



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 4 July 18, 2019

SUBJECT: Initial Study Application No. 7439 and Unclassified Conditional Use Permit Application No. 3607

Allow a 5 megawatt solar photovoltaic power generation facility with related improvements on an approximately 47-acre portion of an 88.23-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone Districts.

LOCATION: This project is located approximately 0.2 miles east of Shell Road, 0.4 miles northeast of its intersection with Oil City Road, and 2.6 miles north of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 070-020-07).

OWNER: Coalinga Feed Yard, Inc.
APPLICANT: ForeFront Power

STAFF CONTACT: Danielle Crider, Planner
(559) 600-9669

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(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7439; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3607 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Measures, Conditions of Approval and Project Notes
2. Location Map
3. Zoning Map
4. Land Use Map
5. Site Plan/Elevations
6. Operational Statement
7. Supplemental Information for Solar Facility Guidelines
8. Summary of Initial Study Application No. 7439
9. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Westside Rangeland	No change
Zoning	AE-20 and AE-40 (Exclusive Agricultural, 20-acre and 40-acre minimum parcel size) Zone Districts	No change
Parcel Size	88.23 acres	No change
Project Site	Recently uncultivated with past non-irrigated, organic wheat cultivation	A 5 MWac solar photovoltaic power generation facility on 47 acres of the subject parcel
Structural Improvements	None	<ul style="list-style-type: none">• Photovoltaic ground-mounted tracking panels• Inverter and transformers• Seven-foot-tall chain-link perimeter fencing (six-foot-tall fence with one foot of barbed wire)
Nearest Residence	Approximately 1,000 feet west of the proposed facility	No change
Surrounding Development	Field Crops, Feed Lots, Oil Wells, and Single-Family Residences	No change

Criteria	Existing	Proposed
Operational Features	N/A	The proposed facility will operate for 25 years, and when the use ceases, it will be dismantled and the land will be restored to pre-development conditions in accordance with the Reclamation Plan.
Employees	N/A	No on-site employees. There will be infrequent trips for maintenance and security purposes; these will occur less than once per day.
Customers	N/A	N/A
Traffic Trips	Agricultural traffic	Less than one round trip per day for security and maintenance purposes during operational period
Lighting	None	Hooded and downturned outdoor security lighting around electrical equipment
Hours of Operation	N/A	24 hours per day, 365 days a year

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 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: May 27, 2019

PUBLIC NOTICE:

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

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit (CUP) may be approved only if four Findings specified in the Fresno County 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 days of the Commission's action.

BACKGROUND INFORMATION:

The proposed solar power generation facility will be located on a 47-acre portion of an 88.23-acre parcel in the AE-20 and AE-40 (Exclusive Agricultural, 20-acre and 40-acre minimum parcel size) Zone Districts. Photovoltaic (PV) modules with a capacity of generating 5 megawatts alternating current (MW-AC) will convert sunlight into electrical energy. This energy will be transferred to Pacific Gas and Electric Company's (PG&E) existing facilities via an off-site connection.

The project will result in the installation of photovoltaic module arrays supported by metal frames. These metal frames will either be attached to steel posts driven into the ground, or mounted on skids that will be anchored to the ground with metal screws. The maximum height is approximately 7 feet, the same as the proposed fence.

Finding 1: That 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 Side: 20 feet Rear: 20 feet The County-adopted Solar Facility Guidelines require a buffer between the solar arrays and any surrounding uses; this buffer is typically 50 feet or greater.	Front (west): 95 feet Side (north): 83 feet Side (south): 58 feet Rear (east): 325 feet	Yes
Parking	No requirement	None	N/A
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	Six-foot minimum	N/A	N/A
Wall Requirements	No requirement	Seven-foot-tall chain-link fencing (including one foot of barbed wire) around project site	N/A
Septic Replacement Area	100 percent for existing system	N/A	N/A
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	N/A	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections are required for all on-site improvements. **This comment shall be included as a Project Note.**

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA, FIRM Panel 3205H, the parcel is not subject to flooding from the 100-year storm.

According to U.S.G.S. Quad Maps, there are existing natural drainage channels traversing the subject parcel.

Note: A Jurisdictional Delineation Report was prepared for this project site, and it was determined that the drainage channels traversing the subject parcel would not coincide with the project impact area.

A grading permit or voucher shall be required for any grading that has been done without a permit and any grading proposed with this application. **This comment shall be included as a Project Note.**

Site Plan Review Section of the Fresno County Department of Public Works and Planning: The operational statement indicates that the solar facility will be unmanned, with occasional site visits for security and maintenance; therefore, no on-site parking shall be required.

Outdoor lighting shall be hooded and directed away from adjoining streets and properties.

Note: This is already required by Mitigation Measure No. 1, listed in Exhibit 1.

Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR): There is one known abandoned oil and gas well located on site. There may also have been a mud pit/drilling sump associated with the well's drilling operations. The Division recommends soil testing and remediation of any contamination found.

The owner should maintain physical access to all oil and gas wells.

Ensure that the abandonment of all oil and gas wells is to current standards

Note: The known well is not on a portion of the site that will be developed or disturbed by development activities. Additionally, there will be no employees on site during operation which would provide a nexus for re-abandonment of the well or for soil testing. There is 50 feet of space between the northern parcel boundary and the proposed fence, so access will be maintained.

The following shall be included as Project Notes:

- If the owner plans to uncover a known, abandoned well, they must first consult with the Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR).
- If during development activities, any wells, pipelines, or oil-related improvements are encountered, the property owner/developer shall immediately notify DOGGR's

construction site well engineer in the Bakersfield district office. Remedial plugging and abandonment operations may be required.

- To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially-significant issues associated with any improvements near oil or gas wells, DOGGR recommends that information regarding the above-identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the Fresno County Recorder for inclusion in the title information of the subject real property.
- DOGGR recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

Fresno County Fire Protection District: Prior to permitting, the Applicant shall have their plans reviewed by the Fresno County Fire Protection District. Annexation into Community Facilities District No. 2010-01 may be required. **This comment shall be included as a Project Note.**

Analysis:

Staff review of the site plan demonstrates that the proposed solar panels would be set back from the surrounding property lines by 50 feet or more, which satisfies the minimum required setbacks in the Zone Districts and provides a sufficient buffer in accordance with the “Solar Facility Guidelines,” approved by the Fresno County Board of Supervisors on May 3, 2011 and amended on March 13, 2012, May 21, 2013 and December 12, 2017.

Additionally, the known abandoned oil well should not present any problems during project development. The owner/developer’s compliance with the above project notes should prevent any unnecessary oil and gas-related risks on site.

Recommended Conditions of Approval:

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

Conclusion:

Finding 1 can be made.

Finding 2: That 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	Yes	N/A	Private Road will be constructed to provide access to the project from Shell Road (poor condition)
Public Road Frontage	No	N/A	No change

		Existing Conditions	Proposed Operation
Direct Access to Public Road	No	N/A	No change
Road ADT (Average Daily Traffic)		Shell Road – 300 trips	Will increase by less than one round trip per day during operation.
Road Classification		Shell Road – Local road	No change
Road Width		Shell Road – 18.8 feet	No change
Road Surface		Paved	No change
Traffic Trips		Agricultural	Construction will result in elevated traffic levels, but less than one trip per day will result from this project during operation.
Traffic Impact Study (TIS) Prepared	No	N/A	Not required by Design Division or Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		N/A	Road maintenance mitigation is required, which will ensure that any damage to Shell Road that results from construction activities is repaired at the Applicant's expense.

Reviewing Agency/Department Comments:

Road Maintenance and Operations (RMO) Division of the Fresno County Department of Public Works and Planning: **The following shall be included as Project Notes:**

- Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width as approved by the Road Maintenance and Operations Division.
- An encroachment permit from the County Road Maintenance and Operations Division will be required for any work in the public right-of-way.

Design Division of the Fresno County Department of Public Works and Planning: No comment.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: **The following shall be included as Project Notes:**

- Internal access roads shall comply with required widths by the Fire District for emergency apparatus.

- Any proposed gate that provides initial access to this site shall be set back from the edge of the road right-of-way a minimum of 20 feet or the length of the longest vehicle to enter the site, whichever is greater.
- A dust palliative is required on all parking and circulation areas.

Development Engineering Section of the Fresno County Department of Public Works and Planning: There are no County-maintained roads directly adjacent to the subject parcel.

To ensure continued access to the site, prior to the acquisition of permits, an access easement for the solar facility must be recorded in the grant deed pertaining to APN 070-020-23. **This comment shall be included as a Condition of Approval.**

The first 100 feet of the project’s access road coming off of Shell Road must be paved. The rest of the access road must be gravel or native soil graded to drain, treated with a dust palliative and maintained for the duration of construction activities. **This comment shall be included as a Condition of Approval.**

Analysis:

Based on the above information, and with adherence to the required Mitigation Measures and suggested Conditions of Approval described above, staff believes that the proposed access road will be sufficient to accommodate the proposed use, and that Shell Road will not be negatively impacted by the project.

Recommended Conditions of Approval:

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

Conclusion:

Finding 2 can be made.

Finding 3: *That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof*

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	640 acres	Oil Wells	AE-40	N/A
West	22.71 acres	Field Crop	AE-20	Approximately 1,000 feet (not located on adjacent property)
South	60 acres	Field Crop	AE-20	N/A
	160 acres	Field Crop		
East	662.32 acres	Oil Wells	AE-40	N/A

Reviewing Agency/Department Comments:

Development Engineering Section of the Fresno County Department of Public Works and Planning: **The following shall be included as Project Notes:**

- Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.
- An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.

The Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. **This comment shall be included as a Project Note.**

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: The proposed project is located within a water-short area of the County, however the operation is not significantly reliant upon water resources for its operational requirements.

Surveys Section of the Fresno Department of Public Works and Planning: Prior to site development, all survey monumentation – Property Corners, Centerline, Section Corners, County Benchmarks, Federal Benchmarks and Triangulation Stations, etc. - within the subject area shall be preserved in accordance with Section 8771 of the Professional Land Surveyors Act and Section 6730.2 of the Professional Engineers Act. **This comment shall be included as a Project Note.**

Central Valley Regional Water Quality Control Board: State Water Resources Control Board Order No. 2009-0009-DWQ (as amended by Order No. 2010-0014-DWQ) National Pollutant Discharge Elimination System General Permit No. CAS000002 Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities will apply. **This comment shall be included as a Project Note.**

Analysis:

The proposed 5 megawatt solar power generation facility will be located on an uncultivated field, in an area of open space, agriculture, and feedlots. The previously-discussed 50-foot buffer used to satisfy the Solar Facility Guidelines is exceeded by the proposed project. This buffer will ensure that adjacent agricultural operations or any future adjacent uses are not negatively impacted by the solar facility. Additionally, the Applicant submitted a pest management plan, which describes the ways they would address pests on site; this will ensure that the facility does not host pests which could negatively impact surrounding agricultural operations.

Based on the above information, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 3 can be made.

Finding 4: That the proposed development is consistent with the General Plan

Relevant Policies:	Consistency/Considerations:
Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.	Typically, a 50-foot-minimum buffer area is required between proposed solar facilities and agricultural uses. There is no adjacent cultivation currently, but the solar panels will still be set back at least 50 feet from every property line, so any future agricultural operations will not be impacted.
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.	Impacts to Agricultural and Forestry Resources were evaluated in the Initial Study (Exhibit 8) and determined to be less than significant. According to the Department of Conservation (DOC, 2014) the agricultural land to be developed upon project approval is of local importance. However, information submitted by the Applicant indicates that in the past 11 years the land has only been cultivated 4 times (wheat and barley cultivation, non-irrigated), and one year there was no yield. The proposed use is expected to operate for 25 years, and afterwards the land will be returned to its current state according to the reclamation plan.
General Plan Policy PF-C.17: The County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.	There are no wells on site, and none are proposed. The panels will be cleaned with a biodegradable panel cleaning solution which will be trucked to the property. The project will not impact water resources in the area, as it is not water-reliant.

Analysis:

The project is consistent with these General Plan policies for the reasons discussed above. With adherence to the recommended Conditions of Approval, staff finds that the proposal is consistent with the General Plan.

Recommended Conditions of Approval:

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

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the required Findings for granting Unclassified Conditional Use Permit No. 3607 can be made, based on the factors cited in the analysis and adherence to the recommended Conditions of Approval, Project Notes, and Mitigation Measures. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for Initial Study Application No. 7439 and approval of Unclassified Conditional Use Permit No. 3607, subject to the recommended Conditions of Approval.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7439; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3607, subject to the 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 No. 3607; 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.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7439/Unclassified Conditional Use Permit Application No. 3607
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Exterior lighting from dusk until dawn shall be minimized through the installation of the lowest-wattage bulb necessary for safety purposes. All outdoor lighting shall also be hooded and directed downward so as not to shine upward or toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	During construction and operation
2.	Biological Resources	Species-specific preconstruction surveys shall be conducted by a qualified biologist and/or botanist prior to the onset of any construction-related activities (including initial construction and decommissioning) for the San Joaquin Kit Fox (SJKF), Blunt-nosed Leopard Lizard (BNLL), Tricolored Blackbird, Nelson's Antelope Squirrel (NAS), Swainson's Hawk (SWHA), Burrowing Owl (BUOW), California Glossy Snake, Northern California Legless Lizard, Blainville's Horned Lizard, Western Pond Turtle, and Short-nosed Kangaroo Rat (SNKR). These surveys shall include the gen-tie route, all areas of proposed ground disturbance and construction activities, any construction staging areas, any area in which equipment will be operated and any additional land used for ingress and egress during construction activities. Additionally, a 500-foot buffer around the defined area will be surveyed for the BUOW, SJKF, NAS, and BNLL; a 50-foot buffer area will be surveyed for the SNKR, California Glossy Snake, Western Pond Turtle, Blainville's Horned Lizard, Northern California Legless Lizard, and sensitive plants; and a 0.5-mile buffer around the defined area will be surveyed for SWHA nests and tricolored blackbirds. If these buffer areas cannot be maintained, consultation with the California Department of Fish and Wildlife (CDFW) is required to determine how to avoid take.	Applicant	Applicant/PW&P	Prior to and during construction and decommissioning
3.	Biological Resources	If any species are identified in pre-construction surveys or during construction, operation, or decommissioning activities, the Applicant shall notify CDFW immediately, cease all operation in the area, and consult with CDFW on how to minimize any potential impact to protected species.	Applicant	Applicant/PW&P	Prior to construction through the completion of decommissioning activities

EXHIBIT 1

4.	Biological Resources	If BNLL burrows are identified during the pre-construction survey(s), all burrow openings shall be flagged and mapped, and 50-foot no-disturbance buffer zones around all burrow openings shall be maintained for foraging habitat throughout the project.	Applicant	Applicant/PW&P	Prior to and during construction and decommissioning
5.	Biological Resources	If small mammal burrows suitable for BUOW are identified on the project site or within 250 feet of the project, additional BUOW surveys shall be conducted by a qualified biologist, and BUOW burrows shall be managed in accordance with the "Staff Report on Burrowing Owl Mitigation" (CDFG, 2012).	Applicant	Applicant/PW&P	Prior to and during construction and decommissioning
6.	Biological Resources	If any construction activities will occur between March 1 and September 15, the project area and a 0.5-mile buffer around the project area must be surveyed by a qualified biologist within 10 days of the onset of construction of activities to identify the presence of any Swainson's Hawk nests. If any nests are identified, no construction may take place within 0.5 miles of that nest until the end of breeding season (September 15) or until a qualified biologist determines that the young have fledged and are no longer dependent on the nest or parents for survival, and CDFW has provided written approval of the biologist's determination.	Applicant	Applicant/PW&P	Prior to construction and decommissioning
7.	Biological Resources	Implement the January 2011 "U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance" for pre-construction survey protocol and avoidance measures, and maintain habitat permeability for SJKF on all perimeter and interior fencing.	Applicant	Applicant/PW&P	Prior to and during construction and decommissioning
8.	Biological Resources	If construction commences between January 1 and September 15 (bird nesting season) or lapses during this time for 10 or more days, a qualified biologist must survey for active bird nests within 10 days of the onset or resuming of construction activities to ensure that no active bird nests are in the project area that could be impacted by the construction. If nests are present, they must be monitored for the first 24 hours of any project-related activities, and continuously monitored after that so as to detect any behavioral changes that result from project impacts. If behavioral changes are observed, stop work that is causing this change and consult with CDFW for additional avoidance and minimization measures. In lieu of	Applicant	Applicant/PW&P	Prior to and during construction and decommissioning

		continuous monitoring, the Applicant may choose to implement 250-foot no-disturbance buffers around active nests of non-listed, non-raptor bird species until the breeding season is over or a qualified biologist has determined that the birds have fledged and are no longer dependent upon the nest or parental care for survival. Variance from these buffer zones may be granted on a case by case basis, but this decision must be supported by a qualified biologist, and CDFW must be notified of this determination prior to construction activities that would otherwise require a no-disturbance buffer.			
9.	Biological Resources	All vertical pipes associated with solar mounts and fencing must be capped immediately upon installation to avoid bird death or injury.	Applicant	Applicant/PW&P	During construction and decommissioning
10.	Biological Resources	If special-status plant species are found, a no-disturbance buffer of at least 50 feet shall be implemented and delineated using flags, stakes, or other highly-visible materials, and it shall be maintained for the duration of the project. If this is not possible, alternative mitigation would have to be agreed upon by the Applicant and CDFW.	Applicant	Applicant/PW&P	Prior to and during construction and decommissioning
11.	Biological Resources	No rodenticides, pesticides, or herbicides shall be used during construction, maintenance, or decommissioning of the proposed project.	Applicant	Applicant/PW&P	Lifetime of the Project
12.	Cultural Resources/ Geology and Soils/Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities
13.	Transportation	All construction traffic must access the solar facility via the section of Shell Road southwest of the facility, connecting to Oil City Road.	Applicant	Applicant/PW&P	During construction and decommissioning
14.	Transportation	Any oversize hauls on Shell Road shall be accompanied by pilot cars due to the narrowness of the road.	Applicant	Applicant/PW&P	During construction and decommissioning

15.	Transportation	The Applicant shall maintain Shell Road from Oil City Road to the project site turn-off throughout the construction period. Such maintenance includes periodic filling of potholes and shoulder edge restoration, and may include surface patches (overlays/dig-outs) for badly worn areas. Upon completion of the construction work, the Applicant shall perform final maintenance on the road in order to bring the road back to its pre-existing condition prior to construction. Such maintenance shall be documented in the form of pavement condition index (PCI) analyses for the before and after final maintenance conditions.	Applicant	Applicant/PW&P	During construction
Conditions of Approval					
1.	Prior to the acquisition of permits, the Applicant shall enter into and record a limited access easement, for the County's benefit, for the solar facility pertaining to APN 070-020-23.				
2.	The first 100 feet of the project's access road, coming off of Shell Road, must be paved. The rest of the access road must be gravel or native soil graded to drain, treated with a dust palliative and maintained for the duration of construction activities.				
3.	The life of this land use permit will expire upon expiration of the 25-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.				
4.	The project shall comply with the Solar Facility Guidelines (Exhibit 7), as approved.				
5.	The Applicant shall enter into a Reclamation Agreement with the County of Fresno Reclamation Plan. The security shall be subject to an annual 3% increase, or tied to the Consumer Price Index (CPI), or another mechanism acceptable to the Fresno County Department of Public Works and Planning.				
6.	The project shall comply with the submitted Pest Management Plan.				
7.	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 substations, inverters, perimeter access roads, 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.				
8.	Development of the property shall be in accordance with the Site Plan, Elevations and Operational Statement approved by the Planning Commission, except as modified by the Commission or Site Plan Review.				

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

Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

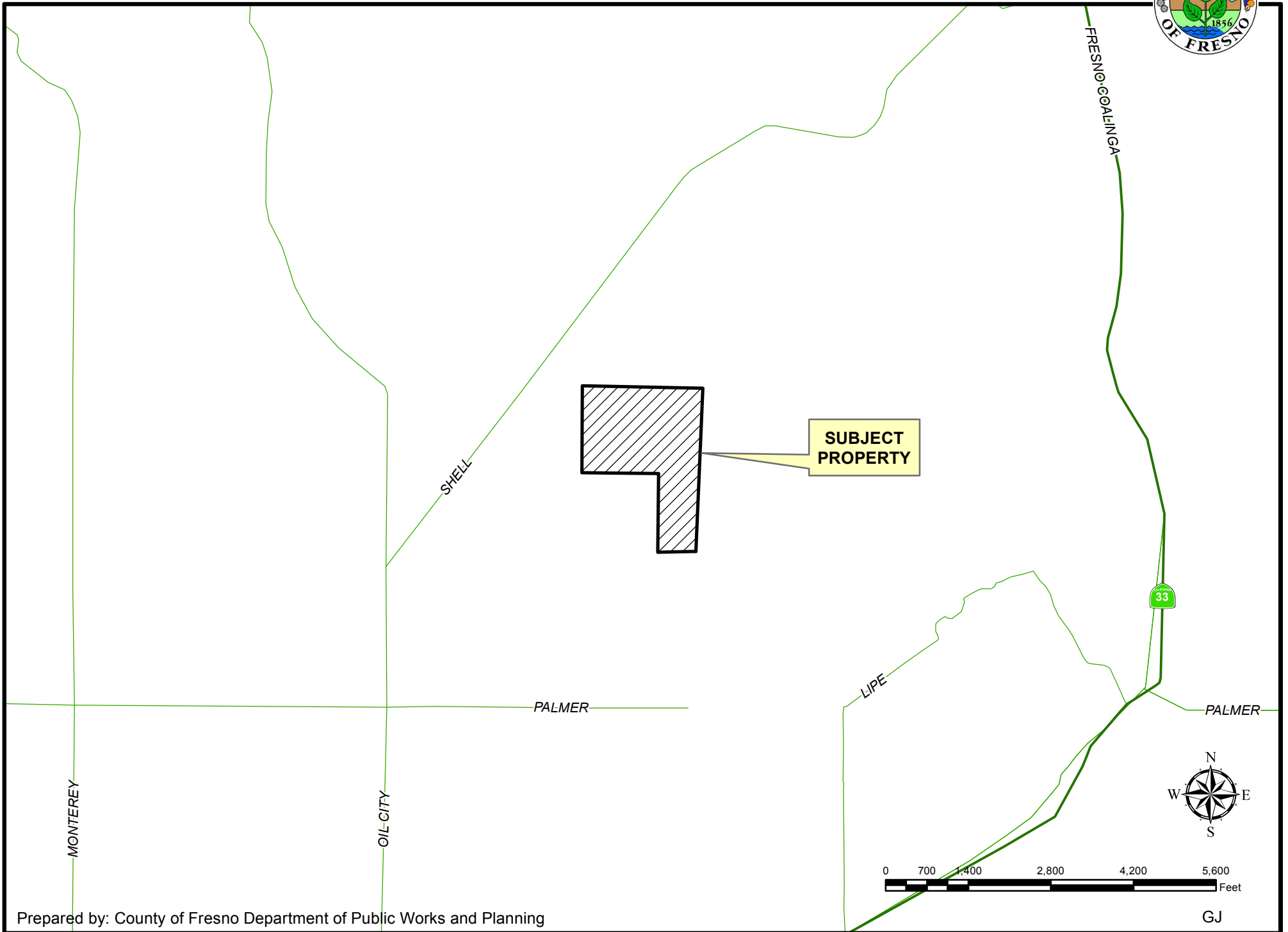
1.	Plans, permits and inspections are required for all on-site improvements.
2.	A grading permit or voucher shall be required for any grading that has been done without a permit and any grading proposed with this application.
3.	<p>If the owner plans to uncover a known, abandoned well, they must first consult with the Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR).</p> <ul style="list-style-type: none">• If, during development activities, any wells, pipelines, or oil-related improvements are encountered, the property owner/developer shall immediately notify DOGGR's construction site well engineer in the Bakersfield district office. Remedial plugging and abandonment operations may be required.• To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially-significant issues associated with any improvements near oil or gas wells, DOGGR recommends that information regarding the above-identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the Fresno County Recorder for inclusion in the title information of the subject real property.• DOGGR recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.• DOGGR recommends that the abandoned oil well be re-abandoned to current standards to minimize the probability of it leaking oil, gas, and/or water in the future. DOGGR has the authority to order the re-abandonment of any well that is hazardous or that poses a danger to life, health, or natural resources. If this occurs, the property owner is responsible for these re-abandonment costs. Additionally, if any unknown wells or soil containing significant amounts of hydrocarbons are discovered during development, DOGGR and all other appropriate authorities shall be notified immediately.
4.	Prior to permitting, the Applicant shall have their plans reviewed by the Fresno County Fire Protection District. Annexation into Community Facilities District No. 2010-01 may be required.
5.	<p>Site Plan Review Section requirements:</p> <ul style="list-style-type: none">• An encroachment permit will be required for any work in the public right-of-way.• Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width as approved by the Road Maintenance and Operations Division.• Internal access roads shall comply with required widths by the Fire District for emergency apparatus.• Any proposed gate that provides initial access to this site shall be set back from the edge of the road right-of-way a minimum of 20 feet or the length of the longest vehicle to enter the site, whichever is greater.• A dust palliative is required on all parking and circulation areas.
6.	<p>Development Engineering Section requirements:</p> <ul style="list-style-type: none">• Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.• An Engineered Grading and Drainage Plan may be required to show how additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties.

7.	Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.
8.	Prior to site development, all survey monumentation – Property Corners, Centerline, Section Corners, County Benchmarks, Federal Benchmarks and Triangulation Stations, etc. - within the subject area shall be preserved in accordance with Section 8771 of the Professional Land Surveyors Act and Section 6730.2 of the Professional Engineers Act.
9.	State Water Resources Control Board Order No. 2009-0009-DWQ (as amended by Order No. 2010-0014-DWQ) National Pollutant Discharge Elimination System General Permit No. CAS000002 Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities will apply.
10.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.

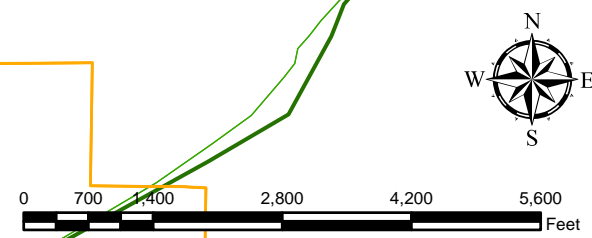
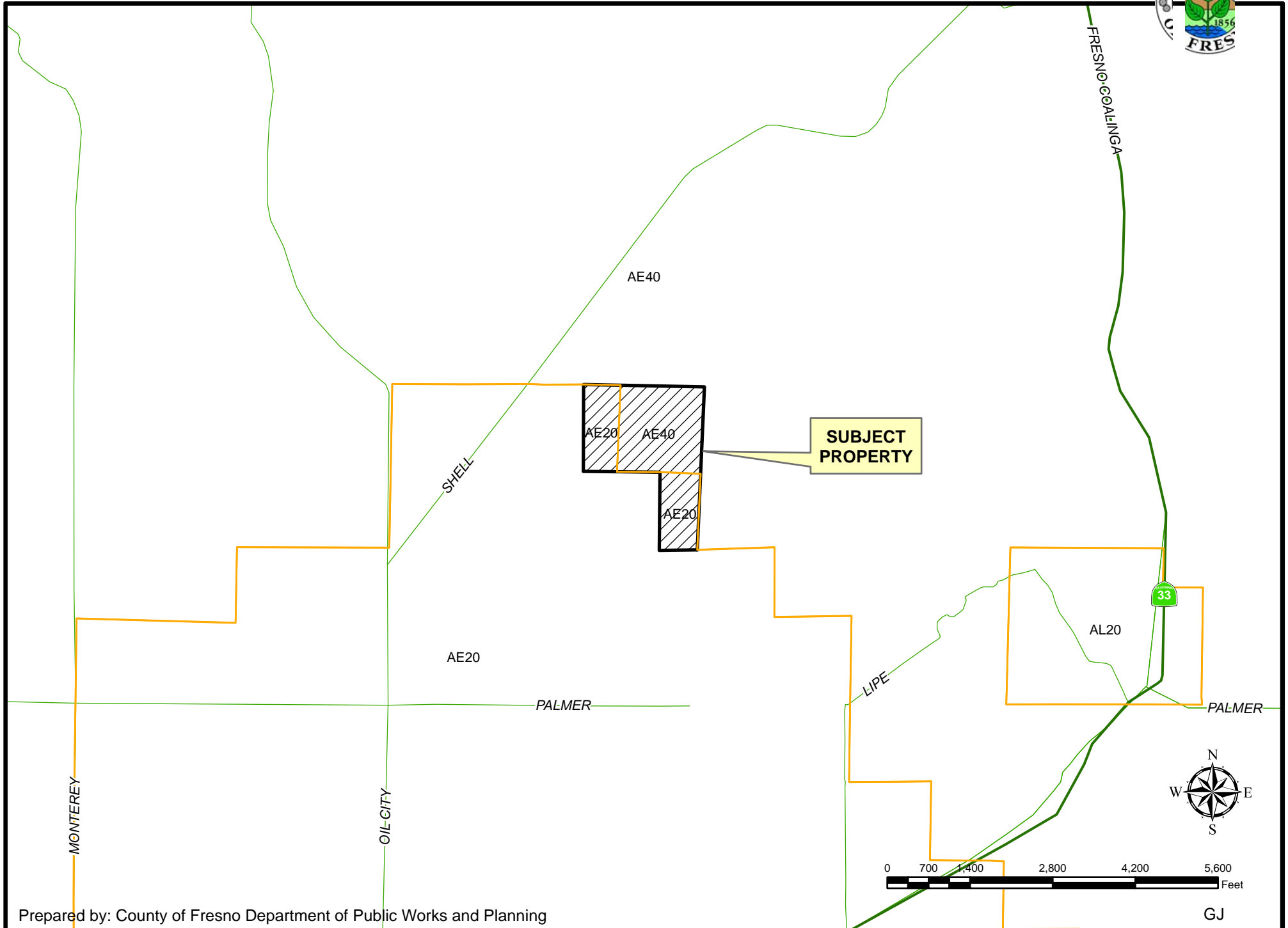
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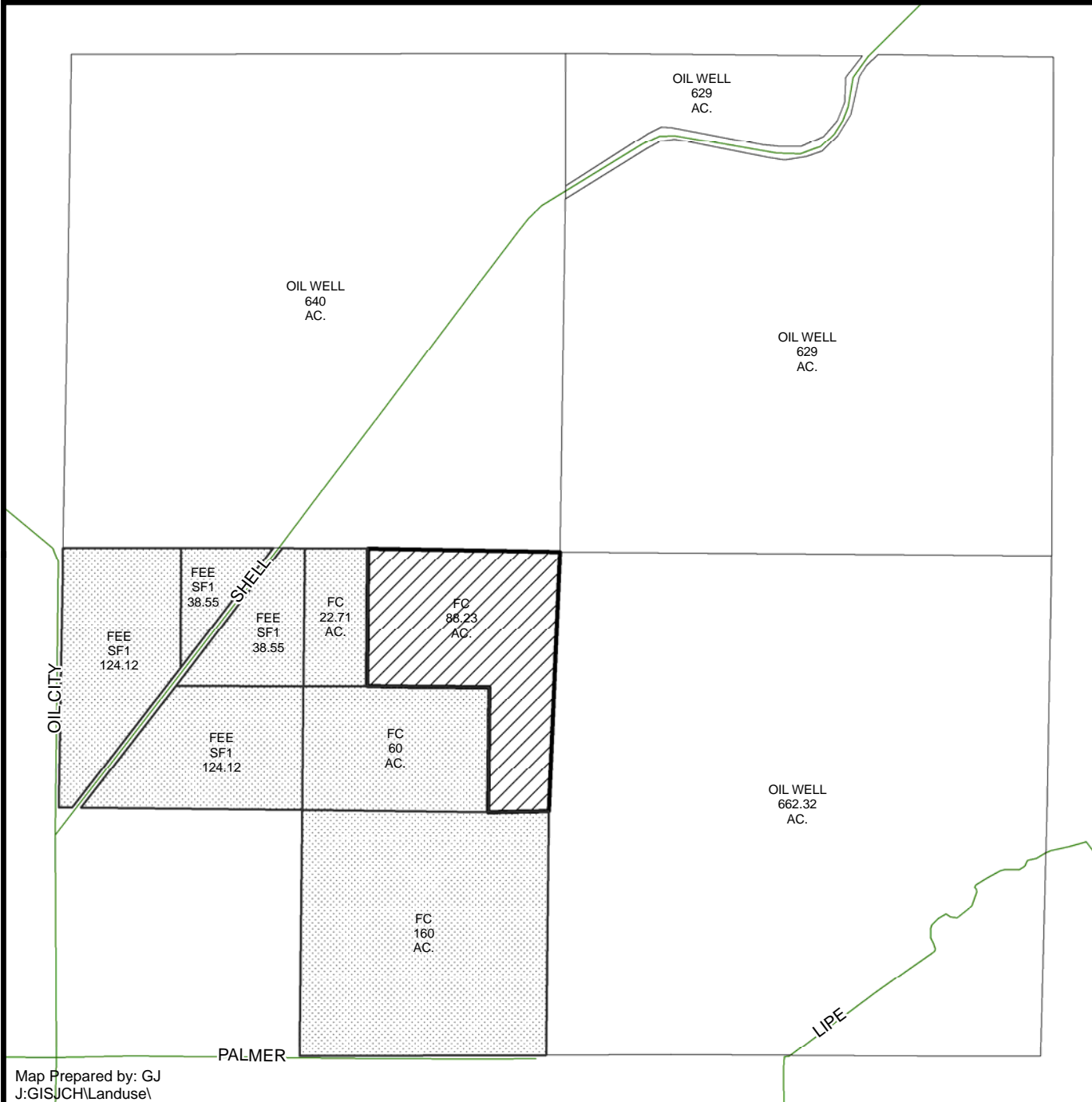
LOCATION MAP



EXISTING ZONING MAP



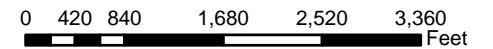
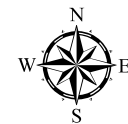
EXISTING LAND USE MAP



LEGEND	
SF#-	SINGLE FAMILY RESIDENCE
FC -	FIELD CROP
FEE -	FEED LOT
V -	VACANT

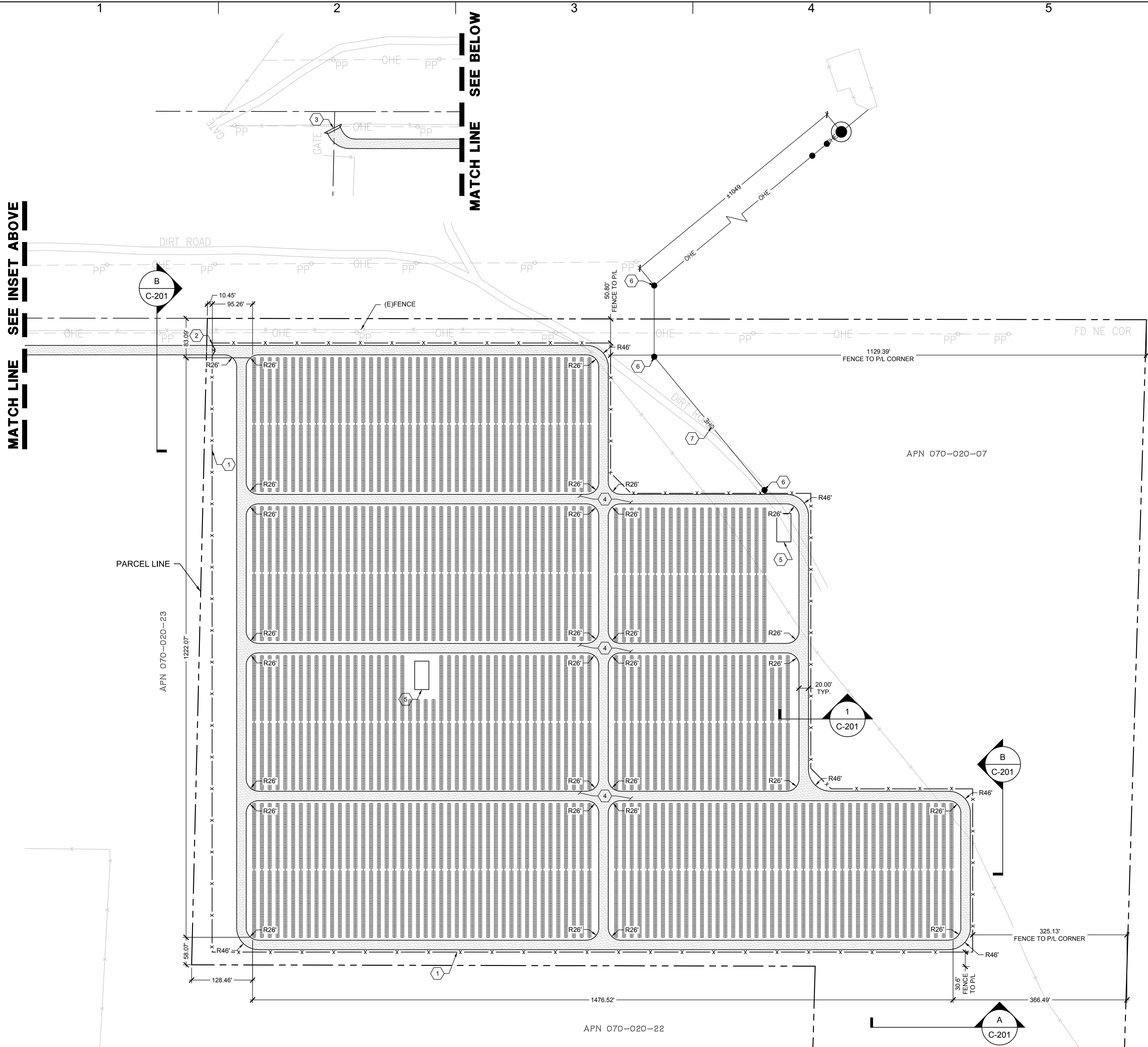
LEGEND:

- Subject Property
- Ag Contract Land



Department of Public Works and Planning
Development Services Division

S:\3-Projects\0061_LFPF_Derrick PV (Fresno)\5_Production\1_Drawings\2_Sheets\C-101 SITE PLAN.dwg Printed: 7/1/2019 9:33 AM



LEGEND

	PROJECT PROPERTY LINE
	RIGHT-OF-WAY LINE
	SETBACK LINE
	EX. EASEMENT
	PRECISE PLAN LINE
	NEW INTERIOR ACCESS ROAD
	NEW PERIMETER FENCE

SHEET NOTES

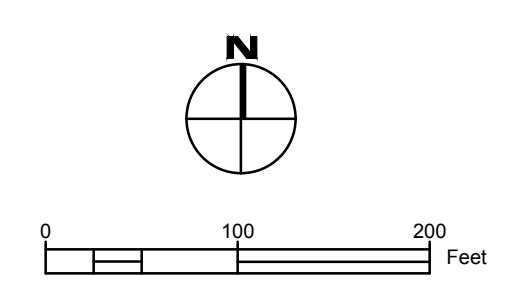
- SHOWS EXTENTS OF ALL CIVIL WORKS

ABBREVIATIONS

(E)	EXISTING
MIN.	MINIMUM
PM	PARCEL MAP
PP	POWER POLE
P/L	PROPERTY LINE
R	RADIUS
TYP.	TYPICAL

KEY NOTES

	CONSTRUCT 7'-HIGH CHAIN LINK SECURITY FENCING (6' FENCE W/ 1' BARBED WIRE)		C-202
	ACCESS GATE WITH CLEAR OPENING WIDTH OF 24'		C-202
	ENTRANCE FROM DIRT ROAD AT EXISTING GATE		C-201
	20' WIDE ACCESS ROAD WITH COMPACTED NATIVE SOIL		C-201
	CONCRETE PAD FOR ELECTRICAL EQUIPMENT, SEE ELECTRICAL SITE PLAN		
	NEW UTILITY POLE, SEE ELECTRICAL SITE PLAN		
	NEW OVERHEAD POWER LINES, SEE ELECTRICAL SITE PLAN		



FOREFRONT POWER
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 www.ForeFrontPowerLLC.com

SAGE
 Consulting Engineers, Inc.
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 San Francisco, CA 94108
 (415) 890-5250
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STAMP:

CA-SB43 DERRICK PV POWER PLANT

FOREFRONT POWER LLC
 36.21767, -120.3418
 FRESNO COUNTY, CA, 93662

PROJECT NUMBER:
 CA-17-0100 / J0061

SHEET TITLE:
SITE PLAN

SHEET SIZE:
 ARCH "D"
 24" X 36" (610 x 914)

THIS DRAWING IS THE PROPERTY OF FOREFRONT POWER, LLC. THIS INFORMATION IS CONFIDENTIAL AND IS TO BE USED ONLY IN CONNECTION WITH WORK DESCRIBED BY FOREFRONT POWER, LLC. NO PART IS TO BE DISCLOSED TO OTHERS WITHOUT WRITTEN PERMISSION FROM FOREFRONT POWER, LLC.

NO.	REVISION	DATE	INIT.

DATE: 7/01/2019
 DRAWN BY: RCS
 ENGINEER: KMH
 APPROVED BY: KMH

PROJECT PHASE:
 CUP SUBMITTAL

SCALE:
 1" = 100'

SHEET NO.:
C-101

Pre-Application Submittal

Project: Derrick Solar

Scope: 5 MWac solar photovoltaic energy generation facility on a +/-47-acre portion of an 88.23-acre parcel.

Location: APN 070-020-07

Applicant's Representative:

EPD Solutions, Inc.

c/o Rafik Albert

2030 Main Street, Suite 1200

Irvine, Calif. 92614

(949) 794-1182

rafik@epdsolutions.com

Operational Statement

1. *Nature of the operation—what do you propose to do? Describe in detail.*
The project is a solar photovoltaic power plant. The facility will generate electricity from the sun during daylight hours, and will be unmanned. The project will interconnect with the electrical grid at an existing substation about 950 feet north of the project site, via a collector power line about 1,300 feet in length.
2. *Operational time limits:*
The facility will operate during daylight hours year-round. Operations would be automated and not require a staff presence.
3. *Number of customer or visitors:*
The site would not receive customers or visitors.
4. *Number of employees:*
The facility will be unmanned. Occasional site visits (generally less than one per day) would occur for security and maintenance.
5. *Service and delivery vehicles (number, type, frequency):*
The facility would not receive any regular deliveries during operations. Service visits would occur periodically on an as-needed basis, and would generally require only a pick-up truck
6. *Access to the site (public road, private road, surface, unpaved/paved):*
The site is accessible from Shell Road, a public, paved road, located 300 feet to the west.
7. *Number of parking spaces for employees, customers, and service/delivery vehicles:*
As the facility will be unmanned and not receive customers or visitors, no parking is required or proposed.
8. *Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location?*
No goods would be grown, produced, or sold on-site.

9. *What equipment is used (if appropriate, provide pictures or a brochure):*
Equipment used on the site would include:
- Solar modules mounted on trackers
 - Electrical equipment pad with switchgear
10. *What supplies or materials are used and how are they stored?*
No supplies or materials would routinely be used at the site, and no storage would occur at the site. Any items required for periodic maintenance would be carried on maintenance vehicles.
11. *Does the use cause an unsightly appearance (noise, glare, dust, odor, if so explain how this will be reduced or eliminated):*
The use is minimally impactful on the surrounding area. The proposed equipment will generate minimal noise. Solar panels do not generate substantial glare. The project will not generate any dust or odor during operations.
12. *List any solid or liquid wastes to be produced:*
The facility will not generate solid or liquid wastes. No process wastewater is generated during energy generation from a photovoltaic facility. The site will be unmanned so no restrooms would be required and no sewer connection or septic system would be installed. Any solid wastes generated during maintenance activities would be removed by maintenance crews when they depart the site.
13. *Estimated volume of water to be used (gallons per day, source of water):*
The site will be unmanned and no water use will be required. A commercially available biodegradable solution will be used for panel cleaning in lieu of water.
14. *Describe any proposed advertising including size, appearance, and placement:*
No advertising is proposed.
15. *Will existing buildings be used or will new buildings be constructed (describe type of construction materials, height, color, etc. Provide floor plan and elevations, if appropriate):*
The site contains no existing buildings, and no new habitable structures are proposed. New construction on the site would be limited to solar trackers and related electrical equipment and a perimeter fence. See enclosed plans.
16. *Explain which buildings or what portion of buildings will be used in the operation:*
There are no existing buildings on the site and no new habitable structures are proposed.
17. *Will any outdoor lighting or an outdoor sound amplification system be used (describe and indicate when used):*
Outdoor lighting would be limited to small-scale security lighting at the entry and any domestic fixtures required by Building Code or other Code requirements at electrical equipment, such as transformers.
18. *Landscape or fencing proposed (describe type and location):*
Fencing is proposed to consist of a perimeter chain link fence with barbed wire. No landscaping is proposed.

Derrick Solar
 APN 070-020-07
 CUP No. 3607

Project Compliance with Solar Facility Guidelines (eff. 12/12/17)

1. Information shall be submitted regarding the historical agricultural operational/usage of the parcel, including specific crop type and crop yield, for the last ten years (if no agricultural operation in the last ten years, specify when land was last in agricultural use).

The required agricultural information follows:

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Crop	Fallow	Organic Wheat	Fallow	Organic Barley	Fallow	Organic Barley	Fallow	Fallow	Fallow	Organic Wheat	Fallow
Yield		31.20 tons		32.40 tons		No production				14.00 tons	
Water Source		Non-irrigated		Non-irrigated		Non-irrigated				Non-irrigated	
Tilling	Nov 2007	July 2008	Nov 2009	July 2010	Nov 2011	July 2012	August 2013	August 2014	Nov 2015	July 2016	Nov 2017

2. Information shall be submitted that identifies 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.

The facility will be unmanned and no water source will be required. In lieu of water, a commercially available biodegradable solution will be used for panel cleaning.

3. Identify the current status of the parcel (Williamson Act Contract, Conservation Easement, retired land, etc.), the purpose of any easement and limitations of the parcel. The applicant shall submit a Title Report or Lot Book Guarantee for verification.

The site is not covered by a Williamson Act contract or Conservation Easement. A title report is provided as part of the application package.

4. Identify (with supporting data) the current soil type and mapping units of the parcel pursuant to the standards of the California State Department of Conservation and the Natural Resources Conservation Service.

Per the project's Biological Habitat Assessment, soils on the site consist of Milham sandy loam and Cerini sandy loam.

EXHIBIT 7

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 Site Plan) and provide factual/technical data supporting the effectiveness of said proposed buffering measures.

The solar field is not located immediately adjacent to any agricultural activities; however, the project is designed with substantial buffers on all sides. The Solar Facility Guidelines target a 50-foot buffer from property lines to facility structures, excluding fencing. The project site plan shows the following approximate buffers: 80 feet along the north edge, 570 feet along the east edge, 58 feet along the south edge, and 560 feet along the west edge.

6. Provide 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.

A Reclamation Plan has been provided.

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.

The subject site was selected due to the lack of any active Williamson Act Contract or Conservation Easement on the parcel. The site is in a water-constrained area.

8. Develop and 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.

A Pest Management Plan has been provided.

9. The applicant must acknowledge the County's Right to Farm Ordinance and shall be required to record a Right to Farm Notice prior to issuance of any permits. This shall be included as a recommended Condition of Approval of the land use entitlement.

The Right to Farm Ordinance is acknowledged. The applicant will comply with any condition of approval imposed on the project requirement recording of such a notice on the parcel.

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.

The duration of the land use permit is noted.

11. If the project is approved, the applicant shall make all reasonable efforts to establish a point of sale in Fresno County for equipment and construction related items necessary for the project.

The requirement for reasonable efforts to be undertaken to establish a point of sale in Fresno County is noted.

12. If the project is approved, the applicant shall make all reasonable efforts to conduct local recruitment efforts and/or coordinate with employment agencies in an attempt to hire from the local workforce.

The requirement for reasonable efforts to hire from the local workforce is noted.

13. In addition to disclosing the number of trips in the required project Operational Statement, the applicant shall disclose the weight of the shipments anticipated to the site. If the project is approved,

pursuant to the CEQA analysis and based upon the existing road conditions and the weight/frequency of shipments to the site, the applicant shall mitigate impacts to County roads.

No shipments will be required to or from the site during operations. Only passenger cars and light trucks would routinely access the site for maintenance and security purposes.

14. If the project is approved, the applicant shall make all reasonable efforts to purchase products and equipment from local (Fresno County) manufacturing facilities and/or vendors.

The requirement for reasonable efforts to purchase products and equipment from local manufacturing facilities and/or vendors is noted.



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Forefront Power
- APPLICATION NOS.: Initial Study Application No. 7439 and Unclassified Conditional Use Permit Application No. 3607
- DESCRIPTION: Allow a 5 megawatt solar photovoltaic power generation facility with related improvements on an approximately 47-acre portion of an 88.23-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone Districts.
- LOCATION: This project is located approximately 0.2 miles east of Shell Road, 0.4 miles northeast of its intersection with Oil City Road, and 2.6 miles north of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN: 070-020-07).

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; or
- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project area is surrounded by flat land, small hills and limited vegetation. There are existing utility poles, feedlots and a single-family residence nearby. California Highway 198 (CA 198) runs 1.5 miles southeast of the project site, and is eligible to be designated as state scenic highway. However, the topography and distance between this highway and the project site ensures that the proposed use will not impact any

scenic views from CA 198. Additionally, there are no historic structures or scenic resources in the project's vicinity.

The nearest public view is from Shell Road. However, the project will be set back approximately 0.2 miles from Shell Road behind an existing feedlot. The elevation of the feedlot and the solar facility are approximately the same, so the public view from this road will not be significantly impacted.

- D. 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 MITIGATION INCORPORATED:

The reflection of sunlight off of solar panel surfaces would be the primary source of potential glare from the Project. Solar panels are constituted of many solar cells which are designed to capture solar energy in order to convert it into usable energy. Therefore, solar panels are designed to be as absorptive as possible in order to maximize the efficiency of energy production. Additionally, PV panels typically are covered with a tempered glass layer that is treated with an anti-reflective coating that further reduces the reflectivity of the panels. When compared to common reflective surfaces, solar panels without an anti-reflective coating are found to produce around the same amount of reflectivity as water, which is about half the amount of reflectivity as standard glass, commonly used in residential or commercial applications (Shields 2010). If an anti-reflective coating is applied to the solar panels, the reflectivity of the panels would be further reduced to significantly less than the reflectivity of water.

Lighting will be limited to small-scale lighting at the access point of the solar facility. To ensure that these lights do not affect the surrounding area, the following mitigation shall be incorporated.

* **Mitigation Measure**

1. *Exterior lighting from dusk until dawn shall be minimized through the installation of the lowest-wattage bulb necessary for safety purposes. All outdoor lighting shall also be hooded and directed downward so as not to shine upward or toward adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and

forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located on farmland of local importance, but not on prime farmland, unique farmland, or farmland of state-wide importance (Department of Conservation, 2014).

- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Neither the subject parcel nor the northerly adjacent parcel, where the proposed solar panels will be connected to an existing substation, are subject to a Williamson Act Contract. The parcel is located in the AE-20 and AE-40 (Exclusive Agricultural, 20- and 40-acre minimum parcel size) Zone Districts. This proposal is not in conflict with the current agricultural zoning on the property because the proposed facility is an allowed use on land designated for agriculture, so long as it receives discretionary approval and adheres to applicable General Plan Policies. The approval of Conditional Use Permit No. 3607 would provide the necessary discretionary approval for the project. Additionally, this use is temporary (approximately 25-35 years), and at the end of the life of this solar facility, the land will be returned to its current condition or a new discretionary use permit will be acquired.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or

FINDING: NO IMPACT:

The project is not located in an area of forest land, so no forest land will be affected.

- E. 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: LESS THAN SIGNIFICANT IMPACT:

The proposed project only includes a solar generation facility; it will not create additional housing supply or otherwise affect population growth. A 50-foot or greater buffer around the project site will ensure that the project does not interfere with surrounding agricultural uses (this is required by the County-adopted Solar Facility Guidelines).

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The County of Fresno is a non-attainment area for PM-2.5, PM-10, and Ozone. The San Joaquin Valley Air Pollution Control District (SJVAPCD) reviewed an Air Impact Assessment (AIA) submitted by the applicant for this project, and determined that it would produce less than two tons NOx per year and less than two tons PM10 per year. As a result, SJVAPCD determined that the project will have a less than significant impact on air quality and relevant air quality plans. To ensure that this is the case, the applicant will be required to adhere to the mandatory reporting guidelines set forth by the air district as a condition of project approval.

- C. Expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The only nearby sensitive receptor is a single-family residence over 650 feet from the proposed operation. The operation of the solar facility will only result in car emissions from one daily maintenance trip, but there will be additional traffic generated during the construction and decommissioning periods. These impacts were evaluated by Urban Crossroads, Inc. (April 2018) and determined to be below the established thresholds.

- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: NO IMPACT:

No other emissions, including those causing odors, will be released by the proposed solar facility. The area is also sparsely populated, and there are predominately agricultural operations in the vicinity.

IV. BIOLOGICAL RESOURCES

Would the project:

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Review by the California Department of Fish and Wildlife (CDFW), US. Fish and Wildlife (USFW), and the County indicates that protected species could be present in the project area, and that these species could potentially be impacted by the proposed project. The potentially-present protected species include the San Joaquin Kit Fox (SJKF), Blunt-nosed Leopard Lizard (BNLL), Tricolored Blackbird, Nelson's Antelope Squirrel (NAS), Swainson's Hawk (SWHA), Burrowing Owl (BUOW), California Glossy Snake, Northern California Legless Lizard, Blainville's Horned Lizard, Western Pond Turtle, Short-nosed Kangaroo Rat (SNKR), San Joaquin Woollythreads, California Jewelflower, Showy Golden Madia, Pale-yellow Layia, and Recurved Larkspur.

The project disturbance area includes approximately 47 acres of land, which could create substantial habitat disturbance to creatures already living or foraging there. However, once construction has ceased, the solar panel arrays and exposed soil should be relatively habitable for creatures that live in the area, and would still provide foraging opportunities for species such as the Swainson's Hawk. There will be infrequent visits for maintenance purposes, but the proposed maintenance and operation should be substantially less threatening to the protected species of concern than previous agricultural activities, such as those allowed by right on this parcel according to the Fresno County General Plan. The following mitigation shall be adhered to in order to ensure that any potentially present, special-status species are identified and avoided during construction, operation, and decommissioning activities.

* **Mitigation Measure(s)**

1. *Species-specific preconstruction surveys shall be conducted by a qualified biologist and/or botanist prior to the onset of any construction-related activities (including initial construction and decommissioning) for the San Joaquin Kit Fox (SJKF), Blunt-nosed Leopard Lizard (BNLL), Tricolored Blackbird, Nelson's Antelope Squirrel (NAS), Swainson's Hawk (SWHA), Burrowing Owl (BUOW), California Glossy Snake, Northern California Legless Lizard, Blainville's Horned Lizard, Western Pond Turtle, and Short-nosed Kangaroo Rat (SNKR). These surveys shall include the genetic route, all areas of proposed ground disturbance and construction activities, any construction staging areas, any area in which equipment will be operated and any additional land used for ingress and egress during construction activities. Additionally, a 500-foot buffer around the defined area will be surveyed for the BUOW, SJKF, NAS, and BNLL; a 50-foot buffer area will be surveyed for the SNKR, California Glossy Snake, Western Pond Turtle, Blainville's Horned Lizard, Northern California Legless Lizard, and sensitive plants; and a 0.5-mile buffer around the defined area will be surveyed for SWHA nests and tricolored blackbirds. If these buffer areas cannot be maintained, consultation with California Department of Fish and Wildlife (CDFW) is required to determine how to avoid take.*

2. *If any species are identified in pre-construction surveys or during construction, operation, or decommissioning activities, the applicant shall notify CDFW immediately, cease all operation in the area, and consult with CDFW on how to minimize any potential impact to protected species.*
3. *If BNLL burrows are identified during the pre-construction survey(s), all burrow openings shall be flagged and mapped, and 50-foot no-disturbance buffer zones around all burrow openings shall be maintained for foraging habitat throughout the project.*
4. *If small mammal burrows suitable for BUOW are identified on the project site or within 250 feet of the project, additional BUOW surveys shall be conducted by a qualified biologist, and BUOW burrows shall be managed in accordance with the "Staff Report on Burrowing Owl Mitigation" (CDFG, 2012).*
5. *If any construction activities will occur between March 1 and September 15, the project area and a 0.5-mile buffer around the project area must be surveyed by a qualified biologist within 10 days of the onset of construction of activities to identify the presence of any Swainson's Hawk nests. If any nests are identified, no construction may take place within 0.5-miles of that nest until the end of breeding season (September 15) or until a qualified biologist determines that the young have fledged and are no longer dependent on the nest or parents for survival, and CDFW has provided written approval of the biologist's determination.*
6. *Implement the January 2011 "U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance" for pre-construction survey protocol and avoidance measures, and maintain habitat permeability for SJKF on all perimeter and interior fencing.*
7. *If construction commences between January 1 and September 15 (bird nesting season) or lapses during this time for 10 or more days, a qualified biologist must survey for active bird nests within 10 days of the onset or resuming of construction activities to ensure that no active bird nests are in the project area that could be impacted by the construction. If nests are present, they must be monitored for the first 24 hours of any project-related activities, and continuously monitored after that so as to detect any behavioral changes that result from project impacts. If behavioral changes are observed, stop work that is causing this change and consult with CDFW for additional avoidance and minimization measures. In lieu of continuous monitoring, the applicant may choose to implement 250-foot no disturbance buffers around active nests of non-listed, non-raptor bird species until the breeding season is over or a qualified biologist has determined that the birds have fledged and are no longer dependent upon the nest or parental care for survival. Variance from these buffer zones may be granted on a case by case basis, but this decision must be supported by a qualified biologist and CDFW must be notified of this determination prior to construction activities that would otherwise require a no-disturbance buffer.*

8. *All vertical pipes associated with solar mounts and fencing must be capped immediately upon installation to avoid bird death or injury.*
9. *If special-status plant species are found, a no-disturbance buffer of at least 50-feet shall be implemented and delineated using flags, stakes, or other highly-visible materials, and it shall be maintained for the duration of the project. If this is not possible, alternative mitigation would have to be agreed upon by the applicant and CDFW.*
10. *No rodenticides, pesticides, or herbicides shall be used during construction, maintenance, or decommissioning of the proposed project.*

- 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; or
- C. Have a substantial adverse effect on state or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or
- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site has historically been used for agricultural purposes, and has been tilled recently. There are no trees or vegetation indicative of a riparian habitat on site, and no permanent nearby water source to sustain a unique ecosystem. Additionally, no sensitive natural communities have been identified by local or regional plans in the area.

A Jurisdictional Delineation Report, prepared by Phoenix Biological Consulting, confirms that there are no wetlands or water courses running through, or within 500 feet of, the area of the parcel that will be improved or impacted by construction activities. The U.S. Fish and Wildlife Service (USFWS) Wetland Mapper does identify seasonal streams that run through the project impact area, but after a site visit was performed, subject matter experts concluded that there were no seasonal or permanent waterways under State or Federal jurisdiction that would run within 500 feet of the proposed development area. When this is considered with the nature of the proposed solar panels, it can be concluded that no wetland areas or their inhabitants will be impacted.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; 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?

FINDING: NO IMPACT:

The project will not conflict with any local ordinances or conservation plans aimed at protecting biological resources.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel has experienced regular agricultural ground disturbance in the past, and the proposed construction of solar arrays on the site should not require ground-disturbance activities substantially greater than an agricultural operation would.

All interested tribes were notified of the proposed project per California Assembly Bill No. 52, and no tribes expressed any concerns. Additionally, it has been determined through a cultural resources assessment and consultation with the Southern San Joaquin Valley Information Center that there are no known historic or cultural resources within one mile of the project site. The archaeological sensitivity of the site is unknown, and it has not been previously surveyed, so the following mitigation measure will ensure that no cultural resources are lost should they be encountered through the course of the proposed project.

* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project will generate solar energy to be sold to power companies and used by consumers in lieu of non-renewable energy sources. It is compatible with the state's policies and goals for renewable energy, and will not result in wasteful, inefficient, or unnecessary energy consumption.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause 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: LESS THAN SIGNIFICANT IMPACT:

The project is not located on or near an Alquist-Priolo Earthquake fault zone. The probabilistic seismic hazard (10% probability in 50 years) for the project area is 40-60%, and there are steep slopes in the general vicinity. Seismic activity and landslides are a possibility in this region, however the facility will be unmanned and no residential structures are proposed as a part of the project. Additionally, the solar panels are located at the base of the nearby hills, so construction-related ground disturbance will not further increase the risk of landslides. Risk of loss, injury, and death will not be significantly impacted as a result of the proposed project.

- B. Result in substantial soil erosion or loss of topsoil; or
- C. 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: LESS THAN SIGNIFICANT IMPACT:

Some grading will be completed as a part of the project to provide a level surface to mount the solar panels on, and this grading will be reviewed and permitted, as necessary, by the County of Fresno's Department of Public Works and Planning. This area is already relatively flat and at the base of the hills adjacent to the project site. As a result, any grading is unlikely to contribute to erosion, landslides, spreading, subsidence, liquefaction, or collapse.

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

FINDING: NO IMPACT:

The project is not proposed in an area of expansive soils (Fresno County General Plan Background Report [FCGPBR]).

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

FINDING: NO IMPACT:

No septic systems are proposed as a part of this project.

- F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

As discussed in the Cultural Resources section, it is not anticipated that paleontological resources will be encountered or damaged during the development of this parcel. A Mitigation Measure will ensure that if resources are discovered, construction ceases and the proper entities are notified. See Mitigation Measure 1, Section V. C.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Greenhouse gas emissions will primarily be produced during construction activities, and will therefore be temporary. During operation, maintenance trips will be made less than once per day. As a result, there will be no long-term impacts related to greenhouse gas emissions. The applicant also provided analysis relating to greenhouse gas emissions, performed by Urban Crossroads, which quantified and corroborated this determination.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The construction, operation, and decommissioning of the proposed facility would require the limited usage of hazardous materials. The Fresno County Department of Public Health, Environmental Health Division requires that facilities proposing to use and/or store hazardous materials and/or hazardous wastes meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Additionally, any business that handles a hazardous materials or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95, and all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. These requirements will be included as a Project Note. With adherence to these guidelines, the impact will be less than significant.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter-mile of an existing or proposed school; or
- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

FINDING: NO IMPACT:

The proposed project is not located within one quarter-mile of a school, and it is not located on a known hazardous waste facility (NEPAssist).

- 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, result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project is not located within an airport land use plan or in the vicinity of a private airstrip. The nearest airport is Coalinga Municipal, approximately four miles to the southwest.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Neither the Fresno County Fire Department nor the Fresno County Sheriff's Department expressed concerns regarding this project's potential to impact emergency plans.

The project is in an area of moderate fire hazard, and is approximately 660 feet away from a designated wildland area. The proposed project is unmanned and will only result in minimal maintenance visits once operational. The only structures proposed are the solar arrays, and the project is not adjacent to any urbanized area. The proposed project will not have a significant impact on fire risk or loss.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The solar panels will be washed intermittently with a biodegradable panel cleaning solution that will be trucked in from off site. This solution will not be used within 500 feet of the seasonal stream delineated in the jurisdictional waters report, which runs to the southwest of the proposed parcel. Additionally, all water quality standards and waste discharge requirements will be adhered to.

- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: LESS THAN SIGNIFICANT IMPACT:

There are no existing wells on site, and none will be drilled for this project. No water will be consumed because biodegradable panel cleaner will be trucked in for panel washing instead of using onsite water, and there will be no onsite bathrooms.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - 1. Result in substantial erosion or siltation on or off site; or
 - 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; or
 - 3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
 - 4. Impede or redirect flood flows; or
- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Some grading activity will occur, but it will not be within 500 feet of the seasonal stream identified in the Jurisdictional Delineation Report. This grading will level the area where the solar panels will be installed. The panels will be mounted on poles located approximately 10 feet apart, and the rest of the land will remain permeable. Therefore the permeability of the site will not be substantially altered.

Additionally, grading review and permits will be required prior to construction and drainage plans will be required at this time if more than one acre of soil is to be moved. Once the panels are installed, natural ground cover may return to the area, which would further assist in preventing erosion.

The project is not located in a flood zone (FEMA Panel 06019C3205H), and will not increase the volume or velocity of surface runoff, due to the nature of the proposed grading.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

No water will be used as a part of the proposed operation, so the project will not conflict with any water management plans.

XI. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project is located north of the community of Coalinga and will not divide any existing communities as it is not located in an existing community.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed use is allowed in the AE (Exclusive Agricultural) Zone District with approval of a Conditional Use Permit by the Fresno County Planning Commission, which is currently being evaluated.

XII. MINERAL RESOURCES

Would the project:

- A. 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. 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: LESS THAN SIGNIFICANT IMPACT:

According to Figure 7-7 of the Fresno County General Plan Background Report (FCGPBR), the project site is located on a known oil field and near known sand, gravel, and coal resources. Additionally, this site has been drilled for oil in the past. The proposed project will not impact the availability of oil because none will be extracted as a part of the project. It will not impact the accessibility of the oil, if present, because the solar facility is a temporary use, and because any potentially present oil beneath the panels could likely be accessed from somewhere else on the property. Additionally, if sand, gravel, or coal resources are extracted from the area in the future, this should not conflict with the proposed operation due to the minimal traffic generation and the nature of the solar operation.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project must comply with the Fresno County Noise Ordinance, but it is unlikely that a project of this nature would violate these standards during operation. Noise will be produced during construction, but the operation of solar panels produces little to no noise. The only development in the vicinity of the project is a single-family residence, over 800 feet away, and cattle operations.

B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Minor vibration will be produced by equipment during construction, to include rubber tired dozers, tractors, loaders, backhoes, graders, cranes, forklifts, generator sets, welders, mortar mixers, pavers, and rollers. However, there will not be ground borne noise or vibration after construction is complete.

C. For a project located within the vicinity of a private airstrip or 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?

FINDING: NO IMPACT:

There are no airports or airstrips within a 2 mile radius of the project area. The nearest airport, Coalinga Municipal, is approximately 4 miles southwest of the site.

XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

No housing will be created or destroyed, and no employees will work on site. Population and housing will not be impacted.

XV. PUBLIC SERVICES

Would the project:

A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the 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 following public services:

1. Fire protection;
2. Police protection;
3. Schools;
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT:

The generation of solar energy on the subject parcel will not increase the number of residents or visitors in the area. Therefore, public facilities such as those listed will not be impacted. Additionally, the Fresno County Fire District and Sheriff’s Office expressed no concerns regarding this project’s impact upon their services.

XVI. RECREATION

Would the project:

- A. 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. 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:

The proposed project will not affect the population or demographics of the area. Recreational facilities will not be impacted.

XVII. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The Fresno County General Plan Policy TR-A.7 states that, “The County shall assess fees on new development sufficient to cover the fair share portion of that development’s impacts on the local and regional transportation system.” Shell Road, the closest County road to the project site, which must be used for access to the property, is in poor condition and is also utilized by neighboring agricultural operations. Heavy truck traffic and the increased volume of lighter vehicle traffic during the construction period will further worsen the condition of this road. Therefore, it is necessary for the safety of workers, nearby landowners, and for compliance with the General Plan, that the applicant maintain the portion of Shell Road used to access the project site. The portion of Shell Road that will reasonably be used during construction activities runs from Oil City road to the project site (approximately 0.7 miles) or from State Route 33 to the project site (approximately 2.7 miles), and both stretches are currently unable to support the proposed traffic. Oil City Road is wider, striped, and in a much better condition than Shell Road, so no maintenance of this road would be required by the applicant. To minimize the use of roads that could be hazardous in large vehicles, and to minimize the amount of road improvement required by the applicant, the County will require all construction traffic use Oil City Road and the section of Shell Road southwest of the proposed facility. Additionally, the following mitigation measures will ensure traffic safety and compliance with TR-A.7.

* **Mitigation Measure**

1. *All construction traffic must access the solar facility via the section of Shell road southwest of the facility, from Oil City Road.*
2. *Any oversize hauls on Shell Road shall be accompanied by pilot cars due to the narrowness of the road.*
3. *The applicant shall maintain Shell Road from Oil City Road to the project site turn-off throughout the construction period. Such maintenance includes periodic filling of potholes and shoulder edge restoration, and may include surface patches (overlays/dig-outs) for badly worn areas. Upon completion of the construction work, the applicant shall perform final maintenance on the road in order to bring the road back to its pre-existing condition prior to construction. Such maintenance shall be documented in the form of pavement condition index (PCI) analyses for the before and after final maintenance conditions.*

- B. Be in conflict or be inconsistent with the California Environmental Quality Act (CEQA) Guidelines Section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is relatively remote, with the closest city being Coalinga, approximately 4.5 miles south of the project. The County-adopted Solar Facility Guidelines require that labor and materials be sourced locally whenever possible. Once construction is complete, less than one maintenance trip will be made per day, so the proposed development will not generate a substantial number of vehicle miles travelled during

operation. Locating a use that generates so few trips in a remote location also allows for more heavily trafficked uses to be located closer to population centers.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project will not impact the geometry of any existing roads and will not create any new roads. The increased volume of construction traffic will be temporary, and with the road improvements required in Section A, no dangerous traffic situations will result from this project.

- D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Construction traffic will be intermittent and temporary, this increase in traffic volume will not be significant enough to result in inadequate emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or
 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel has experienced regular agricultural ground disturbance in the past, and the proposed construction of solar arrays on the site should not require ground disturbance activities substantially greater than an agricultural operation would. All interested tribes were notified of the proposed project per California Assembly Bill No. 52, and no tribes expressed any concerns. Additionally, it has

been determined through a cultural resources assessment and consultation with the Southern San Joaquin Valley Information Center, that there are no known historic or cultural resources within one mile of the project site. The archaeological sensitivity of the site is unknown, and it has not been previously surveyed, so the mitigation measure included in Section V (Cultural Resources) will ensure that no cultural resources are lost should they be encountered through the course of the proposed project.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or
- C. 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: LESS THAN SIGNIFICANT IMPACT:

The project will result in the installation of approximately 47 acres of solar panels. The operation will use no water, it will not substantially impact permeability, and it will not impact population growth. It will produce electricity to be used by consumers, and this electricity will be directed to substations, which do have a finite capacity. However, the size of the project precludes it from substantially impacting the capacity of the nearest substation, or resulting in the development of a new substation.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Construction activities will result in the generation of solid waste, but operation of the facility will not. The facility must comply with all regulations regarding waste management, but it will not contribute to a cumulative long-term increase of solid waste.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located approximately 850 feet from a state responsibility fire area. However, the site is only classified as having moderate and non-wildland/non-urban fire risk. The project is set back from the nearest road and will not impair emergency response or evacuation plans. The project will not substantially impact the profile of the land and will not emit pollution during operation, it also is not located at the top of the slope, and it is unlikely that the presence of the facility would exacerbate wildfire risks in this sparsely populated area. Additionally, the facility will not have regular employees, so it will not increase the number of individuals exposed to fire.

A 1,300 foot-long power line will be built to connect the facility to the nearest substation. This is a very minor addition to the power lines already running through this area.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially 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, substantially 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:

Due to the remote location chosen, near undeveloped hills that provide habitat to threatened and endangered species and in an area with many seasonal streams, there

was potential for impacts to wetlands and special-status species. However, as discussed in Sections IV, V, VII, X, and XVII, significant impacts to fish, wildlife, and cultural resources will not occur with adherence to the prescribed mitigation measures.

- B. Have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Almost all impacts associated with this project: noise, traffic, greenhouse gases, air quality, grading, etc., are associated with the construction period of the project. Therefore, these impacts are predominantly short-term and will not contribute to cumulative environmental impacts in the County.

- C. Have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Traffic safety, air quality, noise, fire safety, water quality, and seismic hazards all have the potential to impact human health and safety. However, these potential impacts were considered in their relevant sections, and determined to be less than significant with the incorporated mitigation.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3607, 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 Population and Housing, Public Services, and Recreation.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Utilities and Service Systems, and Wildfire have been determined to be less than significant.

Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, Transportation, and Tribal Cultural Resources have determined to be less than significant with adherence to the listed mitigation measures.

A 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 southwest corner of Tulare and “M” Street, Fresno, California.

DTC:
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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7439	LOCAL AGENCY MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Danielle Crider, Planner	Area Code: 559	Telephone Number: (559) 600-9669	Extension: N/A
Project Applicant/Sponsor (Name): ForeFront Power	Project Title: CUP 3607		
Project Description: Allow a 5 megawatt solar photovoltaic power generation facility with related improvements on an approximately 47-acre portion of an 88.23-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone Districts.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3607, 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 Population and Housing, Public Services, and Recreation. Potential impacts related to Agricultural and Forestry Resources, Air Quality, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Utilities and Service Systems, and Wildfire have been determined to be less than significant. Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, Transportation, and Tribal Cultural Resources have determined to be less than significant with adherence to the listed mitigation measures.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – May 27, 2019		Review Date Deadline: Planning Commission – June 27, 2019	
Date:	Type or Print Signature: Marianne Mollring Senior Planner	Submitted by (Signature): Danielle Crider Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**