



# County of Fresno

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

## Planning Commission Staff Report Consent Agenda Item No. 1 December 10, 2020

**SUBJECT:** Initial One-Year Time Extension: Initial Study No. 7441 and  
Unclassified Conditional Use Permit No. 3609

Allow a 5 MWac solar photovoltaic power generation facility on a 39-acre portion of a 79.7-acre in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The subject parcel is located on West Jayne Avenue, 1.2 miles east of its intersection with State Route 33, and northerly adjacent to the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 073-060-12).

**OWNER:** James Anderson  
**APPLICANT:** Forefront Power

**STAFF CONTACT:** Ethan Davis, Planner  
(559) 600-9669

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Approve a first one-year Time Extension for Unclassified Conditional Use Permit No. 3609
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Planning Commission Resolution and Staff Report Dated (October 25, 2020)
5. Unclassified Conditional Use Permit Time Extension Request Letter

**ENVIRONMENTAL ANALYSIS:**

The proposed project has not changed since the approval and adoption of the mitigated negative declaration. The applicant is requesting a Time Extension due to Covid-19 restrictions.

Therefore, it has been determined pursuant to Section 15162 of the California Environmental Quality Act (CEQA) guidelines that the proposed time extension does not require new or supplemental environmental review.

**PUBLIC NOTICE:**

Notices were sent to 6 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:**

A Conditional Use Permit is only valid for two years after its approval unless substantial development is undertaken. Where circumstances beyond the control of the applicant cause delays, the Planning Commission may grant up to two (2), one (1) year time extensions.

The Planning Commission’s Jurisdiction in evaluation of time extension requests is limited to determining that the environmental documents are still appropriate and whether the applicant should be granted an additional year to exercise the Conditional Use Permit.

The decision of the Planning Commission on a Time Extension for an Unclassified Conditional Use Permit is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

**BACKGROUND INFORMATION:**

On October 25, 2018, the Planning Commission approved CUP 3609 for a Solar facility. The proposed solar power generation facility will be located on a 29-acre portion of a 79.7-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. 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 on-site connection.

The Applicant filed a request for appeal on October 12, 2020.

**Discussion:**

According to the Applicants request letter, additional time is needed to complete construction drawings and process permit applications due to delays caused by Covid-19 restrictions.

Hence, it can be determined that a Time Extension request for Unclassified Conditional Use Permit No. 3609 is appropriate, as the circumstances are beyond the control of the applicant and have caused delays which do not permit compliance within the one-year time limit established by the zoning ordinance.

**PUBLIC COMMENT:** None

## **CONCLUSION:**

Staff recommends that the first one-year Time Extension for Unclassified Conditional Use Permit No. 3609 should be approved based on factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to November 9, 2021.

## **PLANNING COMMISSION MOTIONS:**

### **Recommended Motion** (Approval Action)

- Move to approve the first one-year Time Extension for Unclassified Conditional Use Permit No. 3609
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

### **Alternative Motion** (Denial Action)

- Move to deny the first one-year Time Extension request for Unclassified Conditional Use Permit No. 3609
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

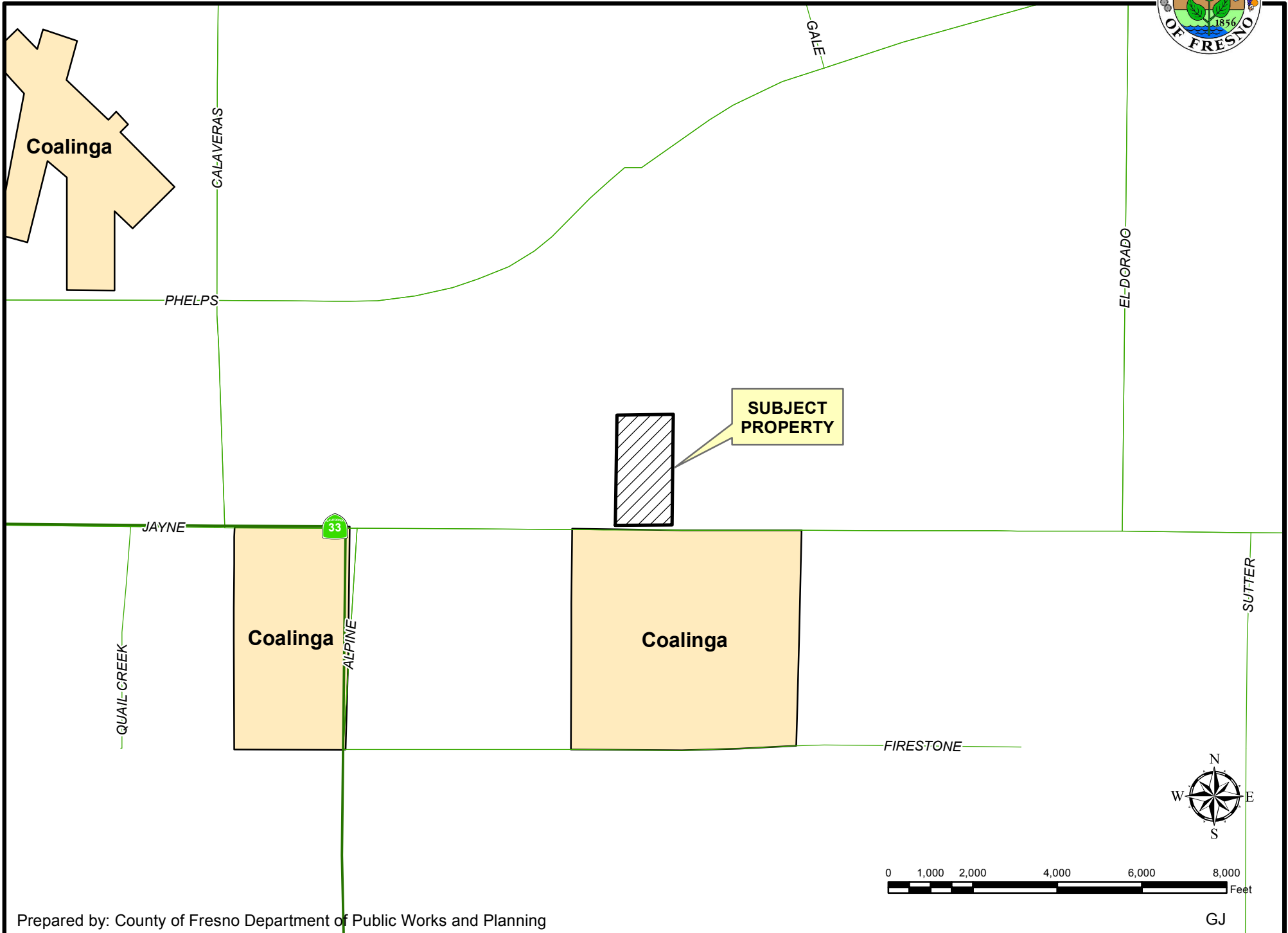
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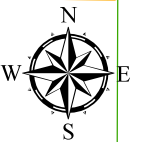
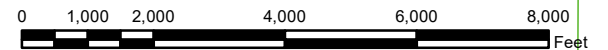
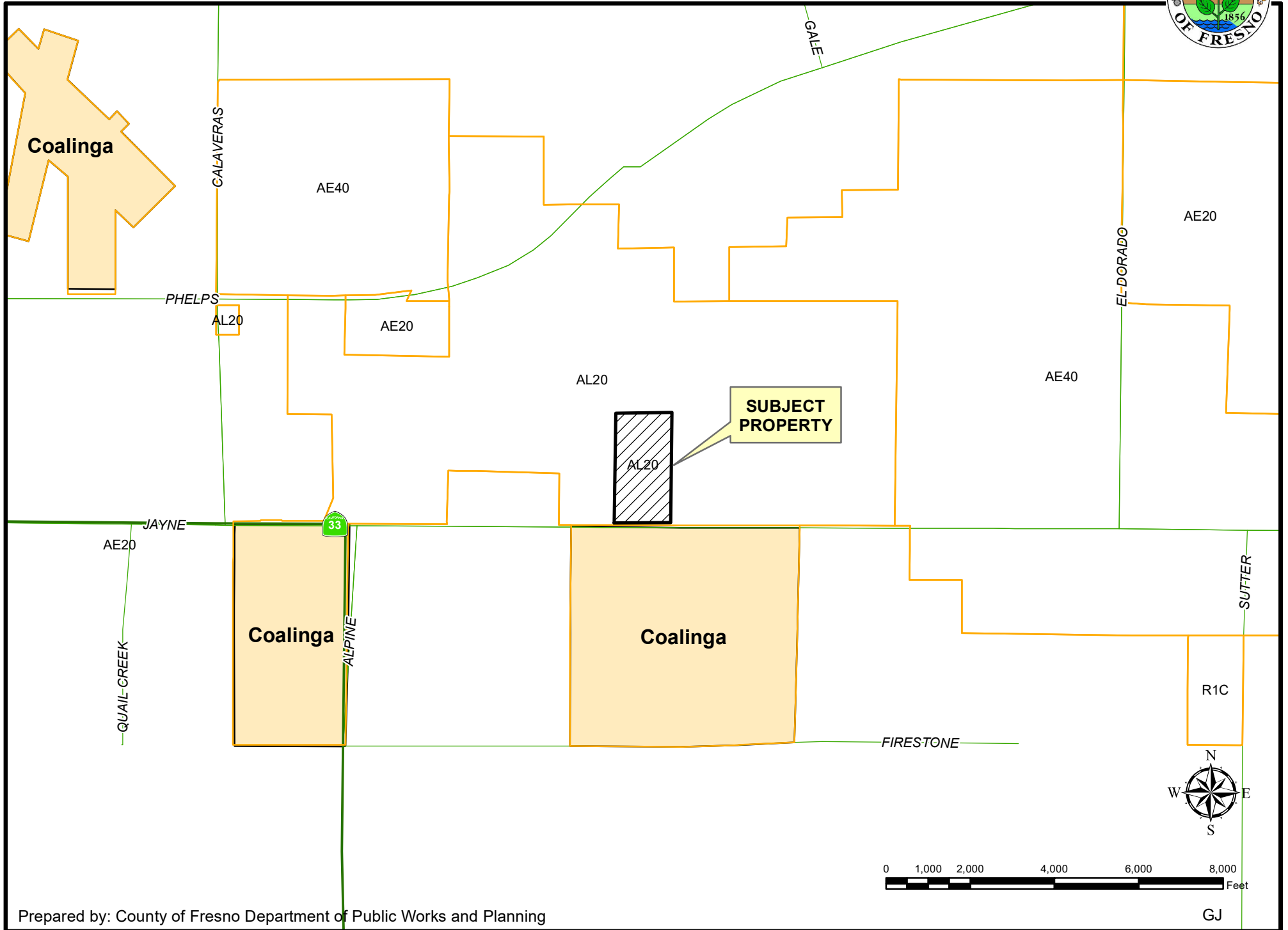
# LOCATION MAP

CUP 3609





# EXISTING ZONING MAP

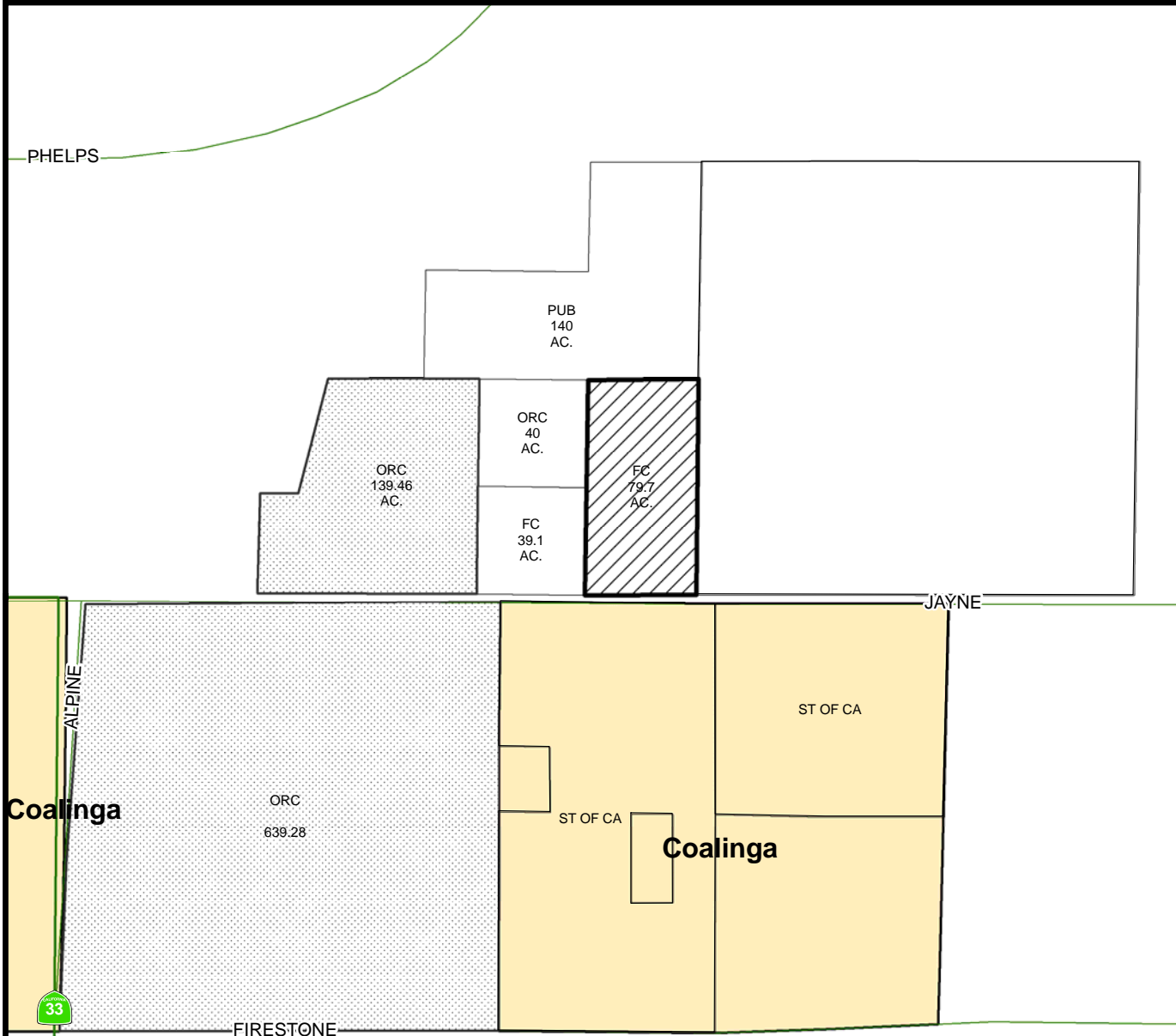







# EXISTING LAND USE MAP

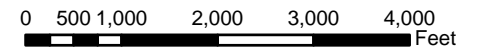
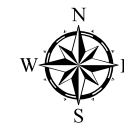
CUP 3609



LEGEND
FC - FIELD CROP
ORC - ORCHARD
PUB - PUBLICLY OWNED
V - VACANT

## LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning  
Development Services Division





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# County of Fresno

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

November 16, 2018

ForeFront Power  
100 Montgomery Street #1400  
San Francisco CA 94104

Dear Applicant:

Subject: Resolution No. 12746 - Initial Study Application No. 7441 and Unclassified  
Conditional Use Permit Application No. 3609

On October 25, 2018, the Fresno County Planning Commission approved your Unclassified Conditional Use Permit with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at [dacrider@fresnocountyca.gov](mailto:dacrider@fresnocountyca.gov) or 559-600-9669.

Sincerely,

Danielle Crider, Planner  
Development Services and Capital Projects Division

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Enclosure



## Inter Office Memo

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DATE: October 25, 2018

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12746 - INITIAL STUDY APPLICATION NO. 7441 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3609

APPLICANT: ForeFront Power

OWNER: James Anderson

REQUEST: Allow a 5 MWac solar photovoltaic power generation facility on a 39-acre portion of a 79.7-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project is located on West Jayne Avenue, 1.2 miles east of its intersection with State Route 33, and northerly adjacent to the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 073-060-12).

### PLANNING COMMISSION ACTION:

At its hearing of October 25, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Vallis and seconded by Commissioner Eubanks to adopt the Mitigated Negative Declaration prepared for the project, adopt the required Findings of Fact for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3609, subject to the Conditions listed in Exhibit B.



RESOLUTION NO. 12746

EXHIBIT A

Initial Study Application No. 7441  
Unclassified Conditional Use Permit Application No. 3609

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 25, 2018, and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- Residents and businesses within 10 miles of the proposed operation may subscribe to receive power from the facility and would receive savings on their electricity bills.
  - I met with representatives of the City of Coalinga to discuss the project with them, and they had no concerns.
  - The project will be connected to the public power grid.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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EXHIBIT B

**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7441/Unclassified Conditional Use Permit Application No. 3609**  
**(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 surveys shall be conducted by a qualified biologist and/or botanist no less than 14 days and no more than 30 days 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, Short-nosed Kangaroo Rat (SNKR), San Joaquin Coachwhip, Western Spadefoot, San Joaquin Woollythreads, California Jewelflower, Showy Golden Madia, Pale-yellow Layia, Recurved Larkspur, and Brittlestem. These surveys shall include 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, 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 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.	Applicant	Applicant/PW&P	Prior to construction through the

		cease all operation in the area, and consult with CDFW on how to minimize any potential impact to protected species.			completion of decommissioning activities
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 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 avoided with required buffers according to the "Staff Report on Burrowing Owl Mitigation" (CDFG, 2012).	Applicant	Applicant/PW&P	Prior to 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 activities to identify the presence of any Swainson's Hawk nests. If any nests are identified, no construction may take place within 0.5 mile 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. If this 0.5-mile buffer cannot be maintained, consultation with CDFW is required.	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 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 so as to detect any behavioral changes that result	Applicant	Applicant/PW&P	Prior to construction and decommissioning



		from project impacts. If behavioral changes are observed, work that is causing this change shall cease, and the Applicant shall consult with the California Department of Fish and Wildlife (CDFW) for additional avoidance and minimization measures. In lieu of 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.	Applicant	Applicant/PW&P	Construction and decommissioning
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	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 feasible, alternative mitigation shall be agreed upon by the Applicant and CDFW.	Applicant	Applicant/PW&P	Prior to 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.	Biological Resources	The Applicant shall consult with CDFW on the use of biodegradable panel cleaning solution on the project site prior to use so that they may determine if an Incidental Take Permit (ITP) could be warranted.	Applicant	Applicant/PW&P	Prior to the use of biodegradable panel cleaning solutions
13.	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	Applicant	Applicant/PW&P	During ground-disturbing activities

		Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.			
14.	Hydrology and Water Quality	Delineate all surface water features, streams, and associated floodplains and vegetation within 500 feet of the project impact area. No construction may encroach within this area without first obtaining a Lake and Streambed Alteration Agreement (LSA) from the California Department of Fish and Wildlife (CDFW).	Applicant	Applicant/PW&P	Prior to construction and decommissioning
<b>Conditions of Approval</b>					
1.	Development of the property shall be in accordance with the Site Plan, Elevation, and Operational Statement approved by the Commission.				
2.	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.				
3.	The land owner shall enter into an agreement with the County of Fresno to irrevocably offer the southernmost 33 feet of the subject parcel for future right-of-way expansion.				
4.	This land use permit will expire after the proposed use has been in operation for 35 years or after the use has ceased for two years. If the solar lease is extended beyond 35 years, a new land use permit will be required for continued operation.				
5.	The project shall comply with the Solar Facility Guidelines (Exhibit 7 of the Staff Report), as approved.				
6.	The Reclamation Plan 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. Additionally, the applicant shall enter into a Reclamation Agreement with the County of Fresno.				

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

<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width. If only the driveway is to be paved, the first 100 feet off of the edge of the ultimate right-of-way shall be concrete or asphalt. Additionally, a dust palliative shall be required on all parking and circulation areas.
2.	An encroachment permit shall be required from Road Maintenance and Operations for any work on the County right-of-way (drive approach from Jayne Ave).

3.	The final project plans must be submitted to and approved by the Fresno County Fire Protection District (FCFPD) prior to the acquisition of building permits.
4.	Any gate that provides initial access (from Jayne Avenue) to this site shall be set back from the ultimate road right-of-way a minimum of 20 feet or the length of the longest vehicle that will be entering the site, whichever is greater.
5.	All proposed signs must be reviewed by the Department of Public Works and Planning permit counter to verify compliance with the Zoning Ordinance. Off-site advertising for commercial uses is prohibited in the AE (Exclusive Agricultural) Zone District.
6.	If not already present, 10-foot by 10-foot corner cutoffs shall be improved for sight distance purposes at the exiting driveway onto Jayne Avenue.
7.	DOGGR (Department of Conservation's Division of Oil, Gas, and Geothermal Resources) 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.
8.	During construction, a transportation permit from the Road Maintenance and Operations Division may be required for oversized loads or particularly heavy haul loads.
9.	Any 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.
10.	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.
11.	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.

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# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 3 October 25, 2018

**SUBJECT:** Initial Study Application No. 7441 and Unclassified Conditional Use Permit Application No. 3609

Allow a 5 MWac solar photovoltaic power generation facility on a 39-acre portion of a 79.7-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project is located on West Jayne Avenue, 1.2 miles east of its intersection with State Route 33, and northerly adjacent to the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 073-060-12).

**OWNER:** James Anderson  
**APPLICANT:** ForeFront Power

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

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7441; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3609 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. 7441
9. Draft Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Public Facility - Reservoir Reserve Area (Fresno County’s Coalinga Regional Plan, 1974)	No change  According to this plan, the reservoir was advocated for by the City of Coalinga. However, a reservoir in this location is not currently included in the City of Coalinga’s land use plan. City representatives have stated that the City is not opposed to the proposed project and that there are no plans for a future reservoir on the project site.
Zoning	AL-20 (Limited Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	79.7 acres	No change
Project Site	Agricultural production	A 5 MWac solar photovoltaic power generation facility on 39 acres of the subject parcel
Structural Improvements	None	<ul style="list-style-type: none"> <li>• Photovoltaic ground-mounted tracking panels</li> <li>• Inverter and transformers</li> <li>• Seven-foot-tall chain-link perimeter fencing (six-foot-tall fence with one foot of barbed wire)</li> </ul>

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Nearest Residence	Pleasant Valley State Prison, 630 feet south of the parcel	No change
Surrounding Development	Pleasant Valley State Prison, Orchards, Field Crops, and Open Space	No change
Operational Features	N/A	The proposed operation will operate for 25-35 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 once construction is complete
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. Some minor changes were made to the IS after it was circulated to reflect that the project will connect to the power grid via PG&E power lines on the subject property instead of building a new power line to connect the project to a substation on the southerly adjacent parcel (Pleasant Valley State Prison). This change results in less ground disturbance and a slightly smaller project footprint, and it does not affect the proposed use. Therefore the project was only reduced in scope, and the environmental document was not recirculated.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: September 24, 2018

**PUBLIC NOTICE:**

Notices were sent to 5 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 39-acre portion of a 79.7-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. 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 on-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*

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
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 (south): 77.95 feet Side (west): 131.52 feet Side (east): 59.27 feet Rear (north): approx. 1,400 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

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Wall Requirements	No requirement	Seven-foot-tall chain-link fencing (including 1 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.

Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width. If only the driveway is to be paved, the first 100 feet off of the edge of the ultimate right-of-way shall be concrete or asphalt. Additionally, a dust palliative shall be required on all parking and circulation areas. This comment shall be included as a Project Note.

An encroachment permit shall be required from Road Maintenance and Operations for any work on the County right-of-way (drive approach from Jayne Ave). This comment shall be included as a Project Note.

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

*Note: The final project plans must be submitted to and approved by the Fresno County Fire Protection District (FCFPD) prior to the acquisition of building permits. This shall be included as a Project Note.*

Any gate that provides initial access (from Jayne Avenue) to this site shall be set back from the ultimate road right-of-way a minimum of 20 feet or the length of the longest vehicle that will be entering the site, whichever is greater. This comment shall be included as a Project Note.

Outdoor lighting shall be hooded and directed away from adjoining streets and properties. This is required as a Mitigation Measure.

All proposed signs must be reviewed by the Department of Public Works and Planning permit counter to verify compliance with the Zoning Ordinance. Off-site advertising for commercial uses is prohibited in the AE (Exclusive Agricultural) Zone District. This comment shall be included as a Project Note.

Development Engineering Section of the Fresno County Department of Public Works and Planning: If not already present, 10-foot by 10-foot corner cutoffs shall be improved for sight distance purposes at the exiting driveway onto Jayne Avenue. This comment shall be included as a project note.



According to FEMA, FIRM Panel 3250H, 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.

California Department of Fish and Wildlife (CDFW): Delineate all streams or other surface water features on and within 500 feet of the project area during construction activities. If any project-related activities will impact surface water features or associated floodplains or vegetation, a Lake and Streambed Alteration (LSA) Agreement must be obtained from CDFW warranted prior to the start of project-related activities. This is required as a Mitigation Measure.

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (DOGGR) Inland District provided the location of a known oil well on the property, which was properly abandoned to the standards at the time of abandonment. The well is not located within the footprint of the proposed solar facility. This agency offered the following comments:

Access to any well located on the property shall be maintained in the event abandonment or re-abandonment of the well becomes necessary in the future.

*Note: The site plan shows 50 feet of unimpeded access from Jayne Avenue along the western parcel boundary around the proposed solar facility, to the estimated location of the abandoned oil well. Adherence to this site plan will be required as a Condition of Approval.*

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. 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 District, 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.

There is an abandoned oil well on site and a seasonal stream that runs through the northeastern corner of the parcel. The proposed operation will only result in the development of the southern half of the subject parcel, therefore it will not disturb the stream or abandoned oil well. If construction activities come within 500 feet of the stream bed, it must be delineated to ensure that it is not disturbed.

Based on the above information, and with adherence to the Conditions of Approval described above, staff believes the site will be adequate to accommodate the proposed use, vehicle circulation, ingress and egress.

**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	No	N/A	N/A
Public Road Frontage	Yes	Jayne Avenue; Poor condition	No change
Direct Access to Public Road	Yes	Jayne Avenue; Poor condition	No change
Road ADT (Average Daily Traffic)		4,600	No change
Road Classification		Expressway	No change
Road Width		39.7 feet	No change
Road Surface		Paved	No change
Traffic Trips		Agricultural	Less than one round trip per day for security and maintenance during operational period
Traffic Impact Study (TIS) Prepared	No	N/A	Not required by Design Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		N/A	Not required

**Reviewing Agency/Department Comments:**

Road Maintenance and Operations (RMO) Division: Jayne Avenue is classified as an Expressway with 60 feet of existing road right-of-way. An additional 33-feet of road right-of-way is required along the southern property line of development to complete the required 63 feet of ultimate road right-of-way north of the section line. All setbacks for new construction should be based upon the ultimate right-of-way for Jayne Avenue. A Condition of Approval will require the Applicant to enter into an agreement with the County where the southernmost 33 feet of the subject parcel will be

irrevocably offered to the County for future right-of-way expansion. Additionally, the ultimate right-of-way will be used to determine setbacks for the proposed development.

During construction, a transportation permit from the Road Maintenance and Operations Division may be required for oversized loads or particularly heavy haul loads. This comment shall be included as a Project Note.

Design Division of the Fresno County Department of Public Works and Planning: Daily trips are nominal and construction trips are not expected to generate significant impact. Anticipated daily truck traffic during construction will remain under 20 one-way trips.

**Analysis:**

Based on the above information, and with adherence to the Condition of Approval described above, staff believes that West Jayne Avenue will remain adequate to accommodate the proposed use.

**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*

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	140 acres	Public - Undeveloped	AL-20	N/A
South	293.52 acres	Pleasant Valley State Prison	City of Coalinga – Public Facilities	630 feet
East	640 acres	Vacant	AL-20	N/A
West	40 acres	Orchard	AL-20	N/A
	39.1 acres	Field Crop	AL-20	N/A

**Reviewing Agency/Department Comments:**

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any 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. This comment shall be included as a Project Note.

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.

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.

San Joaquin Valley Air Pollution Control District (Air District): An Air Impact Assessment (AIA) for this project was approved by the Air District contingent upon the specified monitoring and reporting guidelines. With adherence to these guidelines it has been determined that the project will produce less than two tons of NOx and less than two tons of PM10 per year and will therefore have a less than significant impact on the environment and surrounding property owners.

Department of Public Works and Planning, Water and Natural Resources Division: 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.

**Analysis:**

The proposed 5 megawatt solar power generation facility will be located on the southern 39 acres of a 79.7-acre parcel. This parcel is immediately adjacent to the Pleasant Valley State Prison, which is located within the city limits of the City of Coalinga, but is not contiguous with the rest of the City. The parcel is also adjacent to an agricultural operation and undeveloped parcels which are currently unutilized. 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 operation or any future adjacent uses are not negatively impacted by the solar facility. Additionally, the Applicant submitted a pest management plan, which articulates the ways in which 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*

<p><b>Relevant Policies:</b>  <u>Section 403-01:1.00.e of the County-adopted Coalinga Regional Plan:</u> Public Facilities</p>	<p><b>Consistency/Considerations:</b>                  The project site is designated for a future public facility, specifically for a reservoir, in the County’s Coalinga Regional Plan (adopted in 1974). According to this plan,</p>
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<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>shall mean land designated for location of services and facilities which are necessary to the welfare of the community. Typical uses include liquid and solid waste disposal, ponding basins, parks, schools, civic centers, hospitals and cemeteries.</p>	<p>the City of Coalinga advocated for this reservoir because they believed it would help with storm water management, provide wildlife habitat, and present recreation opportunities. The City of Coalinga reviewed the proposed project, and stated that they did not oppose the project, nor do they have any plans to develop a reservoir in this location.</p>
<p><b>Policy LU-A.13:</b> The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p>	<p>Typically a 50-foot-minimum buffer area is required between proposed solar facilities and agricultural uses. The only current cultivation in the area is to the west of the subject parcel, and the proposed solar panels will be set back 131 feet from the western property line, more than double the required buffer. The solar panels will also be set back over 50 feet from the other property lines, so any future agricultural operations also would not be impacted.</p>
<p><b>Policy LU-A.14:</b> The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</p>	<p>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 3 times (wheat cultivation, non-irrigated), and one year there was no yield. The proposed use is expected to operate approximately 25-35 years, and afterwards the land will be returned to its current state according to the reclamation plan. Additionally, the northern 40 acres of the subject parcel, twice the minimum parcel size of the zone district, will not be developed as a part of the project, and could continue to be cultivated.</p>
<p><b>General Plan Policy PF-C.17:</b> 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.</p>	<p>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.</p>

City of Coalinga: According to the City of Coalinga’s adopted General Plan, there are no plans for a future reservoir or park near the project site. The City of Coalinga does not oppose this project.

**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. 3609 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. 7441 and approval of Unclassified Conditional Use Permit No. 3609, 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. 7441; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3609, 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. 3609; 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.

**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7441/Unclassified Conditional Use Permit Application No. 3609**  
**(Including Conditions of Approval and Project Notes)**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
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 surveys shall be conducted by a qualified biologist and/or botanist no less than 14 days and no more than 30 days 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, Short-nosed Kangaroo Rat (SNKR), San Joaquin Coachwhip, Western Spadefoot, San Joaquin Woollythreads, California Jewelflower, Showy Golden Madia, Pale-yellow Layia, Recurved Larkspur, and Brittle scale. These surveys shall include 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, 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 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,	Applicant	Applicant/PW&P	Prior to construction through the

**EXHIBIT 1**

		cease all operation in the area, and consult with CDFW on how to minimize any potential impact to protected species.			completion of decommissioning activities
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 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 avoided with required buffers according to the "Staff Report on Burrowing Owl Mitigation" (CDFG, 2012).	Applicant	Applicant/PW&P	Prior to 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 activities to identify the presence of any Swainson's Hawk nests. If any nests are identified, no construction may take place within 0.5 mile 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. If this 0.5-mile buffer cannot be maintained, consultation with CDFW is required.	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 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 so as to detect any behavioral changes that result	Applicant	Applicant/PW&P	Prior to construction and decommissioning



		from project impacts. If behavioral changes are observed, work that is causing this change shall cease, and the Applicant shall consult with the California Department of Fish and Wildlife (CDFW) for additional avoidance and minimization measures. In lieu of 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	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 feasible, alternative mitigation shall be agreed upon by the Applicant and CDFW.	Applicant	Applicant/PW&P	Prior to 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.	Biological Resources	The Applicant shall consult with CDFW on the use of biodegradable panel cleaning solution on the project site prior to use so that they may determine if an Incidental Take Permit (ITP) could be warranted.	Applicant	Applicant/PW&P	Prior to the use of biodegradable panel cleaning solutions
13.	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	Applicant	Applicant/PW&P	During ground-disturbing activities

		Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.			
14.	Hydrology and Water Quality	Delineate all surface water features, streams, and associated floodplains and vegetation within 500 feet of the project impact area. No construction may encroach within this area without first obtaining a Lake and Streambed Alteration Agreement (LSA) from the California Department of Fish and Wildlife (CDFW).	Applicant	Applicant/PW&P	Prior to construction and decommissioning

**Conditions of Approval**

1.	Development of the property shall be in accordance with the Site Plan, Elevation, and Operational Statement approved by the Commission.
2.	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.
3.	The land owner shall enter into an agreement with the County of Fresno to irrevocably offer the southernmost 33 feet of the subject parcel for future right-of-way expansion.
4.	This land use permit will expire after the proposed use has been in operation for 35 years or after the use has ceased for two years. If the solar lease is extended beyond 35 years, a new land use permit will be required for continued operation.
5.	The project shall comply with the Solar Facility Guidelines (Exhibit 7 of the Staff Report), as approved.
6.	The Reclamation Plan 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. Additionally, the applicant shall enter into a Reclamation Agreement with the County of Fresno.

\*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.	Any proposed driveway should be a minimum of 24 feet and a maximum of 35 feet in width. If only the driveway is to be paved, the first 100 feet off of the edge of the ultimate right-of-way shall be concrete or asphalt. Additionally, a dust palliative shall be required on all parking and circulation areas.
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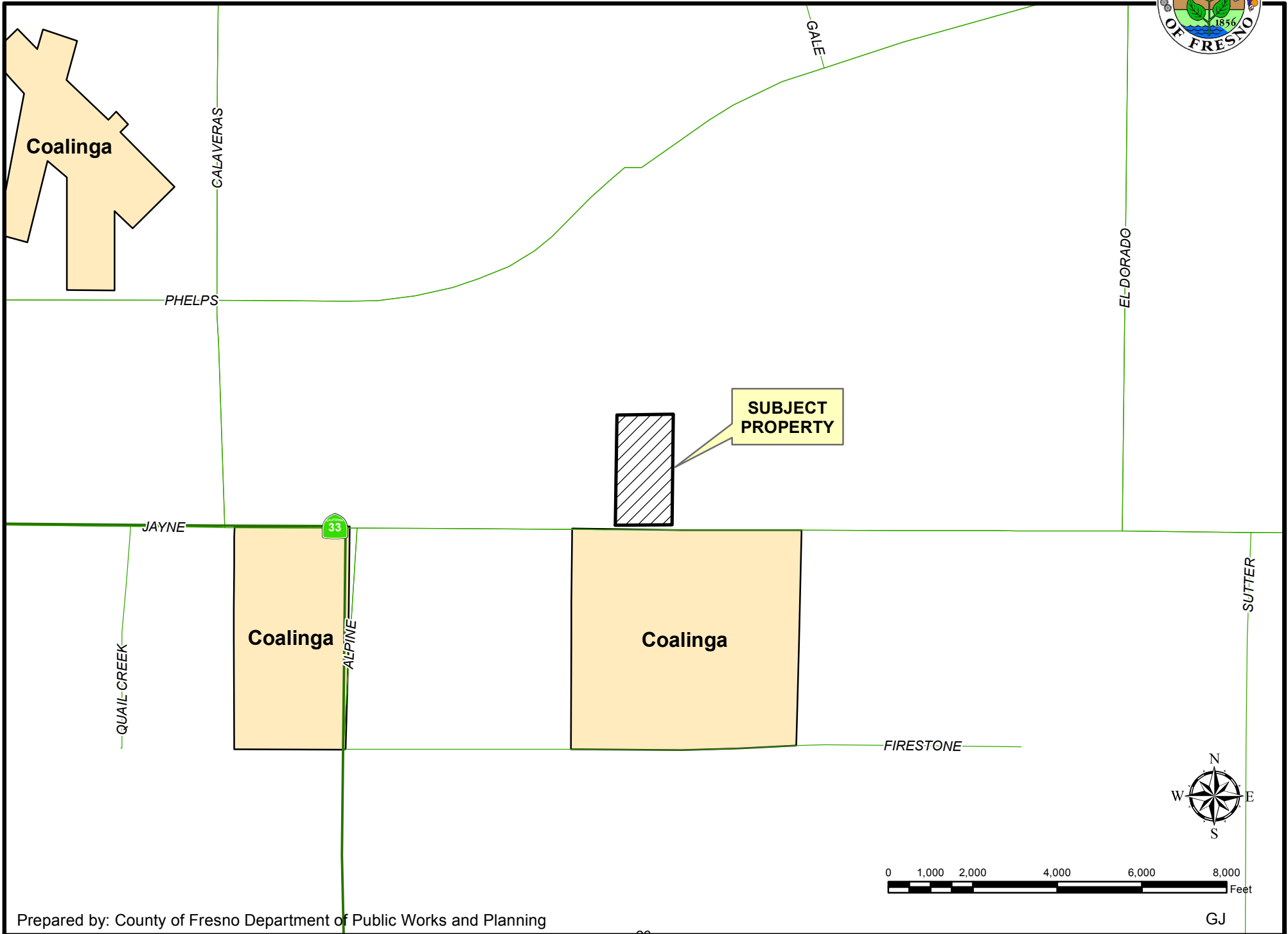
2.	An encroachment permit shall be required from Road Maintenance and Operations for any work on the County right-of-way (drive approach from Jayne Ave).
3.	The final project plans must be submitted to and approved by the Fresno County Fire Protection District (FCFPD) prior to the acquisition of building permits.
4.	Any gate that provides initial access (from Jayne Avenue) to this site shall be set back from the ultimate road right-of-way a minimum of 20 feet or the length of the longest vehicle that will be entering the site, whichever is greater.
5.	All proposed signs must be reviewed by the Department of Public Works and Planning permit counter to verify compliance with the Zoning Ordinance. Off-site advertising for commercial uses is prohibited in the AE (Exclusive Agricultural) Zone District.
6.	If not already present, 10-foot by 10-foot corner cutoffs shall be improved for sight distance purposes at the exiting driveway onto Jayne Avenue.
7.	DOGGR (Department of Conservation's Division of Oil, Gas, and Geothermal Resources) 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.
8.	During construction, a transportation permit from the Road Maintenance and Operations Division may be required for oversized loads or particularly heavy haul loads.
9.	Any 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.
10.	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.
11.	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.

DTC:

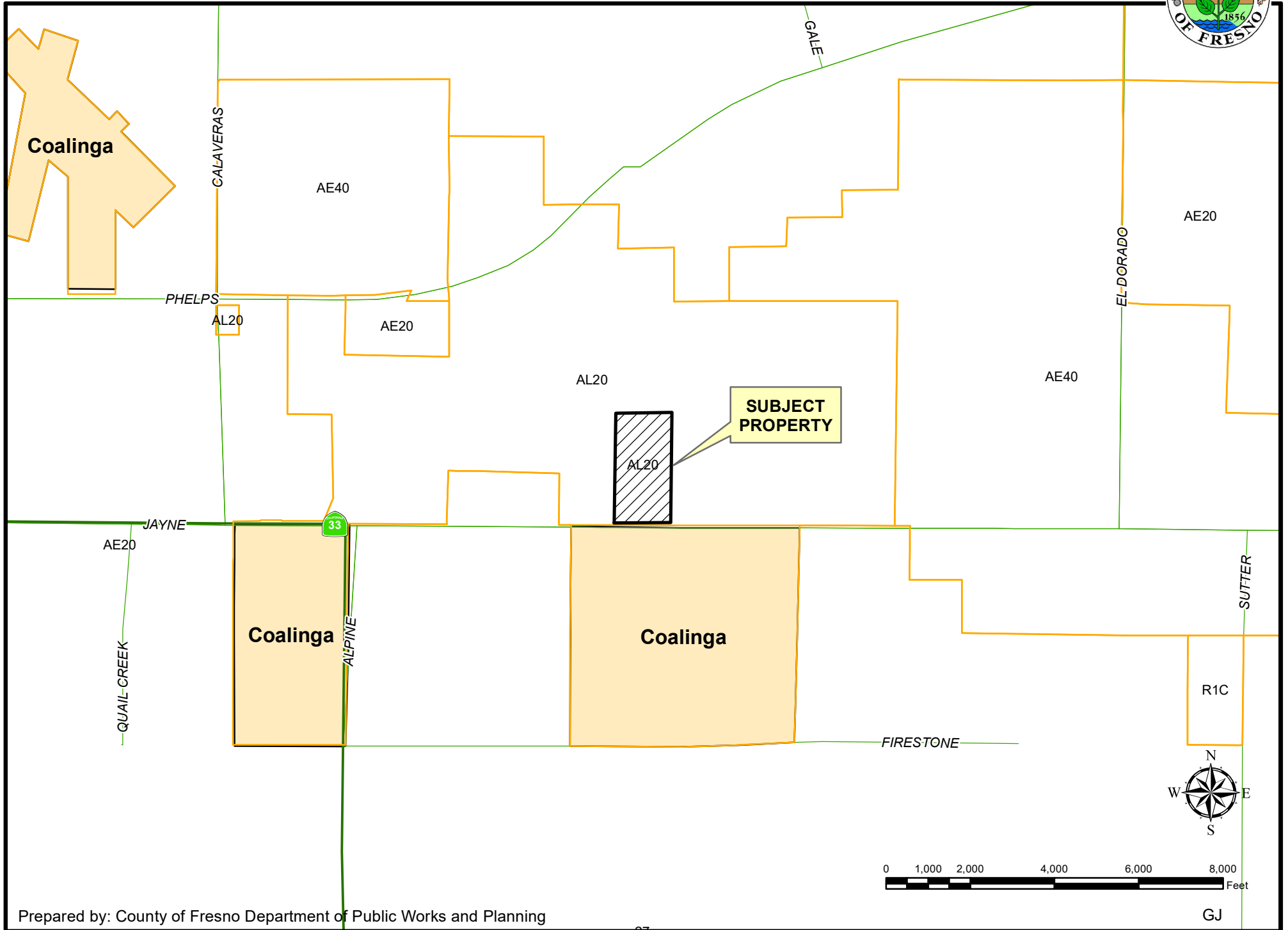
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# LOCATION MAP

CUP 3609



# EXISTING ZONING MAP



CUP 3609

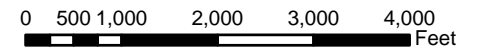
# EXISTING LAND USE MAP



LEGEND
FC - FIELD CROP
ORC - ORCHARD
PUB - PUBLICLY OWNED
V - VACANT

### LEGEND:

- Subject Property
- Ag Contract Land

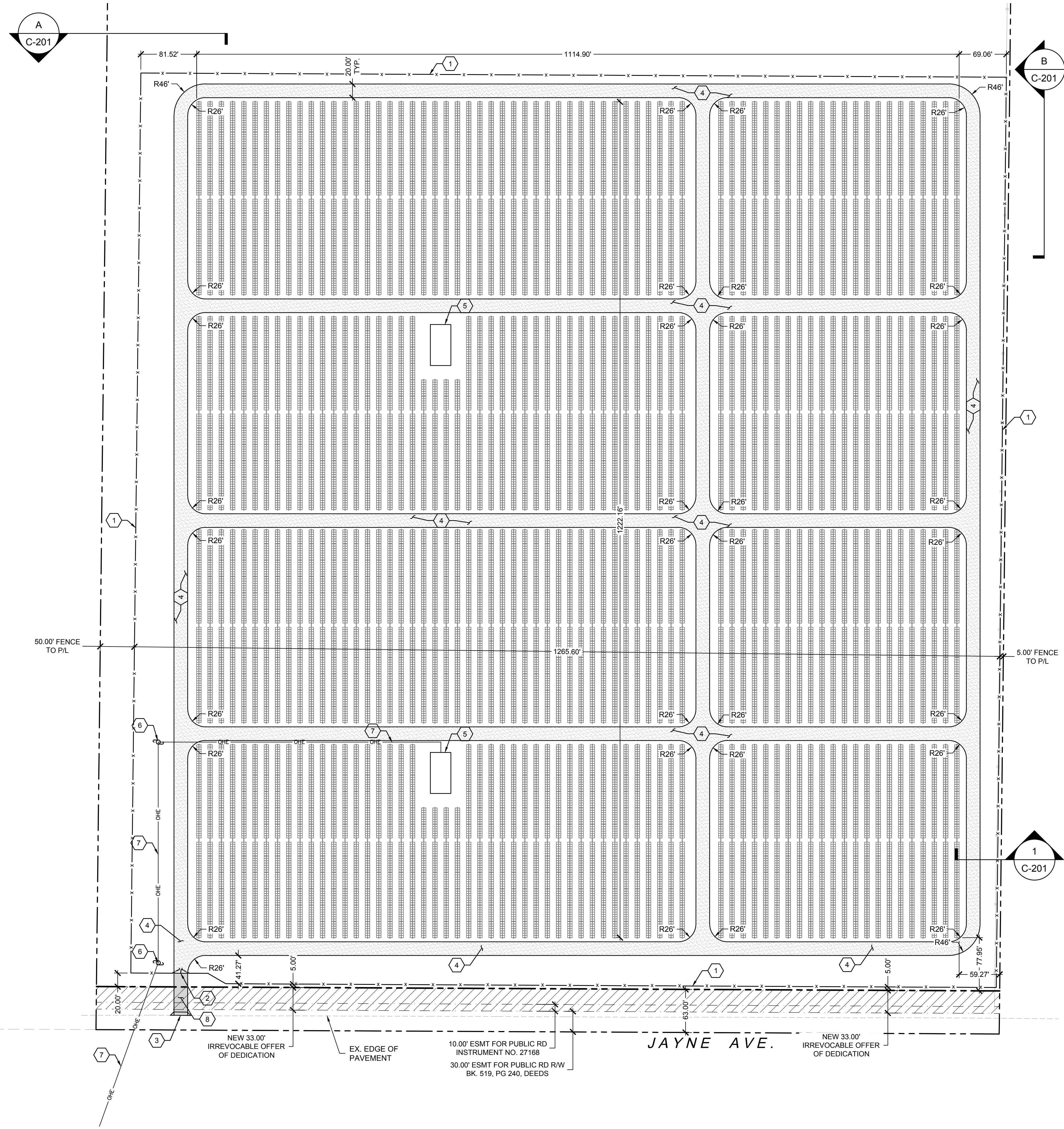


Map Prepared by: GJ  
J:GIS\JCH\Landuse\

Department of Public Works and Planning  
Development Services Division



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**LEGEND**

- EXISTING PROPERTY LINE
- NEW RIGHT-OF-WAY LINE
- - - EX. EASEMENT
- NEW ACCESS ROAD WITH COMPACTED NATIVE SOIL
- x - x - x - NEW PERIMETER FENCE
- /// R/W DEDICATION
- NEW ACCESS ROAD/ DRIVEWAY WITH ASPHALT PAVING

**SHEET NOTES**

1. 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**

- ① CONSTRUCT 7'-HIGH CHAIN LINK SECURITY FENCING (6' FENCE W/ 1' BARBED WIRE) 4  
C-202
- ② ACCESS GATE WITH CLEAR OPENING WIDTH OF 24' 1  
C-202
- ③ DRIVEWAY ENTRANCE TO JAYNE AVE. 1  
C-201
- ④ 20' WIDE ACCESS ROAD WITH COMPACTED NATIVE SOIL 1  
C-201
- ⑤ CONCRETE PAD FOR ELECTRICAL EQUIPMENT, SEE ELECTRICAL SITE PLAN
- ⑥ NEW UTILITY POLE, SEE ELECTRICAL SITE PLAN
- ⑦ NEW OVERHEAD POWER LINES, SEE ELECTRICAL SITE PLAN
- ⑧ DRIVEWAY TO BE PAVED WITH ASPHALT

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 12 Geary Street, Suite 407  
 San Francisco, CA 94108  
 (415) 890-5250  
 www.Sage-CE.com

STAMP:

**CA-SB43 GATES PV  
 POWER PLANT**

**FOREFRONT POWER LLC  
 JAYNE AVENUE  
 COALINGA, CA, 93210**

PROJECT NUMBER:  
CA-17-0102 / J0063

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.
1	R/W DEDICATION	9/04/2018	KH

DATE: 9/12/2018  
 DRAWN BY: RCS  
 ENGINEER: KMH  
 APPROVED BY: KMH

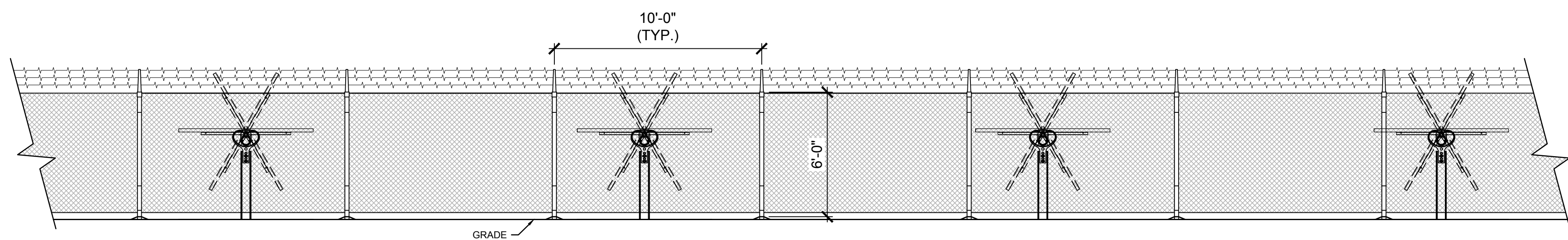
PROJECT PHASE:  
CUP SUBMITTAL

SCALE:  
1" = 80'

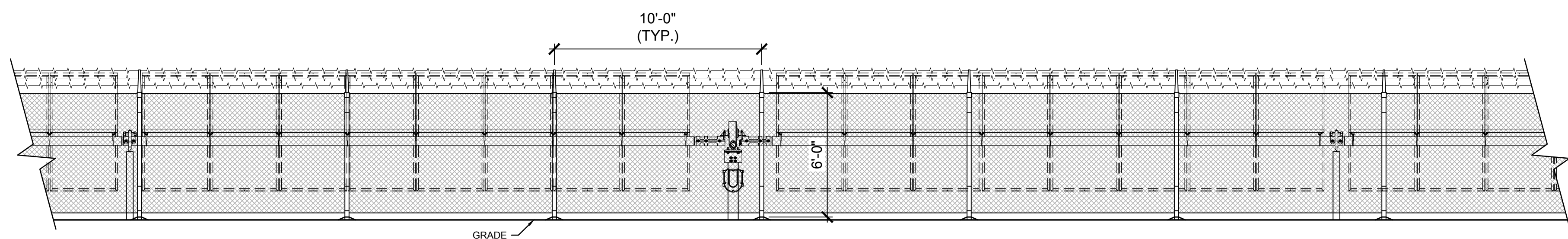
SHEET NO.:  
**C-101**



1 2 3 4 5 6

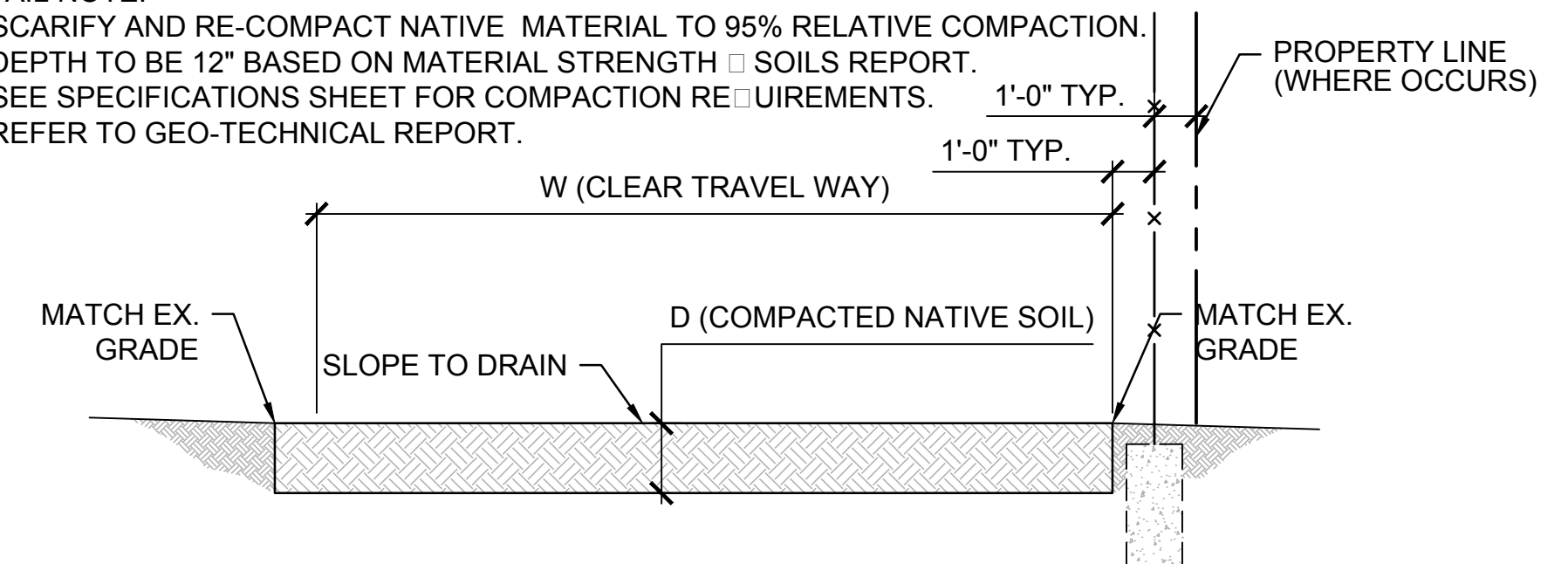


**A** NORTH-SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



**B** EAST-WEST ELEVATION  
SCALE: 1/4" = 1'-0"

- DETAIL NOTE:
1. SCARIFY AND RE-COMPACT NATIVE MATERIAL TO 95% RELATIVE COMPACTION.
  2. DEPTH TO BE 12" BASED ON MATERIAL STRENGTH □ SOILS REPORT.
  3. SEE SPECIFICATIONS SHEET FOR COMPACTION REQUIREMENTS.
  4. REFER TO GEO-TECHNICAL REPORT.



**1** INTERNAL ACCESS ROAD  
SCALE: 1/4" = 1'-0"

**SHEET NOTES**

1. note □



**FOREFRONT POWER**  
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www.ForeFrontPowerLLC.com

**SAGE**  
Consulting Engineers, Inc.  
12 Geary Street, Suite 407  
San Francisco, CA 94108  
(415) 890-5250  
www.sage-CE.com

STAMP:  
  
DATE: XXX/XXXX

**CA-SB43 GATES PV POWER PLANT**  
  
**FOREFRONT POWER LLC**  
JAYNE AVENUE  
COALINGA, CA, 93210

PROJECT NUMBER:  
CA-17-0102 / J0063

SHEET TITLE:  
SECTIONS □ DETAILS

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 x 914)  
0 1/2" 1"

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NO.	REVISION	DATE	INIT.

DATE: 01/16/2018  
DRAWN BY: RCS  
ENGINEER: KMH  
APPROVED BY: KMH

PROJECT PHASE:  
CUP SUBMITTAL

SCALE:  
AS SHOWN

SHEET NO.:  
**C-201**

Pre-Application Submittal

**Project:** Gates Solar

**Scope:** 5 MWac solar photovoltaic energy generation facility on a +/-39-acre portion of a 79.7-acre parcel.

**Location:** APN 073-060-12

**Applicant's Representative:**

EPD Solutions, Inc.

c/o Rafik Albert

2030 Main Street, Suite 1200

Irvine, Calif. 92614

(949) 794-1182

[rafik@epdsolutions.com](mailto: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 would interconnect with the electrical grid at an existing power line along the north side of Jayne Avenue, along the southern edge of the facility.
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 adjacent to Jayne Avenue, a public, paved road.
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 would be required. In lieu of water, a commercially available biodegradable solution will be used for panel cleaning.

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.

Gates Solar  
 APN 073-060-12  
 CUP No. 3609

**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
<b>Crop</b>	Fallow	Fallow	Fallow	Fallow	Wheat	Fallow	Wheat	Fallow	Fallow	Fallow	Organic Wheat
<b>Yield</b>					26.0 tons		No production				12.4 tons
<b>Water Source</b>					Non-irrigated		Non-irrigated				Non-irrigated
<b>Tilling</b>	August 2007	August 2008	August 2009	Nov 2010	July 2011	Nov 2012	July 2013	August 2014	August 2015	Nov 2016	July 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 permanent water source will be required. A commercially available biodegradable solution will be utilized for panel cleaning in lieu of water.

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 Exhibit 4 of the project's Biological Habitat Assessment, soils on the site consist of Posochanet clay loam, saline-sodic (0-2% slope); Lethent clay loam (0-1% slope); and Excelsior sandy loam (0-2% slope).

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.

**EXHIBIT 7**

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: over 1,200 feet along the north edge, 60 feet along the east edge, 61 feet along the south edge, and 130 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. 7441 and Unclassified Conditional Use Permit Application No. 3609
- DESCRIPTION: Allow a 5 MWac solar photovoltaic power generation facility on a 39-acre portion of a 79.7-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project is located on West Jayne Avenue, 1.2 miles east of its intersection with State Route 33, and northerly adjacent to the nearest city limits of the City of Coalinga. (SUP. DIST. 4) (APN 073-060-12).

### I. AESTHETICS

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

FINDING: NO IMPACT:

The project is not located near a scenic vista, scenic highway, or any other scenic resource.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project is located in a rural area, and the only nearby development is the Pleasant Valley State Prison, located directly to the south of the project on West Jayne Avenue. The project will be set back approximately 78 feet from the ultimate road right-of-way behind a 6-foot-tall chain-link fence with an additional foot of barbed wire on top. The angle of the solar panels will adjust with the movement of the sun, and at their maximum height, they will not be taller than the proposed fence.

The project will tie into the existing energy grid **by connecting to a PG&E (Pacific Gas & Electric) facility on the subject property** ~~through a substation located less than one quarter-mile to the south, within the Pleasant Valley State Prison. The connection route will require the installation of new overhead power lines, with up to five new utility poles. There are existing above-ground utility lines running along the southern side of West Jayne Avenue, so the proposed connection will be compatible with the existing aesthetics of the area.~~

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH 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, solar panels are typically 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 that is commonly used in residential or commercial applications (Shields 2010). With the anti-reflective coating, the reflectivity of the panels is reduced to be significantly less than the reflectivity of water.

Lighting will be limited to small-scale lighting fixtures at the access point to the facility on W. Jayne Avenue. To ensure that these lights do not affect the surrounding area, the following mitigation will be included.

\* **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

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project would convert 39 acres of locally-important farmland to non-farmland uses. No prime or unique farmland will be affected.

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts?



FINDING: LESS THAN SIGNIFICANT IMPACT:

The project area is not subject to an existing Williamson Act Contract, but is located in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District. Only 39 of the 79.9 acres will be used for the proposed solar power generation facility; the remaining area could still be used for agricultural purposes. The Fresno County Department of Agriculture expressed no concerns regarding the project.

- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The proposed project is not in a forest or timberland area.

- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT:

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 between the solar facility and surrounding uses will ensure that the project does not interfere with surrounding agricultural operations.

### III. AIR QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The County of Fresno is a non-attainment area for 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, and would therefore not meet the threshold of significance. 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.

#### IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

A biological assessment submitted by the applicant, and review of the project by the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), indicate that there is potential for protected species to be present in the project impact area and for those species to be affected by the proposed project. These 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, Short-nosed Kangaroo Rat (SNKR), San Joaquin Coachwhip, Western Spadefoot, San Joaquin Woollythreads, California Jewelflower, Showy Golden Madia, Pale-yellow Layia, Recurved Larkspur, and Brittle scale.

The project site includes approximately 39 acres of land ~~and a gene-tie route~~, 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 habitable for creatures that live in the area, and it will still provide foraging opportunities for species such as the Swainson's Hawk. There will be infrequent visits to the site for maintenance purposes, but the proposed maintenance and operation will be substantially less threatening to protected species than previous agricultural activities, such as those allowed by right on this parcel according to the Fresno County General Plan. The following mitigation will ensure that any special-status species located on or near the project site are identified and avoided during construction, operation, and decommissioning.

\* **Mitigation Measure(s)**

1. *Species-specific surveys shall be conducted by a qualified biologist and/or botanist no less than 14 days and no more than 30 days 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, Short-nosed Kangaroo Rat (SNKR), San Joaquin coachwhip, Western Spadefoot, San Joaquin Woollythreads, California Jewelflower, Showy Golden Madia, Pale-yellow Layia, Recurved Larkspur, and Brittle-scale. These surveys shall include ~~the gene-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, 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 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 avoided with required buffers according to 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. If this 0.5-mile buffer cannot be maintained, consultation with CDFW is required.*
- 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 so as to detect any behavioral changes that result from project impacts. If behavioral changes are observed, work that is causing this change shall cease, and the applicant shall consult with the California Department of Fish and Wildlife (CDFW) for additional avoidance and minimization measures. In lieu of 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 feasible, alternative mitigation shall 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.*
  11. *The applicant shall consult with CDFW on the use of biodegradable panel cleaning solution on the project site prior to use so that they may determine if an Incidental Take Permit (ITP) could be warranted.*
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
  - C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
  - D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

There is an intermittently flooded riverine wetland running through the northeastern corner of the parcel (USFWS, Wetlands Mapper), but it will not be disturbed by construction activities and is not included in an area that will be improved with solar panels. The project will only impact the southern half of the parcel, and will not come within 500 feet of the stream bed. The land that will be disturbed does not exhibit riparian characteristics, such as typical foliage. Additionally, the intermittent nature of the stream and the distance between the project and the stream will ensure that the movement of any native or migratory fish and wildlife are not impacted. No sensitive natural communities are identified in relevant local or regional policies, and the project will not conflict with any other ordinances protecting biological resources.

**V. CULTURAL RESOURCES**

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries; or
- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

**FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:**

The subject parcel has experienced agricultural ground disturbance in the past, most recently in 2017, and the proposed construction of solar arrays on the site should not require ground-disturbance activities substantially greater than that of an agricultural operation. There will also be limited ground disturbance on the southerly adjacent parcel where five utility poles will be installed to connect the proposed facility with an existing substation to facilitate energy transfer. This southerly adjacent parcel is already developed, and due to the limited disturbance that is proposed on this parcel, a less than significant impact is anticipated.

All interested tribes were notified of the proposed project per California Assembly Bill No. 52, and no tribes expressed any concerns or requested to consult on the project. 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 on site. The archaeological sensitivity of the site is unknown and it has not been previously surveyed. The following mitigation measure will ensure that no cultural resources are lost should they be encountered during the development 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. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:
  1. Rupture of a known earthquake;
  2. Strong seismic ground shaking;
  3. Seismic-related ground failure, including liquefaction; or
  4. Landslides?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The probabilistic seismic hazard (10% probability in 50 years) for the project area is 40-60%, so seismic activity is a possibility in the area. There are no steep slopes in the vicinity, so landslides are unlikely. However, the facility will be unmanned and no residential structures are proposed as a part of the project, so risk of loss, injury, and death related to these phenomena will be less than significant.

- B. Would the project result in substantial erosion or loss of topsoil; or
- C. Would the project result in on-site 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 flat surface for the mounting of the solar arrays. The subject parcel and the surrounding area is already relatively flat, and all grading activities proposed will be reviewed and permitted by the County of Fresno's Department of Public Works and Planning. The existing conditions and required oversight will ensure that the project does not contribute to erosion, landslides, spreading, subsidence, liquefaction, or collapse.

- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not proposed in an area of expansive soils.

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

FINDING: NO IMPACT:

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

## VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project will produce greenhouse gas emissions during construction and decommissioning. However, these are short-term impacts and they do not meet the significance threshold level of two tons per year set forth by the Central Valley Air Quality Control Board. Therefore, they will not conflict with applicable plans and policies, nor will they have a significant effect on the environment. Only infrequent maintenance trips made in a single pickup truck will take place during the operation of the solar energy production facility.

## VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or

- B. Would the project create a significant public hazard involving accidental 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 use 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 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. Additionally, any business that handles 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 (CRR), Title 22, Division 4.5. Adherence to these guidelines is legally required and the impact is determined to be less than significant.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: NO IMPACT:

The proposed project is 5.9 miles away from the nearest school.

- D. Would the project be located on a hazardous materials site?

FINDING: LESS THAN SIGNIFICANT IMPACT:

There are no hazardous waste facilities on the subject parcel, but the southerly adjacent parcel is a reported small quantities generator of hazardous materials. ~~The southerly adjacent parcel (APN 085-020-35ST) is also where the substation that the project will connect to is located, and where five new utility poles will be installed to connect the proposed solar facility to the existing substation.~~ Federal records hosted by the Environmental Protection Agency (EPA) indicate that the facility is in compliance with all federal regulations. ~~Due to the very limited impact that the project will have on this parcel~~ **No ground disturbance will occur on the southerly adjacent parcel as a result of the proposed project, so** these hazardous materials should not be impacted. Additionally, the proposed facility will be unmanned and does not include any new housing. As a result, it can be determined that there will be a less than significant impact.

- E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or
- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?



FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located approximately 2.2 miles southeast of the Coalinga Municipal Airport. No housing is proposed and no employees will regularly be on site.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Improvements will be made to the subject parcel, but no housing will be built and no employees will routinely be onsite. Additionally, no existing routes of travel will be blocked as a result of the proposed development. Therefore, the project will not interfere with any adopted emergency plans.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project area is partially classified as being in Fire Hazard Class Non-Wildland/Non-Urban and is partially classified as having a Moderate Fire Hazard Class. Due to the 50-foot required buffer between the solar arrays and neighboring uses, the potential for a fire to start on site and spread to the surrounding area is reduced. No housing will be created and there will be no employees at the facility. Additionally, all plans must be approved by the Fresno County Fire Protection District (FCFPD) prior to permitting. Risk of loss, injury or death involving wildland fires will not be significantly impacted by the proposed project.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water 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 that crosses the northeastern corner of the site. All water quality standards and waste discharge requirements will be adhered to.

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

FINDING: NO IMPACT:

There are no existing wells on site and no wells will be drilled. No water will be used during the operation of this facility. The local groundwater table and the aquifer will not be impacted.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

There is a seasonal stream that runs through the northeastern corner of the property (USFWS, Wetlands Mapper). However, only the southern half of the 79.7-acre property will be developed as a result of the project, and all construction activities will occur at least 500 feet from the streambed. To ensure a less than significant impact, the following mitigation will be incorporated.

\* **Mitigation Measure**

1. *Delineate all surface water features, streams, and associated floodplains and vegetation within 500 feet of the project impact area. No construction may encroach within this area without first obtaining a Lake and Streambed Alteration Agreement (LSA) from the California Department of Fish and Wildlife (CDFW).*

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off; or
- F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No water will be used on site and most of the parcel's surface will remain permeable. Existing storm water drainage flows will not be significantly impacted, and a new drainage system will not be necessary as a result of the project.

- G. Would the project place housing within a 100-year floodplain; or
- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows; or
- I. Would the project expose persons or structures to levee or dam failure; or
- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

No housing is proposed and the subject parcel is located in an area of minimal flood hazard (FEMA Panel 06019C3250H). There will be no employees or residents on site, and there are no nearby levees or dams. The project is not near the ocean, a lake, or any steep slopes. The location and scope of the project precludes it from causing inundation by seiche, tsunami or mudflow.

## X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

The project is located four miles west of the community of Coalinga and will result in the development of an agricultural parcel. The surrounding area includes the Pleasant Valley State Prison and agricultural land. No established communities will be divided.

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does conflict with Fresno County's Coalinga Regional Plan, which was adopted in 1974. This land use plan indicates that the project site should be reserved for a proposed reservoir. According to this plan, the reservoir was advocated for by the City of Coalinga. However, a reservoir in this location is not currently included in the City of Coalinga's land use plan, and the City has stated that it is not opposed to the proposed project and that they have no plans for a future reservoir or park near the project site. The project will not interfere with the future development plans of any local agencies.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

There are no conservation plans applicable to the project area.

## XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site designated on a General Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County General Plan Background Report (FCGPBR) indicates that the project is located on a known oil field. State Division of Oil, Gas, and Geothermal Resources records indicate that an oil well was previously drilled on the subject parcel, and that it was properly abandoned in 1954. The proposed development will not impact the availability of oil in the area, and the northern half of the parcel will remain undeveloped and could provide access to underground oil reserves if desired.

## XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Construction activities will produce noise and vibration, but this will be a short-term impact. Once construction has been completed, minimal noise will be produced by infrequent maintenance activities and electrical equipment.

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is approximately 2.2 miles southeast of Coalinga Municipal Airport. The proposed solar facility will have no employees and will create no new housing. No people will be exposed to excessive air traffic noise as a result of the project.

## XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of 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.

#### XIV. PUBLIC SERVICES

A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:

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

FINDING: NO IMPACT:

The generation of solar energy will not affect any public facilities or services, nor will it create an increased demand for such services.

#### XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks; or
- B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

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

#### XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures; or
- C. Would the project result in a change in air traffic patterns?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Less than one traffic trip per day will be made for security and maintenance purposes. Circulation, congestion, and air traffic volume will not be impacted.

- D. Would the project substantially increase traffic hazards due to design features?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The solar arrays are oriented to be perpendicular to West Jayne Avenue so that sunlight will not be reflected toward the road. The project will not create traffic hazards.

- E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The only nearby development is the Pleasant Valley State Prison, and emergency access to this facility will not be impacted because it is located across the street from the project. The proposed facility will be gated, but no housing will be built, and all plans will be subject to the approval of the Fresno County Fire Protection Department.

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

Ridership, access, and safety of public transit and pedestrian facilities will not be impacted by the installation of a solar energy facility on an undeveloped parcel in a sparsely-developed area.

## XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or
- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities; or
- C. Would the project require or result in the construction or expansion of new storm water drainage facilities; or
- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or
- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand; or
- F. Would the project be served by a landfill with sufficient permitted capacity; or

- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No solid waste will be generated during the operation of the facility. Any solid waste produced during construction will be carried off site and disposed of appropriately.

No wastewater will be produced because no water will be used on site, no structures will be built on site, and no people will live or work on site. A biodegradable panel cleaning solution will be used to clean the solar panels instead of water.

The installation of solar panels will slightly reduce permeability, but not to the extent that storm water drainage facilities would be necessary.

#### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Potential impacts to Aesthetics, Biological Resources, Cultural Resources, and Hydrology and Water Quality were identified. However, incorporation of the Mitigation Measures indicated in Section I, IV, V, and IX will ensure that these impacts are not significant.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No cumulative impacts, such as traffic congestion, greenhouse gas emissions, water quality, or aquifer depletion were identified during the review of this project.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No adverse impacts to human beings, either direct or indirect, were identified in the project analysis.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3609, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there will be no impacts to Population and Housing, Public Services, and Recreation.

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

Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, and Hydrology and Water Quality have been determined to be less than significant with compliance with the 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.

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File original and one copy with: <b>Fresno County Clerk 2221 Kern Street Fresno, California 93721</b>		Space Below For County Clerk Only.  CLK-2046.00 E04-73 R00-00	
Agency File No: <b>IS 7441</b>	<b>LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION</b>		County Clerk File No: <b>E-</b>
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: 600-9669	Extension: N/A
Applicant (Name): Forefront Power	Project Title: CUP 3609		
Project Description: Allow a 5 MWac solar photovoltaic power generation facility on a 39-acre portion of a 79.7-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District. This project is located on West Jayne Avenue, 1.2 miles east of its intersection with State Route 33, and northerly adjacent to the nearest city limits of the City of Coalinga. (SUP. DIST. 4) (APN 073-060-12).			
Justification for Negative Declaration: Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3609, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there will be no impacts to Population and Housing, Public Services, and Recreation.  Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use Planning, Mineral Resources, Noise, Transportation and Traffic, and Utilities and Service Systems have been determined to be less than significant.  Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, and Hydrology and Water Quality have been determined to be less than significant with compliance with the 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.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – September 24, 2018		Review Date Deadline: Planning Commission – October 25, 2018	
Date: TBD	Type or Print Signature: Danielle Crider Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: \_\_\_\_\_

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**

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**EXHIBIT 9**



# E | P | D SOLUTIONS, INC.

October 07, 2020

Department of Public Works and Planning  
Development Services and Capital Projects Division  
2220 Tulare St. 6<sup>th</sup> Floor  
Fresno, CA 93721

**RE: Time Extension for CUP 3609  
APN 073-060-12**

**Justification:**

The construction and installation of a photovoltaic solar system has been previously reviewed and approved by the County. There is no change to the design and use of the approved project. The applicant has not been able to complete construction drawings and process permit applications due to Covid-19 restrictions. Construction slowdowns caused by Covid-19 regulations has resulted in the need for a CUP permit extension.

Please contact me at (831)262-2069 or [jeff@epdsolutions.com](mailto:jeff@epdsolutions.com) with any questions.

Respectfully submitted,  
**EPD Solutions, Inc.**



Jeffrey Alvarez