at the site, but it may occasionally disperse through the project area. In addition to these species, non-special-status, native avian species may be impacted if proposed project activities affect nesting success. Potentially significant impacts as a result of the proposed project and the associated mitigation measures are discussed below.

* **Mitigation Measures**

- BIO-1:** A Stormwater Pollution Prevention Plan shall be prepared and implemented to prevent discharge of any materials during project-related activities such as trenching. Only natural fiber or biodegradable materials shall be used. All erosion control products shall be removed at the completion of construction activities.
- BIO-2:** To avoid potential project-related impacts to SWHA during the nesting season (March 1 – September 15), pre-construction nest surveys for SWHA shall be conducted in accessible areas within 0.5 mile of the project area within 30 days prior to the initiation of project-related activities. Surveys shall follow the methodology developed by the Swainson's hawk Technical Advisory Committee (SWHA TAC 2000). If SWHA is detected nesting within 0.5 mile of the project area during the pre-construction surveys, the biologist shall consult with the California Department of Fish and Wildlife (CDFW) to determine an appropriate no-disturbance buffer based on proximity to disturbance, timing, and visual barriers. After the biologist has determined that all young have become independent of the nest or the nest has been naturally predated, then construction activities may take place in the former exclusion zone.
- BIO-3:** If a SWHA nest is discovered during pre-construction surveys, degradation of foraging habitat shall be mitigated in accordance with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994b). If credits are purchased at a CDFW approved bank, the ratio may be reduced per Staff Report guidelines (for prey-managed lands) at the discretion of CDFW.
- BIO-4:** All hollow vertical pipes associated with the solar mounts and fencing shall be capped as they are installed to prevent bird deaths.
- BIO-5:** Construction shall be limited to daylight hours only.
- BIO-6:** No pesticides, rodenticides or herbicides shall be used.
- BIO-7:** Impacts to foraging habitat shall be avoided during both project construction and maintenance activities.

- BIO-8:** *Solar mounts shall be installed with a 3-point helical pier anchoring system, which is designed to minimize ground disturbance and allow vegetation to grow and persist under and between the solar trackers.*
- BIO-9:** *SJKF may forage adjacent to and disperse through the project site. Surveys and avoidance measures described in the United States Fish and Wildlife Service (USFWS) Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented before starting project-related activities likely to impact SJKF. If project-related activities are delayed or suspended for more than 30 days, the area shall be resurveyed.*
- BIO-10:** *If SJKF dens are identified, they shall be avoided completely and exclusion zones will be established in accordance with the USFWS protocol. If dens cannot be avoided, the applicant shall conduct a 3-day tracking survey to establish occupancy; if dens are unoccupied after 3 days of tracking they shall be collapsed. If occupied, the applicant shall consult with USFWS to implement an appropriate exclusion plan.*
- BIO-11:** *Additionally, to avoid impacts to SJKF dispersal, the perimeter fence shall be designed to allow SJKF to move unimpeded through the project site, as described in Section 6.1 of the Biological Resources Assessment.*
- BIO-12:** *For the protection of raptors and migratory song birds and to assist in avoiding take of avian species as required by California Fish and Wildlife Code Sections 3503, 3503.5, and 3513, project activities shall occur during the non-nesting bird season to the extent feasible. However, if ground-disturbing activities must occur during the breeding season (January through September 15), the project applicant is responsible for ensuring that implementation of the project does not result in any violation of the MBTA or relevant Fish and Wildlife Code Sections as referenced above. Prior to work commencing, surveys for active nests shall be conducted by a qualified wildlife biologist no more than ten days prior to the start of the project, and the surveys shall be conducted in a sufficient area around the work site to identify the location and status of any nests that are present. A sufficient area means any nest within an area that could potentially be affected by the project.*
- BIO-13:** *In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests shall be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline, and once work commences, all nests shall be continuously monitored to detect any behavioral changes. If behavioral changes are observed, the work causing that change shall cease and CDFW shall be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species*

and a 500-foot no-disturbance buffer around the nests of unlisted raptors shall be established until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers shall be supported by a qualified wildlife biologist and CDFW shall be notified in advance of implementation of a no-disturbance buffer variance.

- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project area contains part of an irrigation canal, which is potentially within Corps jurisdiction under Section 404 of the Clean Water Act and under the jurisdiction of the Regional Water Quality Control Board (RWQCB) under the Porter-Cologne Act.

* **Mitigation Measures**

BIO-14: *All components of the proposed project, including but not limited to, panels, trackers, inverters, and power poles, shall avoid the irrigation canal.*

- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT

No removal, filling, or hydrological interruption of a federally protected wetland is proposed with or anticipated as a result of the proposed project.

- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

See discussion in IV.A above.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

- F. Would the project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?

FINDING: NO IMPACT

The proposed project will not conflict with any local policies or ordinances protecting biological resources, nor will it conflict with any adopted conservation plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The parcel on which the proposed PVSGF will be sited is not located within proximity of any area designated to be moderately or highly sensitive for archeological resources. However, in the event that cultural resources are unearthed during grading or construction, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the proposed project. The Mitigation Measure will reduce potential impacts to cultural resources to a less than significant level.

* **Mitigation Measures**

CUL-1: *In the event that cultural resources are unearthed during grading activity, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are*

determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.

VI. GEOLOGY AND SOILS

A. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or
2. Strong seismic ground shaking; or
3. Seismic-related ground failure, including liquefaction; or
4. Landslides?

FINDING: NO IMPACT

The areas of the proposed project are not identified as areas which by nature are subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Further, construction of the proposed project will be subject to seismic design.

B. Would the project result in substantial soil erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

During operation, more than 92.9 percent of the site (approximately nine acres) will remain permeable. Permeable areas of the proposed PVSGF site shall be planted with a native seed mixture to minimize any erosion caused by stormwater runoff and wind. A Mitigation Measure reflecting this requirement has been incorporated into the proposed project. Additionally, per Fresno County Standards, any runoff generated by the proposed project cannot be drained across property lines, or into County right-of-ways, and must be retained on site.

* **Mitigation Measures**

GEO-1: *Permeable areas of the proposed PVSGF site shall be planted with a native seed mixture.*

C. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

FINDING: NO IMPACT

Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief (slopes of no more than 3 percent), which precludes the possibility of landsliding on site.

The potential for seismic-related ground failure (liquefaction, lateral spreading, and lurching) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil on the project site.

The project site is not in an area identified by Fresno County as being susceptible to liquefaction. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on site.

The San Joaquin Valley in which Fresno County is located is known to experience subsidence. However, as the proposed project will use very little groundwater (approximately 0.025-acre feet or 8,000 gallons annually) compared to an agricultural use of the same size, the proposed project will have no impact on subsidence.

- D. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

FINDING: NO IMPACT

The United States Department of Agriculture Natural Resources Conservation Service indicates that Ramona sandy loam, Greenfield sandy loam, and Hanford sandy loam underlie the project site. These soils have a low shrink-swell potential. The proposed project would implement all applicable requirements of the most recent California Building Standards Code, which provides criteria for the design of structures. Therefore, the development of the project would not expose persons or structures to hazards associated with shrinking and swelling of expansive soils.

- E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?

FINDING: NO IMPACT

Wastewater generated during construction of this project will be contained within portable restroom facilities and will be disposed of at an approved site. Once operational, the proposed project will be unmanned. As such, permanent on site restroom facilities are not required for the use, nor have permanent on site restroom facilities been proposed with this project.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT

The Air District has approved an Air Impact Assessment application for the proposed project. The Air District determined that baseline emissions for construction and operation will be less than two tons NO_x. The limited amount of NO_x, a greenhouse gas precursor, generated from the proposed project will have a less than significant impact on the environment.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials; or
- B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: LESS THAN SIGNIFICANT IMPACT

According to the Applicant, no hazardous materials will be used during the construction phase. During operations, the transformer will use vegetable oil, which is not hazardous. Furthermore, background information supplied by the applicant states that no chemical cleaners will be used for module washing.

The subject parcel is not located within one-quarter mile of a school. The nearest school is Alta Elementary School which is located 0.77 miles from the site of the proposed project.

- D. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?

FINDING: NO IMPACT

The project site is not listed on the Hazardous Waste and Substances Site List (Cortese List) which is maintained by the California Department of Toxic Substances Control. There are no active sites located within a two mile radius of the project site.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area; or
- F. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT

The project site is located 3.4 miles from the outer band of the conical zone of the Reedley Municipal Airport. No safety hazards resulting from the proximity to airports has been identified in this study.

- G. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT

The Fresno County Department of Public Health, Environmental Health Division which administers the Office of Emergency Services to coordinate planning and preparedness, response and recovery efforts for disasters occurring within the unincorporated area of the County did not express any concerns regarding this matter.

- H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT

The project site is not in an urbanized area, and is located 4.11 miles from the nearest point of a wildland fire area.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements?

FINDING: LESS THAN SIGNIFICANT IMPACT

Wastewater generated during construction of this project will be contained within portable restroom facilities and will be disposed of at an approved site. Once operational, the proposed project will be unmanned. As such, permanent on site restroom facilities are not required for the use, nor have permanent on site restroom facilities been proposed with this project. Additionally, development of this project shall

comply with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit requirements. With adherence to this requirement, potential water quality impacts will be reduced to a less than significant impact.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

FINDING: LESS THAN SIGNIFICANT IMPACT

According to the Applicant, approximately 0.025-acre feet (8,000 gallons) of water will be acquired annually from an on site well for washing the panels. This proposal was reviewed by the Water/Geology/and Natural Resources Section of the Fresno County Department of Public Works and Planning, Development Services Division, which expressed no concerns with the project as it relates to water quantity.

- C. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; or
- D. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

FINDING: NO IMPACT

The proposed project is not expected to interfere with the existing drainage pattern. More than 92% of the site will remain permeable and will be planted with a native seed mixture. A one-half acre portion of the site will be graded for construction staging, however, according to the applicant, following construction the laydown and staging area will be restored as close as possible to pre-construction conditions. Further, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines, or into County right-of-ways.

- E. Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: NO IMPACT

The proposed project site is not served by a stormwater drainage system. More than 92% of the site will remain permeable and will be planted with a native seed mixture which will increase absorption. Further, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed

development to be retained on site, and cannot be drained across property lines, or into County right-of-ways.

- F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT

See discussion in IX. A & B. above.

- G. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

FINDING: NO IMPACT

No additional housing is proposed with this project.

- H. Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

FINDING: NO IMPACT

The subject parcel is not within the FEMA 100-year flood hazard area, and therefore no such impacts were identified in the project analysis.

- I. Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or

- J. Would the project inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT

A 1986 Friant Dam uncontrolled release resulted in the release of 3,000 cfs, with no major flooding in the area. It is expected that future failures would not expose the project to significant loss, injury, or death. The project site is not located near an inland body of water, precluding it from possibility of seiche inundation. The project site is located more than 100 miles from the Pacific Ocean, precluding it from tsunami inundation. The project is not located within an area of steep slopes, precluding it from mudflow inundation.

X. LAND USE AND PLANNING

- A. Would the project physically divide an established community?

FINDING: NO IMPACT

The project is outside the boundaries of any city or unincorporated community. No impact is expected on any established community.

- B. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT

The subject parcel is designated Agriculture in the Fresno County General Plan. Provisions for certain non-agricultural uses such as this proposal have been provided for in the Fresno County Zoning Ordinance and General Plan.

Policy LU-A.3 of the General Plan provides that electrical substation facilities may be allowed by discretionary permit subject to a number of specific criteria. Criterion LU-A.3.a states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criterion LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criterion LU-A.3.c states that the use shall not have a detrimental impact on water resources. Criterion LU-A.3.d states that a probable workforce should be located nearby or readily available.

Policy LU-A.12 of the General Plan requires that agricultural activities be protected from encroachment of incompatible uses, Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations, and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.

All of the above policies and criteria are met by the proposed project, therefore the proposed project does not conflict with the Fresno County General Plan.

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

FINDING: NO IMPACT

The project will not conflict with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

FINDING: NO IMPACT

No mineral resource impacts were identified in the analysis. The site is not located in an identified mineral resource area identified in Policy OS-C.2 of the General Plan.

XII. NOISE

- A. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Would the project result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

FINDING: LESS THAN SIGNIFICANT IMPACT

The Fresno County Department of Public Health, Environmental Health Division, reviewed the project and did not identify any potential noise-related impacts. However, the proposed project will be subject to conformance with the Fresno County Noise Ordinance related to limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

FINDING: LESS THAN SIGNIFICANT IMPACT

The construction phase of the proposed project is approximated by the applicant to last 4 months. During this time, there will be a temporary increase in noise level, however, the Fresno County Department of Public Health, Environmental Health Division, reviewed the project and did not identify any potential noise-related impacts. The proposed project will be subject to conformance with the Fresno County Noise Ordinance related to limiting noise-generating construction activities to the hours of 7:00

a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. All construction activities will take place within these hours.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT

The project site is located 3.4 miles from the outer band of the conical zone of the Reedley Municipal Airport. The site of the proposed project will not be affected by excessive levels of airport noise.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth in an area, either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or
- C. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT

The proposed project will not induce population growth, nor will it displace housing or people.

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - 1. Fire protection?

FINDING: NO IMPACT

Fresno County Fire Protection District (Fire District) review of the project did not identify any significant concerns with the overall proposal. The project shall comply with California Code of Regulations Title 24 – Fire Code. County approved site

plans for the proposed project will be required to be approved by the Fire District prior to issuance of Building Permits.

2. Police protection; or
3. Schools; or
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT

The project will not result in the need for additional public services related to police, schools, parks or other facilities.

XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

FINDING: NO IMPACT

No impacts on recreational resources were identified in the analysis.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

FINDING: LESS THAN SIGNIFICANT IMPACT

With regard to project development, improvements will be constructed during a 4 month construction period. Construction trips are estimated at a maximum of 14 one-way trips

per day (7 round trips per day) during the construction of the project. Once operational, the proposed improvements will be unmanned. Washing the panels will require two employees to come to the site for one day, four times per year. There will be one to two employees that regularly visit the site for maintenance and security reasons. The Design Division of the Fresno County Department of Public Works and Planning reviewed this proposal and expressed no concerns regarding the carrying capacities of the adjacent roadways and did not require a Traffic Impact Study.

- C. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

FINDING: NO IMPACT

This proposal will not result in a change in air traffic patterns.

- D. Would the project substantially increase hazards due to a design feature or incompatible uses; or

- E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT

The Design Division and the Development Engineering Section of the Fresno County Department of Public Works and Planning reviewed the project and did not identify any concerns with respect to increased traffic hazards or emergency access.

- F. Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT

The project will not conflict with any adopted alternative transportation plans.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; or
- B. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

FINDING: NO IMPACT

Wastewater generated during construction of this project will be contained within portable restroom facilities and will be disposed of at an approved site. Once

operational, the proposed project will be unmanned. As such, permanent on site restroom facilities are not required for the use, nor have permanent on site restroom facilities been proposed with this project. Therefore, no wastewater treatment requirements will be exceeded, and no new treatment facilities or expansions thereof will be required.

- C. Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

FINDING: NO IMPACT

The proposed project site is not served by a stormwater drainage system. More than 92% of the site will remain permeable and will be planted with a native seed mixture which will increase absorption. Further, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines, or into County right-of-ways.

- D. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: LESS THAN SIGNIFICANT IMPACT

See discussion in Section IX.B Hydrology and Water Quality.

- E. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: NO IMPACT

Wastewater generated during construction of this project will be contained within portable restroom facilities and will be disposed of at an approved site. Once operational, the proposed project will be unmanned. As such, permanent on site restroom facilities are not required for the use, nor have permanent on site restroom facilities been proposed with this project. Therefore, no wastewater treatment will be required.

- F. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; or
- G. Would the project comply with federal, state, and local statutes and regulations related to solid waste?

FINDING: NO IMPACT

Once operational, the project will not impact area landfills. Non-hazardous solid waste associated with development of the project will be hauled off-site to local area landfills. Hazardous waste and electrical waste will not be placed in a landfill, but will be transported to a hazardous waste handling facility.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Construction of the project may impact sensitive biological and cultural resources, as well as geology and soils. Included Mitigation Measures in Sections IV, V, and VI will minimize such impacts to a level that is less than significant.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT

The applicant will be required to adhere to the permitting requirements, and rules and regulations set forth by Fresno County, San Joaquin Valley Air Pollution Control District, California Code of Regulations Fire Code, California Regional Water Quality Control Board, and the California Public Utilities Commission, as applicable. If the applicant adheres to these requirements cumulative impacts are not expected to be significant.

- C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT

The proposed project will neither directly nor indirectly cause substantial adverse effects on human beings. Aesthetics, air quality, greenhouse gases, and/or noise are the only potential factors through which the project could have adverse effects on human beings. However, all potential effects of the proposed project related to these factors are identified as either no impact or less than significant impact.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3477, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to mineral resources, population and housing, public services, and recreation.

Potential impacts related to aesthetics, agricultural and forestry resources, air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, noise, transportation/traffic, and utilities and service systems have been determined to be less than significant. Potential impacts relating to biological resources, cultural resources, and geology and soils have been determined to be less than significant with the identified Mitigation Measures.

A subsequent Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.

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EXHIBIT 5



1300 Clay Street, Suite 550, Oakland CA, 94612

July 28, 2017

Mr. Ejaz Ahmad, Planner
County of Fresno
2220 Tulare Street, 6th Floor
Fresno, 93721
Development Services Division

RE: CUP #3477 One Year Extension Request

Dear Mr. Ahmad:

We would like to request the first one year extension available to us for our Conditional Use Permit #3477 which currently expires in August 2017. We were unable to start construction on this project during the two year CUP term, because our PPA expired shortly after we acquired the project from the previous developer in 2016. Since our acquisition of the project we have executed an Interconnection Agreement with PG&E and re-established a dialogue with the Landowner. We are currently researching various power purchase programs to determine the most feasible approach for this project. We expect the selection of a power purchase program for this project to be made sometime in the near future.

We have included the required extension request form and the required extension fee along with this letter.

Thank you for your assistance with this matter.

Regards,

A handwritten signature in black ink that reads "Kevin Chen".

Kevin Chen
Manager
Pristine Sun Fund 6, LLC

CUP 3477

RECEIVED
COUNTY OF FRESNO

AUG 01 2017

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION