



# County of Fresno

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

## Planning Commission Staff Report Consent Agenda Item No. 2 December 10, 2020

**SUBJECT:** Initial One-Year Time Extension: Initial Study No. 7442 and  
Unclassified Conditional Use Permit N0. 3610

Allow a one-megawatt photovoltaic solar power generation facility with related improvements on an approximately 11.4-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project site is located on the northwest corner of Phelps Avenue and S. San Mateo Avenue approximately 875 feet east of the nearest city limits of the City of Coalinga (SUP. DIST. 4)(APN 070-070-62S)

**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. 3610
- 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 11, 2018
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 11, 2018, the Planning Commission approved CUP 3610 for a Solar Facility. The proposed solar power generation facility will be located on a 11.5-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Photovoltaic (PV) modules with a capacity of generating one-megawatt alternating current (MW-AC) will convert sunlight into electrical energy. This energy will be delivered to the Pacific Gas and Electric Company's (PG&E) existing regional transmission network using voltage transmission equipment and system safety equipment constructed on the project site. The project would interconnect with the electrical grid at an existing power line along the site's San Mateo Avenue frontage. Seven new utility poles will carry a 1,365-foot-long gen-tie line.

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. 3610 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. 3610 should be approved based on factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to October 26, 2021.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to approve the first one-year Time Extension for Unclassified Conditional Use Permit No. 3610
- 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. 3610
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

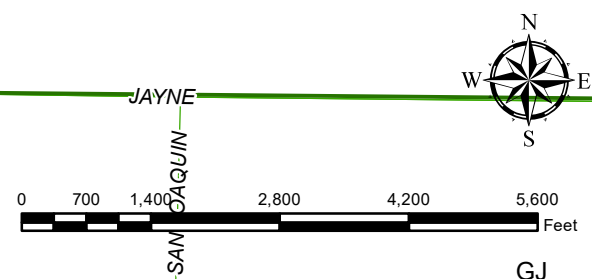
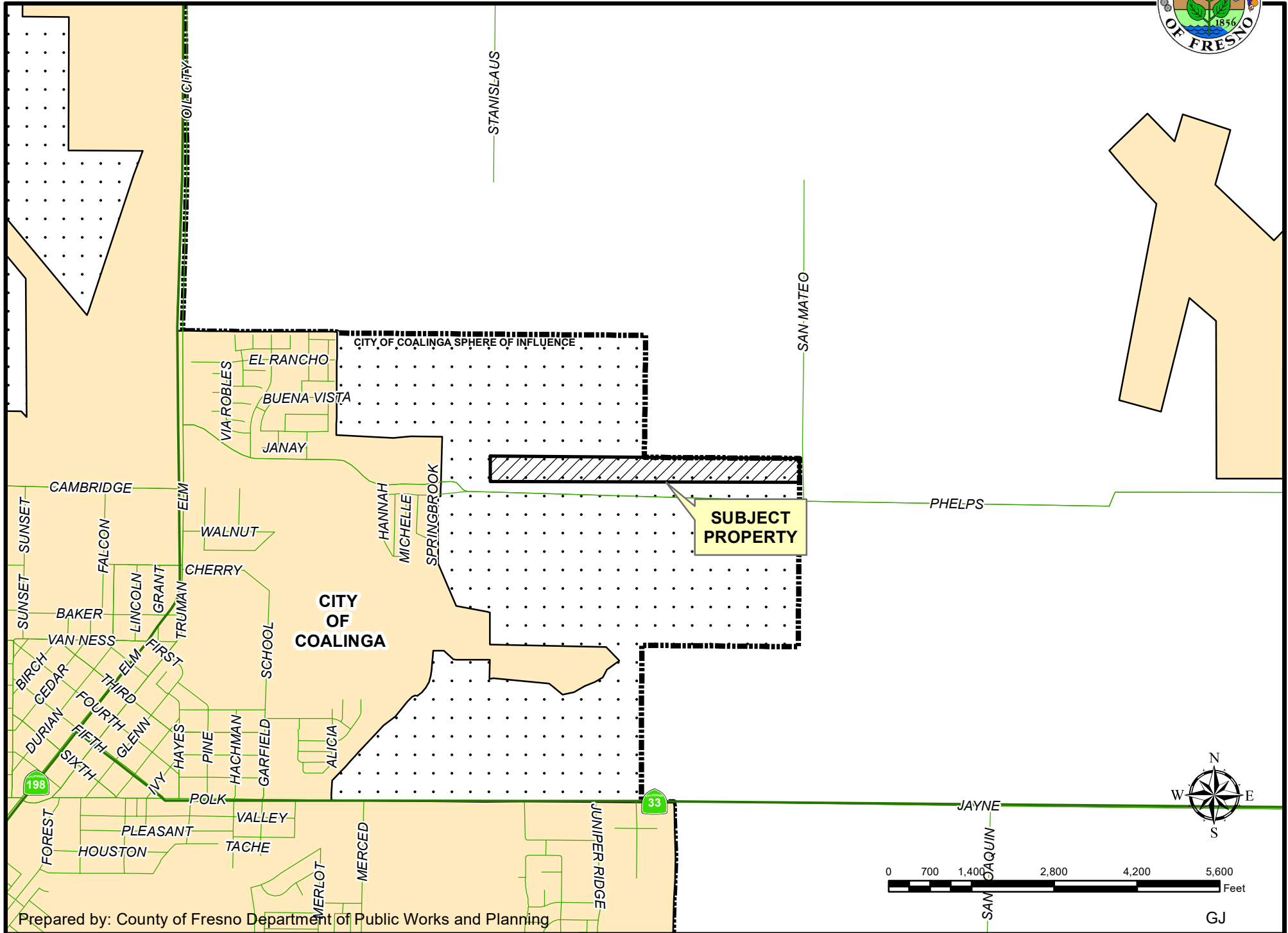
ED:im

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3600-3699\3610\EXT 1\SR\CUP 3610 SR - Time Extension.docx



CUP 3610

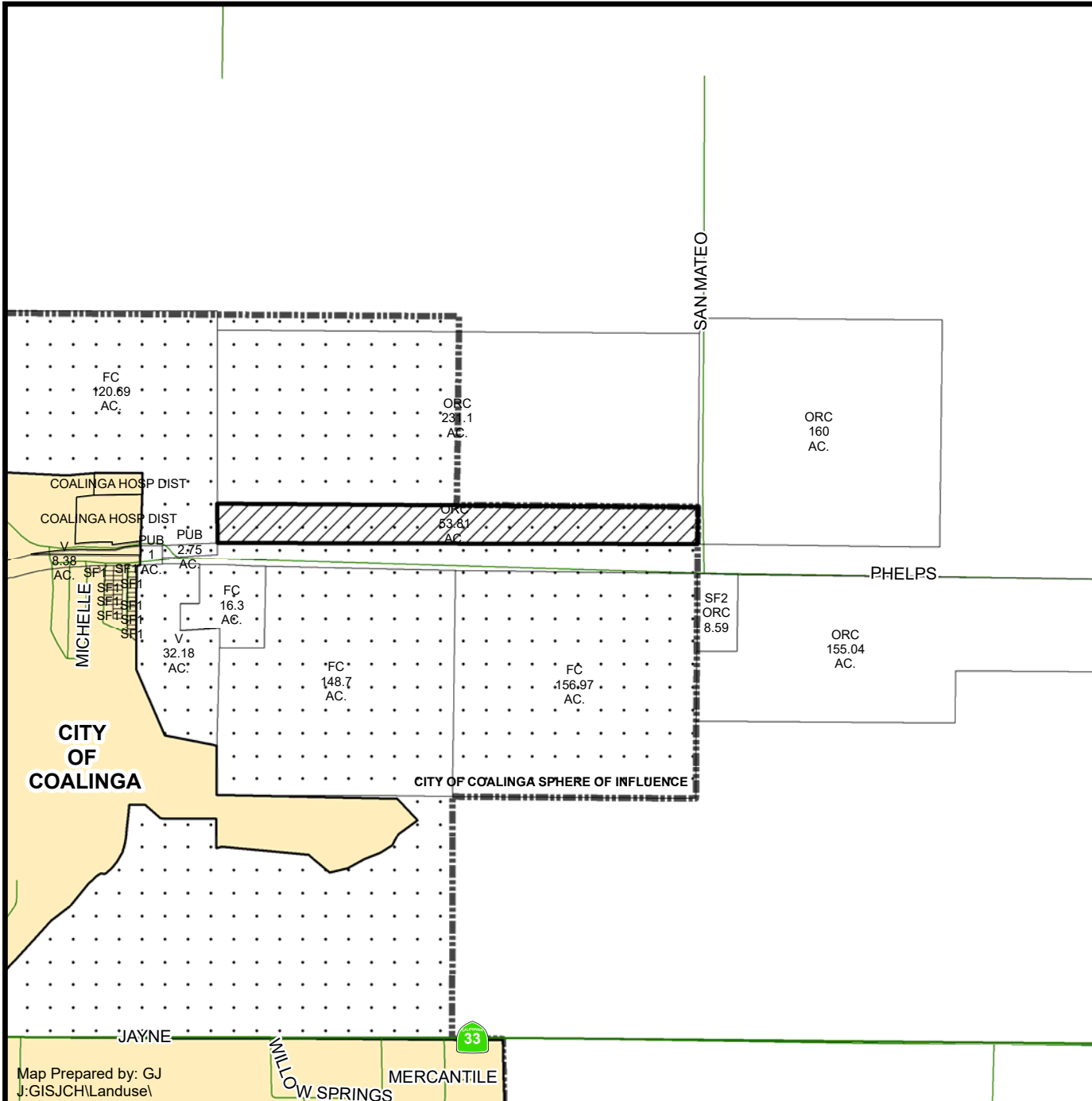
# LOCATION MAP





CUP 3610

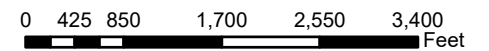
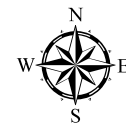
# EXISTING LAND USE MAP



LEGEND	
FC	FIELD CROP
ORC	ORCHARD
PUB	PUBLICLY OWNED
SF#	SINGLE FAMILY RESIDENCE
V	VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning  
Development Services Division

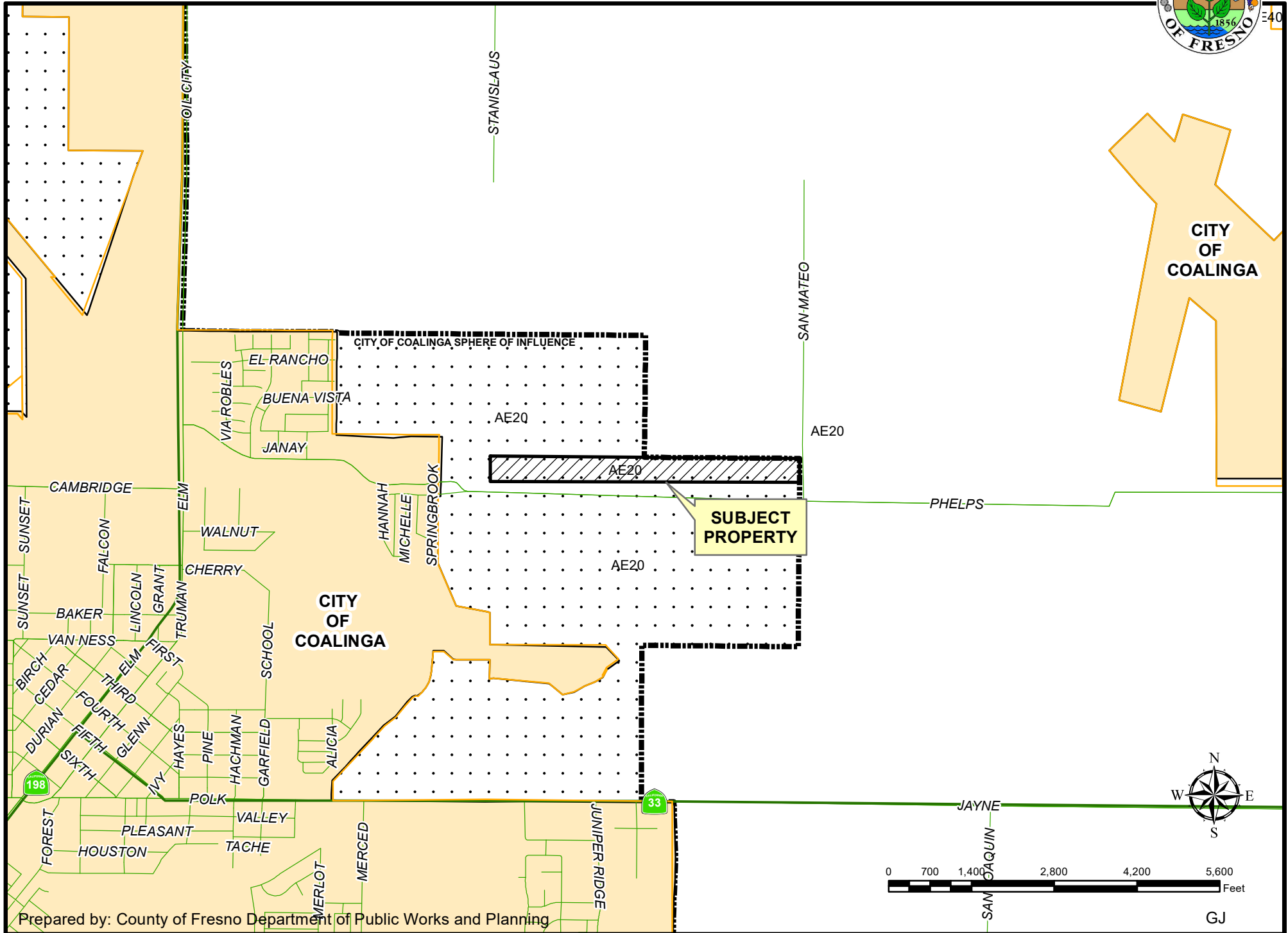
Map Prepared by: GJ  
J:GISJCHLanduse\





CUP 3610  
STR 27 - 20/15

# EXISTING ZONING MAP







# County of Fresno

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

November 29, 2018

ForeFront Power  
c/o Peter Rodriguez  
100 Montgomery Street #1400  
San Francisco CA 94104

Dear Applicant:

Subject: Resolution No. 12744 - Initial Study Application No. 7442 and Unclassified  
Conditional Use Permit Application No. 3610

On October 11, 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  
eahmad@fresnocountyca.gov or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner  
Development Services and Capital Projects Division

EJ:ksn  
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3610\RESOLUTION\CUP 3610 Reso.docx

Enclosure



## Inter Office Memo

---

DATE: October 11, 2018  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12744 - INITIAL STUDY APPLICATION NO. 7442 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3610

APPLICANT: ForeFront Power

OWNER: James Anderson

REQUEST: Allow a one-megawatt photovoltaic solar power generation facility with related improvements on an approximately 11.5-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northwest corner of Phelps Avenue and S. San Mateo Avenue approximately 875 feet east of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 070-070-62S).

### PLANNING COMMISSION ACTION:

At its hearing of October 11, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Eubanks and seconded by Commissioner Burgess 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. 3610, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12744

This motion passed on the following vote:

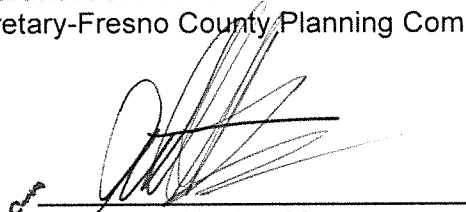
VOTING:      Yes:            Commissioners Eubanks, Burgess, Abrahamian, Chatha, Ede,  
    Hill, Lawson and Vallis

                                 No:            None

                                 Absent:        Commissioner Delahay

                                 Abstain:       None

STEVEN E. WHITE, DIRECTOR  
 Department of Public Works and Planning  
 Secretary-Fresno County Planning Commission

By:  \_\_\_\_\_  
 William M. Kettler, Manager  
 Development Services and Capital Projects Division

WMK:ksn  
 G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3610\RESOLUTION\CUP 3610 Reso.docx

NOTE:      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.

Attachments

RESOLUTION NO. 12744

EXHIBIT A

Initial Study Application No. 7442  
Unclassified Conditional Use Permit Application No. 3610

Staff: The Fresno County Planning Commission considered the Staff Report dated October 11, 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:

- Our project is part of a community solar program; we build photovoltaic solar facilities five megawatts or less in size to serve homes and businesses within a 10-mile radius.
- The program provides power to homes and businesses unable to afford rooftop or in-ground solar systems at a reduced rate.
- The proposed solar facility is separate from the existing on-site solar facility that provides power to the surrounding agricultural uses.
- As part of public outreach, we sent letters to the neighboring property owners providing information about the project; no responses were received.
- We consulted with the City of Coalinga; the City had no objection to the project.

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.

EJ:ksn  
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3610\RESOLUTION\CUP 3610 Reso.docx

## EXHIBIT B

**Mitigation Monitoring and Reporting Program**  
**Initial Study Application No. 7442/Unclassified Conditional Use Permit Application No. 3610**  
**(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2.	Agricultural and Forestry Resources	The project shall adhere to the procedures listed in the Reclamation Plan prepared for the operation, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any Construction Permits (Building, Electrical, Mechanical, Plumbing), the required bond amount, based on the engineer's estimate, shall be deposited (or evidence of a Bank Guarantee or Irrevocable Letter of Credit shall be provided).	Applicant	Applicant/PW&P	As long as the project lasts
3.	Agricultural and Forestry Resources	A covenant shall be signed between the property owner and the County of Fresno and shall run with the land, requiring the site to be restored as nearly as practical to its original condition at the cessation of the operation of the solar power generation facility.	Applicant	Applicant/PW&P	As long as the project lasts
4.	Agricultural and Forestry Resources	The project shall comply with the Pest Management Plan, prepared by ForeFront Power, LLC and dated January 31, 2018, in order to control weeds and rodents on the property that may impact adjacent properties.	Applicant	Applicant/PW&P/Ag Commissioner's office	As long as the project lasts
5.	Biological Resources	A 14-day preconstruction site survey shall be conducted to prevent inadvertent take of burrowing owls. If burrowing owls are observed during the preconstruction survey, the project proponent shall discuss mitigation and avoidance requirements with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service.	Applicant	Applicant/California Department of Fish & Wildlife (CDFW)	As noted
6.	Biological Resources	A 30-day preconstruction site survey shall be conducted to determine the presence of San Joaquin kit fox on the property. The Survey must be conducted on foot within prescribed parameters as outlined by January 2011 Standardized	Applicant	Applicant/CDFW	As noted

		Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance. Any take that could occur because of the proposed project would require prior consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.	Applicant	Applicant/CDFW	As noted
7.	Biological Resources	A preconstruction site survey shall be conducted to determine the presence of blunt-nosed leopard lizard (BNLL) on the property. The Surveys must be conducted on foot within prescribed temperature and weather as outlined by the California Department of Fish and Game May 2004 updated version of the BNLL survey protocol. Any take that could occur because of the proposed project would require prior consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.	Applicant	Applicant/CDFW	As noted
8.	Biological Resources	Ground disturbances shall not occur during bird nesting season (between February and August) without a clearance survey by a qualified biologist to ensure that nesting birds are not impacted.	Applicant	Applicant/CDFW	As noted
9.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As noted
<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 Planning Commission, except as modified by the Commission or Site Plan Review.			
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 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 life of this land use permit will expire upon expiration of the 25-year initial life of the project. If the solar lease is to be extended or the initial life of the project extends beyond this approval, approval of a new land use permit will need to be obtained.			



4.	The project shall comply with the information in response to the Solar Facility Guidelines attached as Exhibit 7 to the Staff Report and as approved and/or modified by the Commission.
5.	The Reclamation Plan shall be revised to provide for an annual increase in costs at 3%, or tied to the Consumer Price Index (CPI), or other mechanism acceptable to the Fresno County Department of Public Works and Planning.
6.	As part of the SPR submittal process, an agreement incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) shall be entered into with Fresno County, acknowledging the presence of surrounding agricultural operations and their related activities.
7.	A dust palliative shall be required for all unpaved parking and circulation areas to prevent the creation of dust by vehicles.

\*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.

Notes	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Construction Plans shall be submitted and Building Permits and inspections shall be required for all on-site improvements, including solar array installation and fences over six feet in height. Contact the Building and Safety Section of the Development Services and Capital Projects Division at (559) 600-4540 regarding permits for construction.
3.	To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following: <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.</li> </ul>
4.	To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following: <ul style="list-style-type: none"> <li>• An Engineered Grading and Drainage Plan shall be required to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties.</li> <li>• A grading permit or voucher shall be required for any grading proposed with this application..</li> <li>• Any additional run-off generated by the proposed development cannot be drained across property lines and shall be retained or disposed of per County Standards.</li> </ul>

Notes	
	<ul style="list-style-type: none"> <li>Federal Emergency Management Authority (FEMA) FIRM Panel 3214H shows that portions of the subject parcel are in Zone A that is subject to the 100-year storm. No net import of fill shall be allowed within the flood zone, and any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance.</li> </ul>
5.	<p>To address air quality impacts resulting from the project, the San Joaquin Valley Air Pollution Control District (Air District) requires that the project be subject to the following:</p> <ul style="list-style-type: none"> <li>District Regulation VIII (Fugitive PM10 Prohibitions)</li> <li>Rule 4601 (Architectural Coatings)</li> <li>Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations)</li> <li>Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed</li> <li>Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials</li> </ul>
6.	<p>To address site development impacts resulting from the project, the Site Plan Review Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none"> <li>If only the driveway is to be paved, the first 100 feet off the edge of the ultimate right-of-way shall be concrete or asphalt.</li> <li>All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.</li> </ul> <p>Note: These requirements will be addressed through Site Plan Review.</p>
7.	<p>The project shall comply with the California Code of Regulations Title 24 – Fire Code and County-approved site plans shall be approved by the Fresno County Fire Protection District prior to issuance of building permits by the County. Further, the property shall annex to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.</p>
8.	<p>Any weed or rodent infestation that is of a nature and magnitude as to constitute a “public nuisance” (Section 5551 of the California Food and Agricultural Code; Sections 3479 and 3480 of the Civil Code; and Section 372 of the Penal Code) and is not addressed by the Property Owner/Operator is unlawful under California Food and Agricultural Code Section 5553 and Penal Code Section 372.</p>

EA:ksn  
G:\4360Devs&Pin\PROJ\SEC\PROJ\DOCS\CUP\3600-3699\3610\RESOLUTION\CUP 3610 MMRP (Ex B).docx



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 3 October 11, 2018

**SUBJECT:** Initial Study Application No. 7442 and Unclassified Conditional Use Permit Application No. 3610

Allow a one-megawatt photovoltaic solar power generation facility with related improvements on an approximately 11.5-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project site is located on the northwest corner of Phelps Avenue and S. San Mateo Avenue approximately 875 feet east of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 070-070-62S).

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

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

Marianne Mollring, Senior Planner  
(559) 600-4569

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7442; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3610 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan/Elevation
6. Applicant's Submitted Operational Statement
7. Applicant's Submitted "Supplemental Information for Solar Facility Guidelines"
8. Summary of Initial Study Application No. 7442
9. Draft Mitigated Negative Declaration

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agriculture in the County-adopted Coalinga Regional Plan	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	53.81 acres	No change
Project Site	1.15-megawatt solar farm for agricultural pumps	A one-megawatt photovoltaic solar power generation facility with supportive appurtenance structures on an approximately 11.5-acre portion of a 53.81- acre parcel
Structural Improvements	Solar panels related to a photovoltaic solar power generation facility	<ul style="list-style-type: none"> <li>• Either fixed or single-axis photovoltaic ground-mounted tracking panels</li> <li>• Inverter and transformers</li> <li>• Utility poles</li> <li>• Chain-link perimeter fencing</li> </ul>
Nearest Residence	970 feet west of the project site	No change
Surrounding Development	Farmlands planted in field crops to the north, orchard to the east, uncultivated land to the south, and residential/	No change

Criteria	Existing	Proposed
	commercial development in the City of Coalinga to the west	
Operational Features	N/A	See above "Project Site" Additionally, the proposed facility will: <ul style="list-style-type: none"> <li>• Operate 25 years per the solar lease in accordance with the project Reclamation Plan</li> <li>• Require approval of a new land use permit if operating beyond 25 years</li> <li>• Be dismantled at the end of its operational life and the land restored to pre-development conditions</li> </ul>
Employees	N/A	<ul style="list-style-type: none"> <li>• One (to provide for security and maintenance of the facility during its operation)</li> </ul>
Customers	N/A	N/A
Traffic Trips	N/A	<ul style="list-style-type: none"> <li>• 76 round trips (19 medium-duty and 19 heavy-duty trucks) per day during four months of construction</li> <li>• Two round-trips per day for security and maintenance during operational period</li> </ul>
Lighting	N/A	Hooded motion-activated outdoor security lighting at the entry gate and 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 Initial Study is below and included as Exhibit 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: August 31, 2018

**PUBLIC NOTICE:**

Notices were sent to 45 property owners within 1320 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 11.5-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Photovoltaic (PV) modules with a capacity of generating one-megawatt alternating current (MW-AC) will convert sunlight into electrical energy. This energy will be delivered to the Pacific Gas and Electric Company’s (PG&E) existing regional transmission network using voltage transmission equipment and system safety equipment constructed on the project site. The project would interconnect with the electrical grid at an existing power line along the site’s San Mateo Avenue frontage. Seven new utility poles will carry a 1,365-foot-long gen-tie line.

The project would install a series of PV module arrays mounted on either fixed-tilt or single-axis tracker racking systems 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 utilizing metal screws. The racking systems and PV module arrays will have an overall height of up to eight (8) feet.

As a point of note, staff has made corrections to the Initial Study (IS) document (Exhibit 8) and changes are noted in bold under the Biological Resources Section of the IS. Corrections were suggested by the California Department of Fish and Wildlife upon the agency’s review of the IS, and, due to being minor in nature, will not affect the validity of the IS.

*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	Front (San Mateo Avenue; east property line): 1,427 feet; Side (north property line): 101 feet; Side (south property line): 38 feet;	Yes

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
		Rear (west property line): 2,600 feet	
Parking	No requirement	None	N/A
Lot Coverage	No requirement	No requirement	N/A
Separation Between Buildings	Six-foot minimum	N/A	N/A
Wall Requirements	No requirement	Seven-foot-tall chain-link perimeter fencing around project site	N/A
Septic Replacement Area	100 percent for existing system	No change	Yes
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	No change	N/A

#### **Reviewing Agency/Department Comments Regarding Site Adequacy:**

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed improvements meet the setback requirements of the AE-20 Zone District. Completion of a Site Plan Review is recommended as a Condition of Approval for the project.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

#### **Analysis:**

Staff review of the Site Plan demonstrates that the proposed solar panels would be set back from the surrounding property lines in excess of the minimum required setbacks from three of the four outer property lines. The project proposes a 101-foot setback along the north boundary, 1,427 feet along the east boundary, and 2,600 feet along west boundary of the project site. 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 require measures to create a buffer between proposed solar facilities and adjacent agricultural operations, including a 50-foot setback between proposed solar facility improvements from the edges of the property boundaries to the closest structural improvements or equipment. Typically, County policy for photovoltaic solar facilities require a minimum of 50 feet of setback from surrounding agricultural operations, although exceptions can be considered.

The proposed one-megawatt solar facility is small in scale and may not affect adjacent farming operations due to a 38-foot setback (50-foot required) along its southern boundary. The southern

boundary of the property borders with a historic railroad parcel and a roadway (Phelps Avenue) which provide additional buffer to farmland south of the project site. Adherence to Site Plan Review (SPR), which has been required as a Condition of Approval, will ensure compliance with the setback requirements. Conditions of the SPR may include, but are not limited to, design of parking and circulation, access, grading and drainage, fire protection and lighting.

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

### Recommended Conditions of Approval:

*See recommended Conditions of Approval attached as Exhibit 1.*

### Conclusion:

Finding 1 can be made.

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

		Existing Conditions	Proposed Operation
Private Road	Yes	San Mateo Avenue; undedicated, non-County road	No change. The project site will gain access from San Mateo Avenue, which historically has been used for access to the site.
Public Road Frontage	Yes	Phelps Avenue; excellent condition	No change
Direct Access to Public Road	No	N/A	N/A
Road ADT (Average Daily Traffic)		300 (Phelps Avenue)	No change
Road Classification		Local (San Mateo Avenue) Collector (Phelps Avenue)	No change No change
Road Width		25-foot right-of-way north of section line along property's southern boundary	No change
Road Surface		Gravel (San Mateo Avenue) Asphalt concrete (Phelps Avenue)	No change No change
Traffic Trips		N/A	<ul style="list-style-type: none"> <li>76 round trips (19 medium-duty and 19 heavy-duty)</li> </ul>



		Existing Conditions	Proposed Operation
			trucks) per day during the four-month construction period  <ul style="list-style-type: none"> <li>Two round trips per day for security and maintenance during operational period</li> </ul>
Traffic Impact Study (TIS) Prepared	No	N/A	No TIS required by Design Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		Phelps Avenue; excellent condition	No improvements required

#### Reviewing Agency/Department Comments:

Road Maintenance and Operations (RMO) Division and Development Engineering Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal. The property historically has and will continue to gain access off San Mateo alignment.

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

#### Analysis:

The project site fronts Phelps and San Mateo Avenues. Phelps is a paved public road maintained by the County with a pavement width of 21.5 feet. San Mateo is a gravel road and not dedicated to the County for public use. The project site currently gains access from San Mateo Avenue. The property owner historically has used San Mateo alignment for access to the site and the subject proposal will use the same access. The Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning reviewed the site access requirements and has accepted right of access to the site off San Mateo Avenue.

Staff acknowledges that the area's vehicular traffic will increase during the time of construction; however, this increase will be temporary. The *Project Construction Trip Generation* document prepared for the project estimates approximately 19 medium- and 19 heavy-duty trucks associated with vendor activity would access the site on a daily basis during peak Solar Field Installation activity. The project will generate 76 daily round trips during a four-month construction period, which includes mobilization, site improvement and grading, and panel installation and construction. The facility will be unmanned. Following construction, one employee will perform regular security and maintenance operation generating two daily round trips.

Based on the above information, staff believes that McCall Road will remain adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*None*

**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	231.1 acres	Orchard	AE-20	None
South	148.7 acres	Fallow	AE-20	1,615 feet southeast
East	160 acres	Field crops	AE-20	None
West	120.7 acres	Residential/commercial	AE-20	970 feet

**Reviewing Agency/Department Comments:**

U.S. Fish and Wildlife Service (USFWS): Preconstruction surveys shall be conducted to identify project impact on federally-endangered San Joaquin kit fox and blunt-nosed leopard lizard (BNLL), and if the species are found, USFWS shall be contacted for further coordination. Any 'take' that could occur because of the project would require prior consultation with USFWS under Section 7 or Section 10 of the Endangered Species Act of 1973 in order to avoid violation. These requirements have been included as Mitigation Measures.

Fresno County Ag Commissioner's Office: The Applicant shall acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development. This requirement has been included as a Condition of Approval.

Any weed or rodent infestation that is of a nature and magnitude as to constitute a "public nuisance" (Section 5551 of the California Food and Agricultural Code; Sections 3479 and 3480 of the Civil Code; and Section 372 of the Penal Code) and is not addressed by the Property owner/operator is unlawful under California Food and Agricultural Code Section 5553 and Penal Code Section 372. This requirement has been included as a Project Note.

Site Plan Review Section of the Fresno County Department of Public Works and Planning: A dust palliative shall be required on all parking and circulation areas to prevent the creation of dust by vehicles. This requirement has been included as a Condition of Approval.

If only the driveway is to be paved, the first 100 feet off the edge of the ultimate right-of-way shall be concrete or asphalt. All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.

Development Engineering Section of the Fresno County Department of Public Works and Planning: An Engineered Grading and Drainage Plan shall be required to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties. A grading permit or voucher shall be required for any grading proposed with this application. Any additional run-off generated by the proposed development cannot be drained across property lines and shall be retained or disposed of per County Standards. Federal Emergency Management Authority (FEMA) FIRM Panel 3214H shows that portions of the subject parcel are in Zone A that is subject to the 100-year storm. No net import of fill shall be allowed within the flood zone, and any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance.

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.

Fresno County Fire Protection District: The project shall comply with the California Code of Regulations Title 24 – Fire Code and County-approved site plans shall be approved by the Fire District prior to issuance of building permits by the County. The project shall annex to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.

San Joaquin Valley Air Pollution Control District (Air District): An Air Impact Assessment (AIA) Application shall be filed prior to applying for the final discretionary approval and applicable off-site Mitigation Fees shall be paid prior to issuance of the first Grading/Building Permit. (Note: Air District approved an Air Impact Assessment (AIA) Application (ISR Project Number C-20180136) on May 21, 2018 and determined that the project is not subject to the payment of off-site fees).

Other Air District rules that may apply to this proposal include: District Regulation VIII - Fugitive Dust Rules, to address impacts related to PM-10; Rule 4102 (Nuisance); Rule 4601 (Architectural Coatings); Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations); and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for all on-site improvements.

The aforementioned requirements have been included as Project Notes.

Dumna Wo Wah Tribal Government: A consultation between the Tribe and the County (per Assembly Bill 52) has concluded, and the archeological research conducted for the project found no evidence of Tribal Cultural Resources on the project site (see the following analysis).

California Fish and Wildlife Service; Central Valley Regional Water Quality Control Board; City of Coalinga; Fresno Metropolitan Flood Control District; Design, and Water and Natural Resources Divisions of the Fresno County Department of Public Works and Planning; Santa Rosa Rancheria Tachi Yokut Tribe; Picayune Rancheria of the Chukchansi Indians: No concerns with the proposal.

### **Analysis:**

The proposed one-megawatt solar power generation facility will be located on an 11.5-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located approximately 875 feet east of the nearest city limits of the City of Coalinga and has been historically farmed. The surrounding land uses include field crops to the north, orchard to the east, uncultivated land to the south and residential/commercial development in the City of Coalinga to the west of the project site. The nearest single-family residence is approximately 970 feet to the west of the property.

The improvements included in the project proposal consist of ground-mounted PV solar module arrays and supportive appurtenance structures, perimeter fencing, and interconnection to the PG&E electrical grid. As part of the proposed gen-tie connection, an approximately 1,365-foot-long overhead gen-tie line supported by seven utility poles would connect on-site electrical equipment to an existing PG&E power line along the San Mateo Avenue frontage (eastern boundary) of the property.

The Initial Study prepared for this project identified potential impacts related to aesthetics, agricultural and forestry resources, biological resources, and cultural resources. Regarding aesthetics, all outdoor lighting would require to be hooded and directed downward so as not to shine upon adjacent roads and properties. Regarding agricultural and forestry resources, the project will comply with a Reclamation Plan and bonding requirements, require signing of a covenant to restore the land at the cessation of the solar facility operations, and comply with a pest management plan. Regarding biological resources, the project will require a preconstruction site survey for burrowing owls, San Joaquin kit fox, blunt-nosed leopard lizard and no ground disturbances during nesting season without a clearance survey by a biologist. Regarding cultural resources, any cultural resources or human remains discovered during ground-disturbance activities will require all work stopped and findings evaluated by an archeologist.

Potential Impacts relate to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, and public services. The project will comply with the Air District Rule 9510 and permitting requirements; require an Engineered Grading and Drainage Plan to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties; handle hazardous materials/wastes according to the requirements of the California Health and Safety Code (HSC); conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance; comply with the Fire Code and Building Code, and annex to the Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. Additionally, as noted in the project analysis for Finding 1, a less than 50-foot setback (38-foot proposed) along the southern boundary of the project site would not affect any farming on the south side of Phelps Avenue.

The project site is within an area designated as moderately sensitive to archeological finds. Pursuant to AB (Assembly Bill) 52, County staff routed the project to the Dumna Wo Wah Tribe, Picayune Rancheria of the Chukchansi Indians and Santa Rosa Rancheria Tachi Yokut Tribe offering them an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b)

with a 30-day window to formally respond to the County letter. No request for consultation was received by any tribe except the Dumna Wo Wah Tribe. Staff initiated consultation with the Tribe to determine the project’s potential impact to Tribal Cultural Resources (TCRs). As part of this process, an Archaeological Records Search for the site from the Southern San Joaquin Valley Information Center reported no cultural resources on the property, and a Sacred Lands Search from the Native American Heritage Commission was negative for any sacred sites on the property. The Tribe was consulted for the identification of any TCRs on the property that establishes the existence of resources which satisfy the criteria of Public Resources Code Section 21074(a)(2). The Tribe provided no evidence and staff concluded that the project will have no significant effects on TCRs. As the project site is located in an archeologically-sensitive area, a Mitigation Measure would require that if cultural resources or human remains are discovered during ground-disturbance activities, all work shall stop and the find be evaluated by an archeologist.

Based on the above information and with adherence to the Mitigation Measures, recommended Conditions of Approval, and Project Notes, staff believes the proposal will not have an adverse effect upon surrounding properties.

**Recommended Conditions of Approval:**

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

**Conclusion:**

Finding 3 can be made.

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

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>Policy LU-A.3 states that electrical power generation facilities may be allowed by discretionary permit subject to a number of specific criteria. Criteria LU-A.3.a states that the use shall provide a needed service to the surrounding area which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criteria LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criteria LU-A.3.c states that the use shall not have a detrimental impact on water resources. Criteria LU-A.3.d states that a probable workforce should be located nearby or readily available.</p>	<p>With regard to Criteria “a”, the proposed solar facility will operate more efficiently in a non-urban area due to the property size required to produce electricity with solar panels and the availability of large undeveloped land in the subject area. With regard to Criteria “b”, the facility will occupy a non-prime farmland for a limited 25 years of operation. With regard to Criteria “c”, the project will utilize surface water provided by City of Coalinga. With regard to Criteria “d”, the project site is near the City of Coalinga, which can provide an adequate workforce. The proposal is consistent with this policy.</p>
<p>Policy LU-A.12 requires that agricultural activities be protected from encroachment of incompatible uses.</p>	<p>The proposed facility is an allowed use on land designated for agriculture. As noted in the Solar Facility Guidelines (Exhibit 7), the project will adhere</p>

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
	to a Weed and Rodent Control Plan to reduce weed and rodent impacts to adjacent farmland. In addition, the project, at the end of its 25 years of life, will be dismantled and the land restored to a preconstruction state in accordance with the Reclamation Plan. The proposal is consistent with this policy.
Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations.	The proposed perimeter fencing around the 11.5-acre project site will provide security to the site and also separate the use from the neighboring farmlands. This requirement will be met through Site Plan Review (SPR) recommended as a Condition of Approval for the project. The proposal is consistent with this policy.
General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.	The project will use City of Coalinga water for construction of the facility and biodegradable solution for panel washing during operation of the facility. The Water and Natural Resources Division expressed no concerns related to water supply for the project. The proposal is consistent with this policy.

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Agriculture in the County General Plan. Policy LU-A.3 states that non-agricultural uses such as electrical power generation facilities may be allowed by means of a discretionary use permit. Policy LU-A.12 requires that agricultural activities be protected from encroachment of incompatible uses; Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations; and Policy PF-C.17 requires sustainable water supply for the project.

**Analysis:**

The project meets the intent of Policy LU-A.3 as discussed above in General Plan Consistency/Consideration. Concerning consistency with Policy LU-A.12, the project is allowed on land designated for Agriculture, will adhere to a weed and rodent control plan to reduce impact on adjacent farmlands, will have a limited 25 years of operation, and will be dismantled and the land restored to pre-development condition upon cession of the use. Concerning consistency with Policy LU-A.13, the project site will be secured by perimeter fencing (6-foot chain-link fence topped by one-foot barbed wire) to safeguard and separate the use from adjacent farmland. Concerning consistency with Policy PF-C.17, the project will use surface water provided by the City of Coalinga.

The project site is classified as Farmland of Local Importance on the 2014 Fresno County Important Farmland Map. On May 3, 2011 the Fresno County Board of Supervisors took action to require (based on the Nine-Point Solar Facilities Guidelines) that supplemental application information be provided by solar utility applicants as part of their project submittal packages. The Guidelines were amended by the Board on March 13, 2012, May 21, 2013 and December 12, 2017 to include historical information on the agricultural use of the property, crop yield information, the source of water, the soil type, information on improvements and site buffering, the submittal of a Reclamation Plan, pest management information and acknowledgement of the County’s Right-to-Farm Ordinance. The County Agricultural Commissioner’s Office and other agencies and departments

reviewed the Applicant-provided supplemental information (Exhibit 7). The County Agricultural Commissioner's Office expressed no concerns with the proposal except the Applicant shall sign a Right-to-Farm notice, which has been included as a Condition of Approval for the project.

The subject property is designated Agriculture in the County-adopted Coalinga Regional Plan and is located within the City of Coalinga Sphere of Influence (SOI). The City also reviewed the proposal from a land use compatibility perspective and expressed no concerns/issues with the County approving the subject application.

Based on the above information, staff believes the proposal is consistent with the Fresno County General Plan.

**Recommended Conditions of Approval:**

*None*

**Conclusion:**

Finding 4 can be made.

**CONCLUSION:**

Staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made, based on the factors cited in the analysis and the recommended Conditions of Approval and Project Notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Unclassified Conditional Use Permit No. 3610, subject to the recommended Conditions.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7442; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3610, 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. 3610; 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. 7442/Unclassified Conditional Use Permit Application No. 3610**  
**(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2.	Agricultural and Forestry Resources	The project shall adhere to the procedures listed in the Reclamation Plan prepared for the operation, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any Construction Permits (Building, Electrical, Mechanical, Plumbing), the required bond amount, based on the engineer's estimate, shall be deposited (or evidence of a Bank Guarantee or Irrevocable Letter of Credit shall be provided).	Applicant	Applicant/PW&P	As long as the project lasts
3.	Agricultural and Forestry Resources	A covenant shall be signed between the property owner and the County of Fresno and shall run with the land, requiring the site to be restored as nearly as practical to its original condition at the cessation of the operation of the solar power generation facility.	Applicant	Applicant/PW&P	As long as the project lasts
4.	Agricultural and Forestry Resources	The project shall comply with the Pest Management Plan, prepared by ForeFront Power, LLC and dated January 31, 2018, in order to control weeds and rodents on the property that may impact adjacent properties.	Applicant	Applicant/PW&P/Ag Commissioner's office	As long as the project lasts
5.	Biological Resources	A 14-day preconstruction site survey shall be conducted to prevent inadvertent take of burrowing owls. If burrowing owls are observed during the preconstruction survey, the project proponent shall discuss mitigation and avoidance requirements with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service.	Applicant	Applicant/California Department of Fish & Wildlife (CDFW)	As noted
6.	Biological Resources	A 30-day preconstruction site survey shall be conducted to determine the presence of San Joaquin kit fox on the property. The Survey must be conducted on foot within prescribed parameters as outlined by January 2011 Standardized	Applicant	Applicant/CDFW	As noted

**EXHIBIT 1**



		Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance. Any take that could occur because of the proposed project would require prior consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.			
7.	Biological Resources	A preconstruction site survey shall be conducted to determine the presence of blunt-nosed leopard lizard (BNLL) on the property. The Surveys must be conducted on foot within prescribed temperature and weather as outlined by the California Department of Fish and Game May 2004 updated version of the BNLL survey protocol. Any take that could occur because of the proposed project would require prior consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.	Applicant	Applicant/CDFW	As noted
8.	Biological Resources	Ground disturbances shall not occur during bird nesting season (between February and August) without a clearance survey by a qualified biologist to ensure that nesting birds are not impacted.	Applicant	Applicant/CDFW	As noted
9.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As noted
<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 Planning Commission, except as modified by the Commission or Site Plan Review.			
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 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 life of this land use permit will expire upon expiration of the 25-year initial life of the project. If the solar lease is to be extended or the initial life of the project extends beyond this approval, approval of a new land use permit will need to be obtained.			

4.	The project shall comply with the information in response to the Solar Facility Guidelines attached as Exhibit 7 to the Staff Report and as approved and/or modified by the Commission.
5.	The Reclamation Plan shall be revised to provide for an annual increase in costs at 3%, or tied to the Consumer Price Index (CPI), or other mechanism acceptable to the Fresno County Department of Public Works and Planning.
6.	As part of the SPR submittal process, an agreement incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) shall be entered into with Fresno County, acknowledging the presence of surrounding agricultural operations and their related activities.
7.	A dust palliative shall be required for all unpaved parking and circulation areas to prevent the creation of dust by vehicles.

\*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.

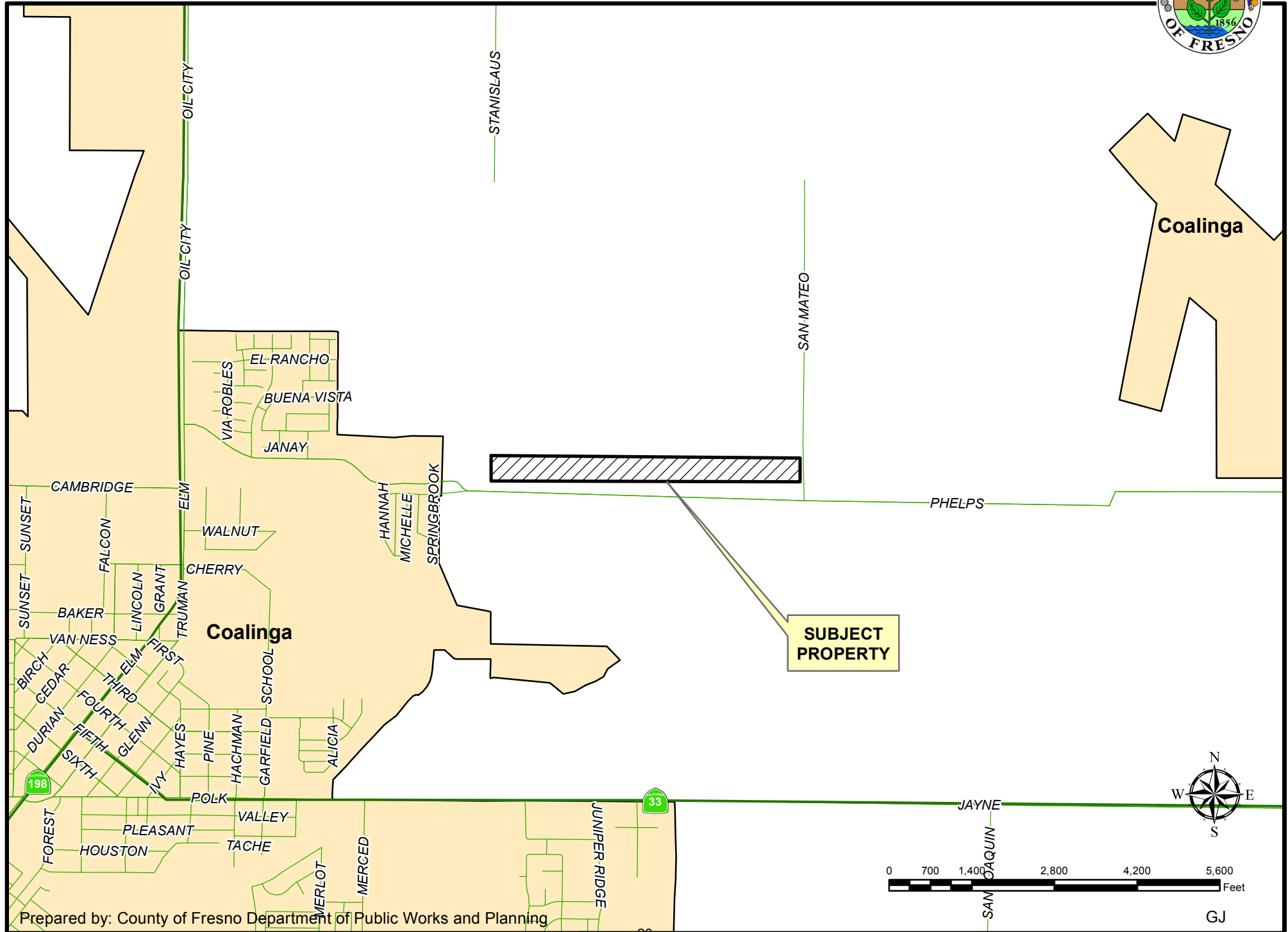
<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Construction Plans shall be submitted and Building Permits and inspections shall be required for all on-site improvements, including solar array installation and fences over six feet in height. Contact the Building and Safety Section of the Development Services and Capital Projects Division at (559) 600-4540 regarding permits for construction.
3.	To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following: <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.</li> </ul>
4.	To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following: <ul style="list-style-type: none"> <li>• An Engineered Grading and Drainage Plan shall be required to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties.</li> <li>• A grading permit or voucher shall be required for any grading proposed with this application..</li> <li>• Any additional run-off generated by the proposed development cannot be drained across property lines and shall be retained or disposed of per County Standards.</li> </ul>

Notes	
	<ul style="list-style-type: none"> <li>Federal Emergency Management Authority (FEMA) FIRM Panel 3214H shows that portions of the subject parcel are in Zone A that is subject to the 100-year storm. No net import of fill shall be allowed within the flood zone, and any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance.</li> </ul>
5.	<p>To address air quality impacts resulting from the project, the San Joaquin Valley Air Pollution Control District (Air District) requires that the project be subject to the following:</p> <ul style="list-style-type: none"> <li>District Regulation VIII (Fugitive PM10 Prohibitions)</li> <li>Rule 4601 (Architectural Coatings)</li> <li>Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations)</li> <li>Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed</li> <li>Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials</li> </ul>
6.	<p>To address site development impacts resulting from the project, the Site Plan Review Section of the Fresno County Department of Public Works and Planning requires the following:</p> <ul style="list-style-type: none"> <li>If only the driveway is to be paved, the first 100 feet off the edge of the ultimate right-of-way shall be concrete or asphalt.</li> <li>All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.</li> </ul> <p>Note: These requirements will be addressed through Site Plan Review.</p>
7.	<p>The project shall comply with the California Code of Regulations Title 24 – Fire Code and County-approved site plans shall be approved by the Fresno County Fire Protection District prior to issuance of building permits by the County. Further, the property shall annex to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.</p>
8.	<p>Any weed or rodent infestation that is of a nature and magnitude as to constitute a “public nuisance” (Section 5551 of the California Food and Agricultural Code; Sections 3479 and 3480 of the Civil Code; and Section 372 of the Penal Code) and is not addressed by the Property Owner/Operator is unlawful under California Food and Agricultural Code Section 5553 and Penal Code Section 372.</p>

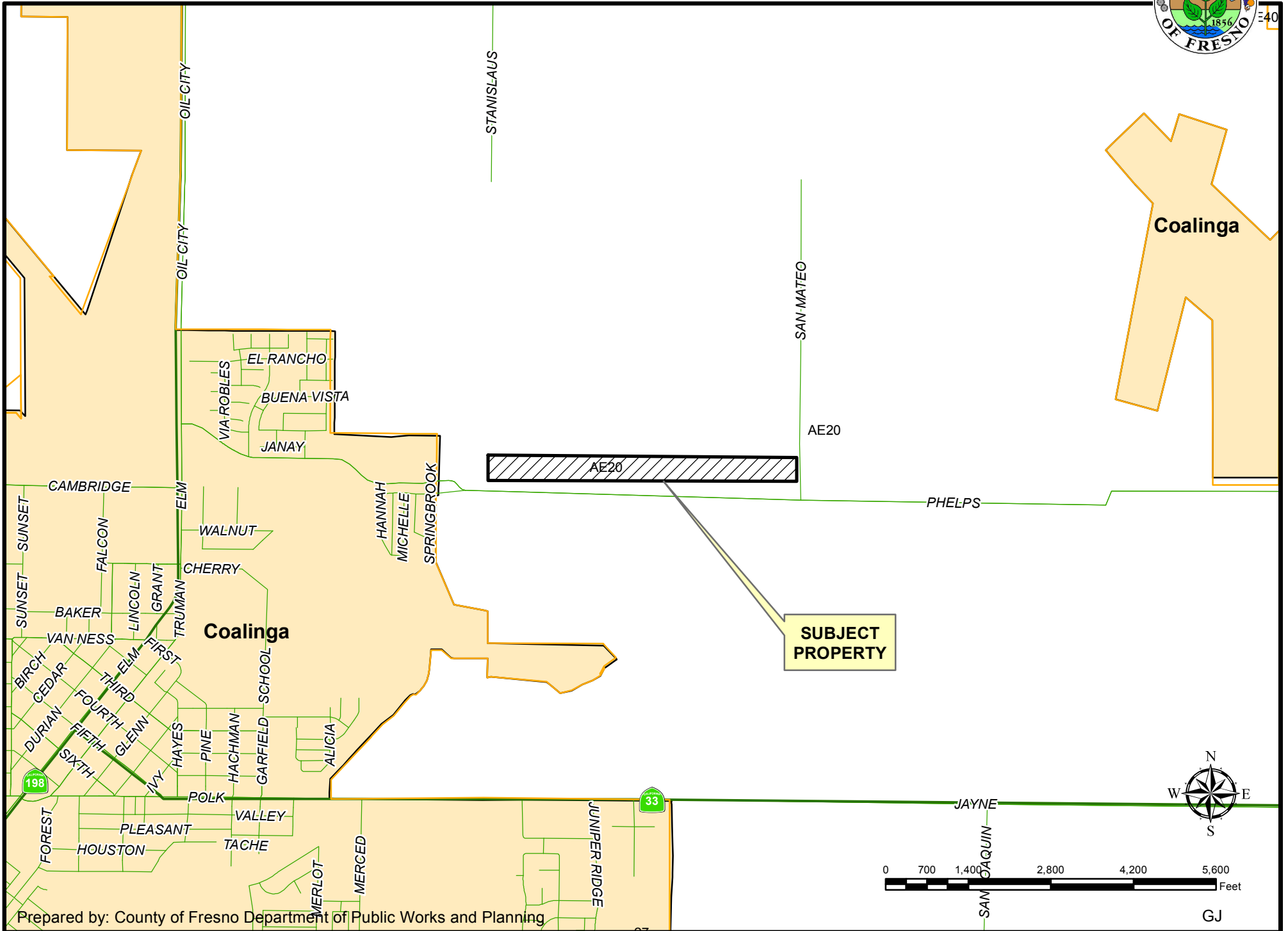
EA:ksn  
G:\4360Devs&Pin\PROJ\SE\PROJ\DOCS\CUP\3600-3699\3610\SR\CUP 3610 MMRP (Ex 1).docx

# LOCATION MAP

CUP 3610

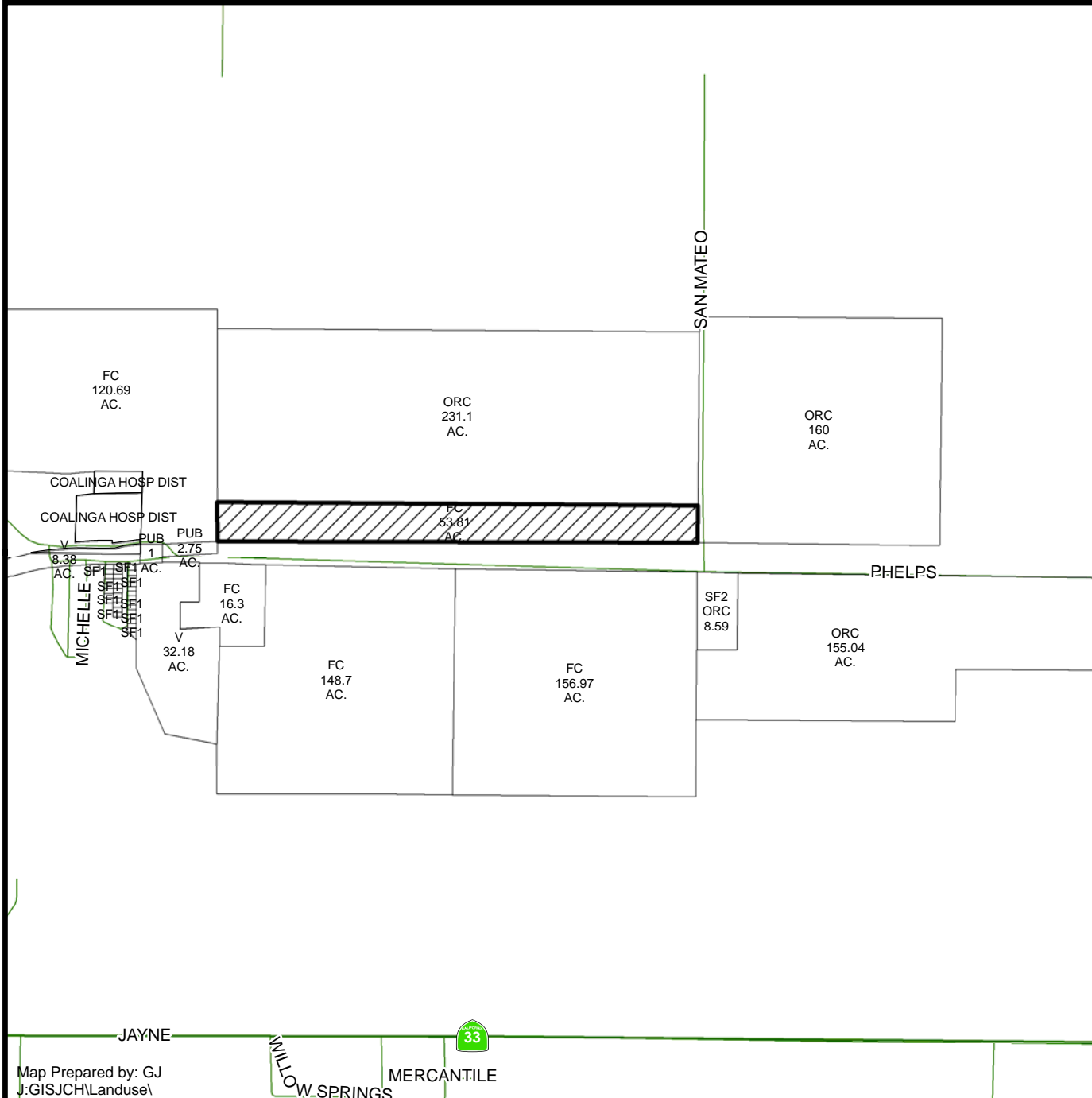


# EXISTING ZONING MAP



# EXISTING LAND USE MAP

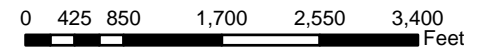
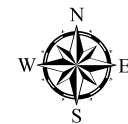
CUP 3610



LEGEND	
FC	FIELD CROP
ORC	ORCHARD
PUB	PUBLICLY OWNED
SF#	SINGLE FAMILY RESIDENCE
V	VACANT


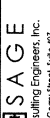
## LEGEND:

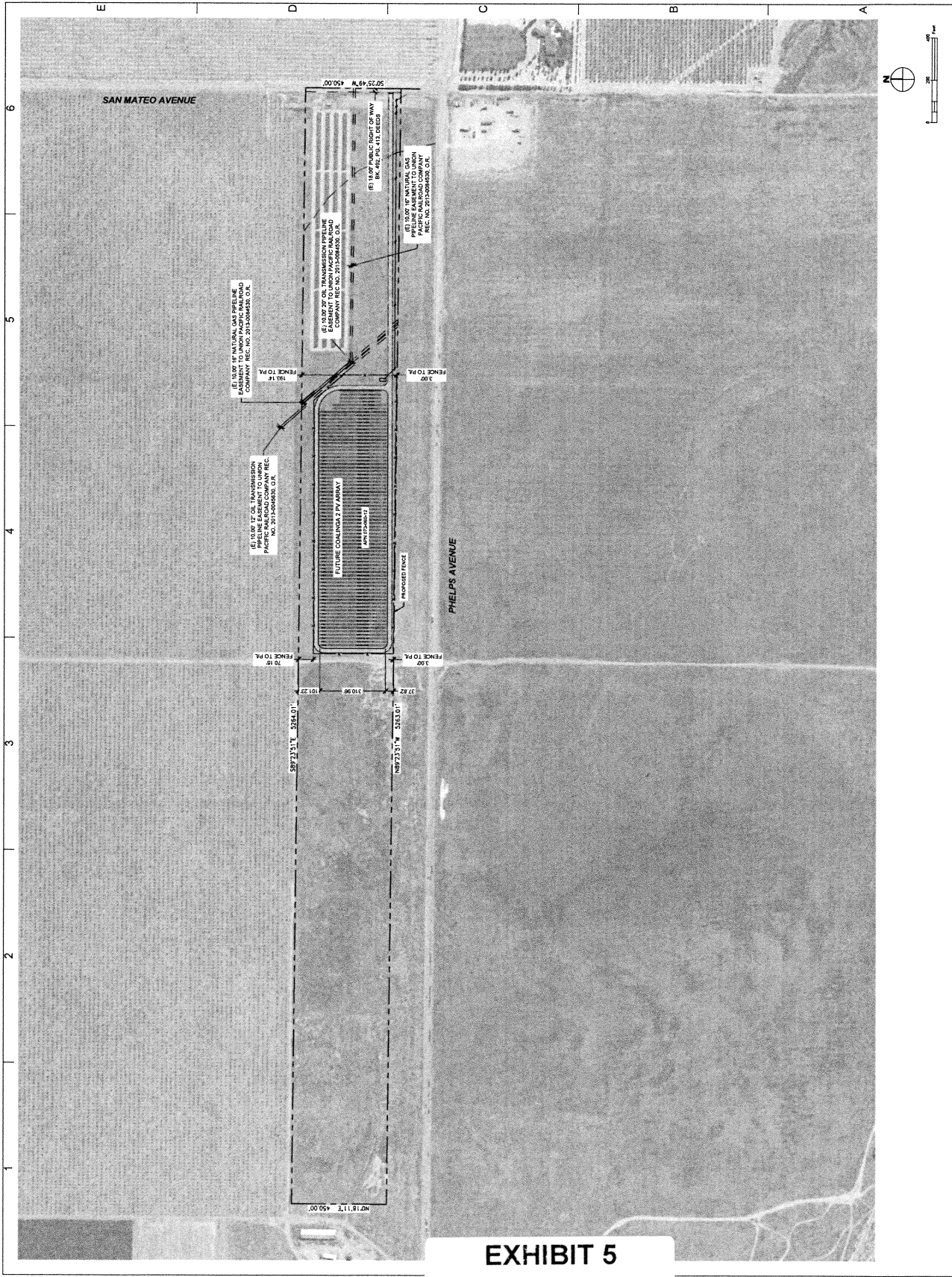
- Subject Property
- Ag Contract Land



Department of Public Works and Planning  
Development Services Division

Map Prepared by: GJ  
J:GISJCHLanduse\

 <p><b>FOREFRONT POWER</b>                  CONSULTING ENGINEERS, INC.                  100 MONTELEONE STREET                  SAN FRANCISCO, CA 94104                  (415) 776-8248                  www.forefrontpower.com</p>	 <p><b>SAGE</b>                  Consulting Engineers, Inc.                  15 Green Street, Suite 407                  San Francisco, CA 94102                  (415) 866-5200                  www.sagece.com</p>	<p><b>CA-SB43 COALINGA</b>                  1 PV POWER PLANT                  PHELPS AVENUE                  COALINGA, CA 93210</p>	<p>PROJECT NUMBER: CA-17-0106 / 10064</p>																																								
			<p>SHEET TITLE: OVERALL SITE PLAN</p>																																								
<p>SHEET SIZE: ARCH "D" 24" X 36" (610 x 914)</p>		<p>THIS DOCUMENT AND THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF FOREFRONT POWER, LLC. THE INFORMATION IS CONFIDENTIAL AND NOT BE LOANED, REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF FOREFRONT POWER, LLC.</p>																																									
<p>DATE: 08/20/18                  DRAWN BY: RCS                  ENGINEER: KMH                  APPROVED BY:</p>		<p>NO. REVISION DATE INIT.</p> <table border="1"> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>																																									
<p>PROJECT PHASE:</p>		<p>SCALE: 1" = 200'</p>																																									
<p>STAMP:</p>		<p>SHEET NO.:</p>																																									



**EXHIBIT 5**



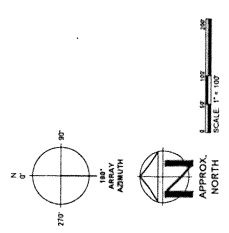
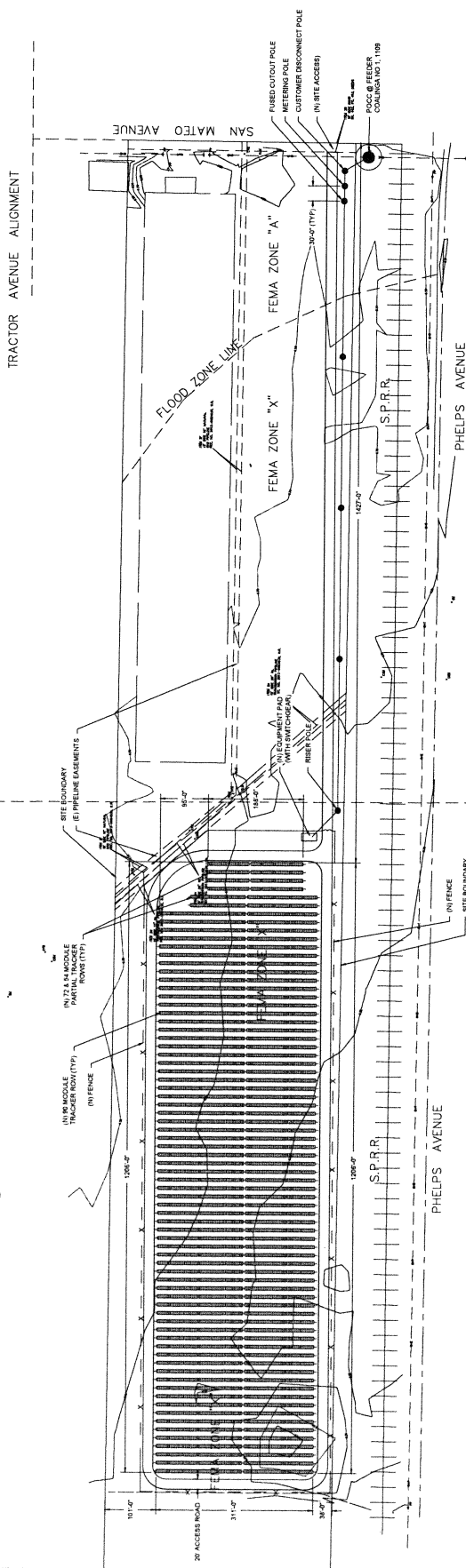
PRELIMINARY  
NOT FOR CONSTRUCTION

11.22.15

ARRAY PLAN  
ANDERSON SOLAR PROJECT  
COLINGA 1 - 1109  
CA-17-0106  
38° 37' 20.74" N, 120° 19' 40.12" W

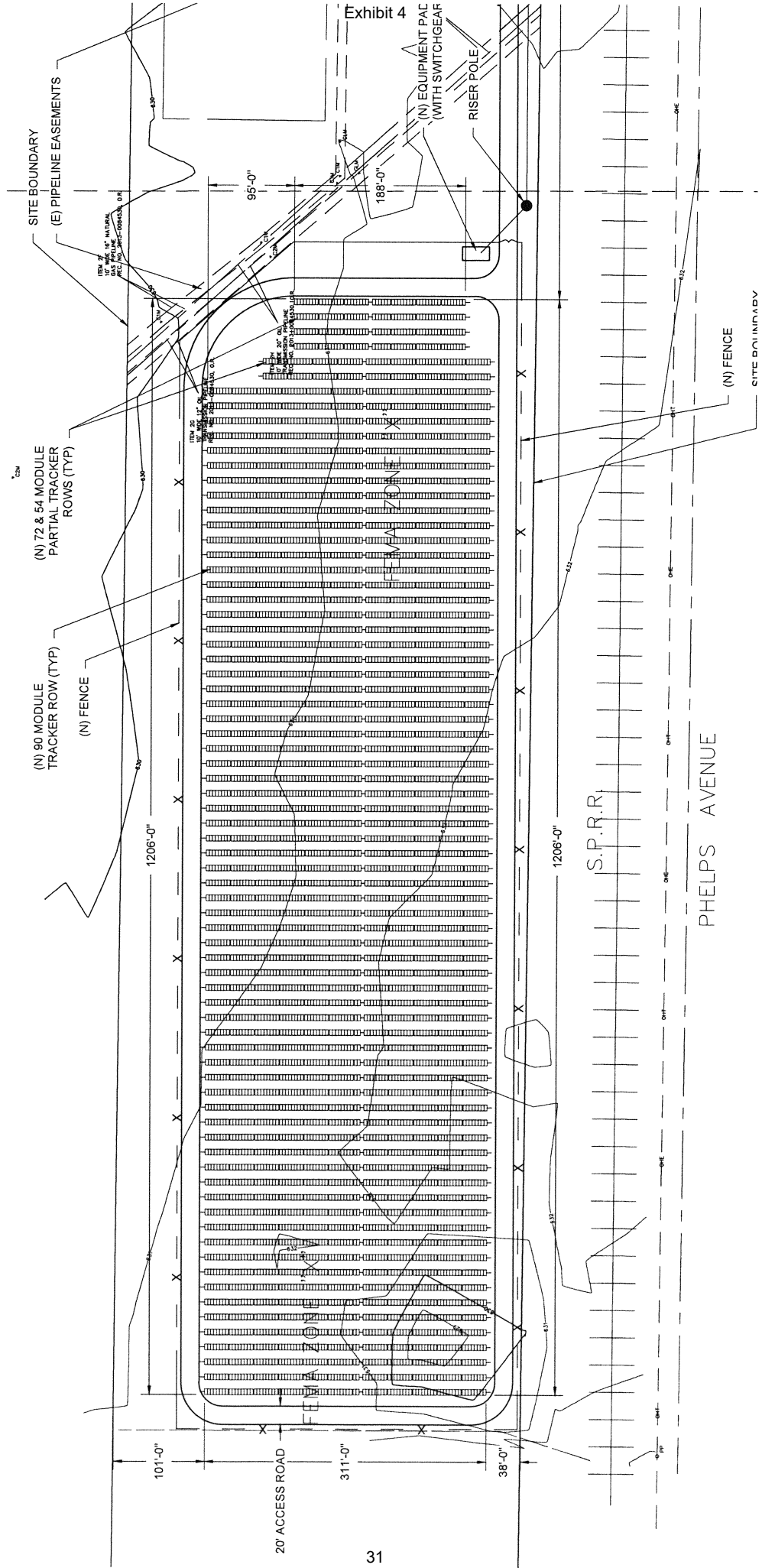
SYSTEM SUMMARY	
MODULE MODEL	REC40TFF72
MODULE STC DC RATING	340W
MODULES PER SOURCE CIRCUIT	20
TOTAL STC DC SYSTEM SIZE	6.8 MW
TOTAL AC SYSTEM SIZE	3.21 MW
DC:AC RATIO	1.8
INVERTER MODEL	SUNBORO S6000L4L QTY 27
STEPP-UP TRANSFORMER RATING	1000VA QTY 2
PROCC LOCATION	1000VA QTY 2
ROWING SYSTEM	3P 814.47V <sub>L-L</sub> 12P 212.26V <sub>W</sub>
ROW ID NUMBER (FOR GCM)	400 GCR
NEST TRACKER	42.8P
ARRAY LENGTH	120'
ARRAY WIDTH	30'

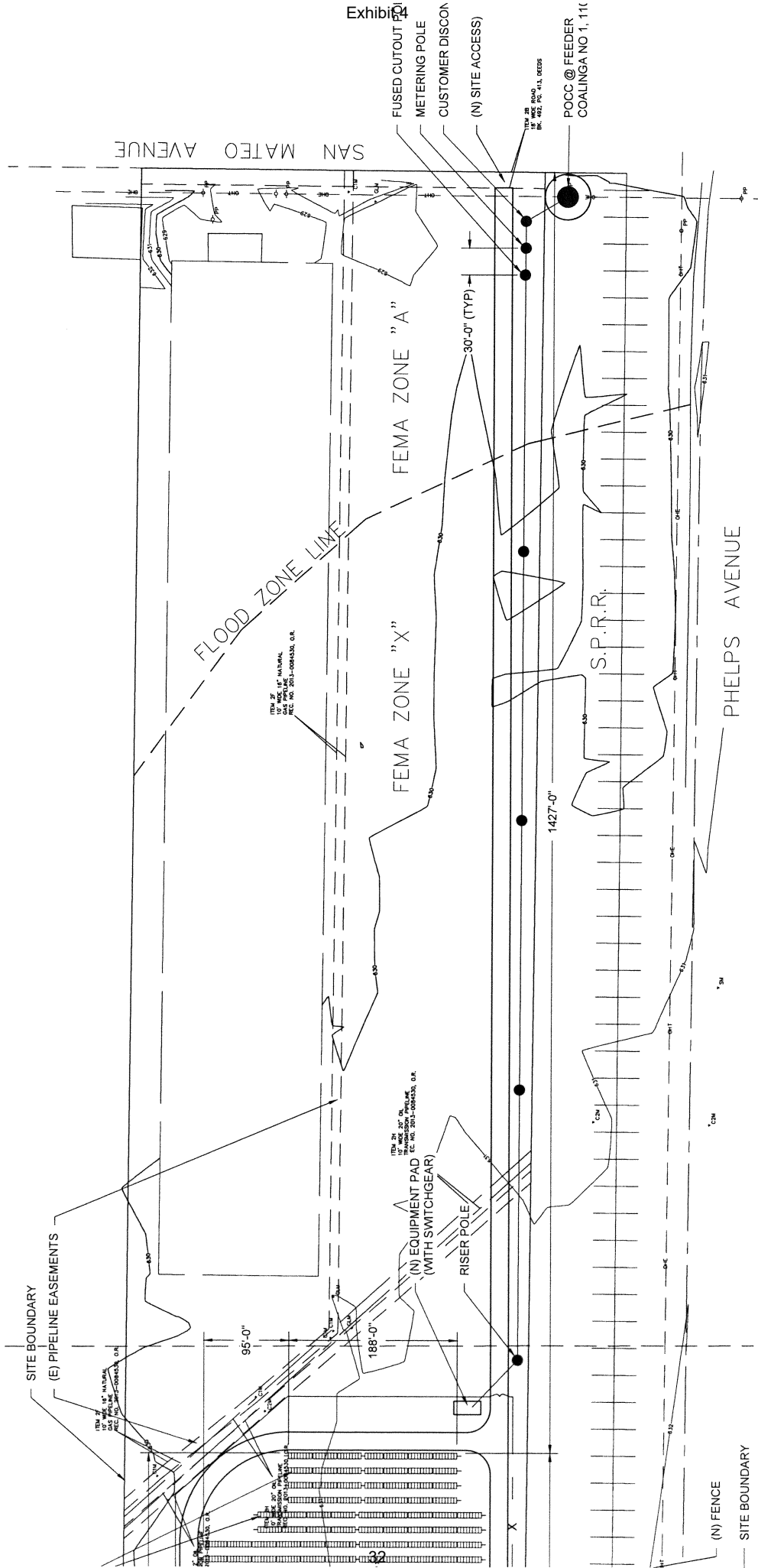
LEGEND	
---	SITE BOUNDARY
---	OVERHEAD LINES
---	2' OFFSET
---	(N) CONDUIT
---	(N) FENCE
---	(N) ACCESS ROAD
---	(N) TRACKER ROW

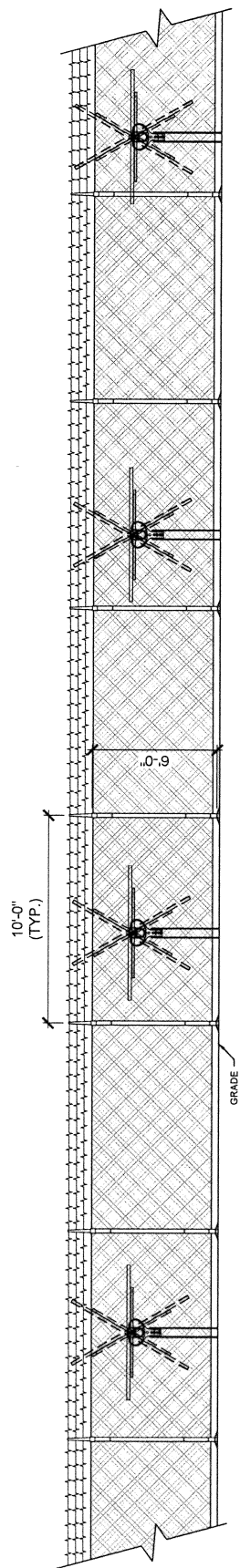


SEE DRAWING 18 FOR PROPERTY OF BLUE OAK ENERGY LLC. THE INFORMATION CONTAINED HEREIN IS CONFIDENTIAL AND IS NOT TO BE USED IN CONNECTION WITH ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION FROM BLUE OAK ENERGY LLC.

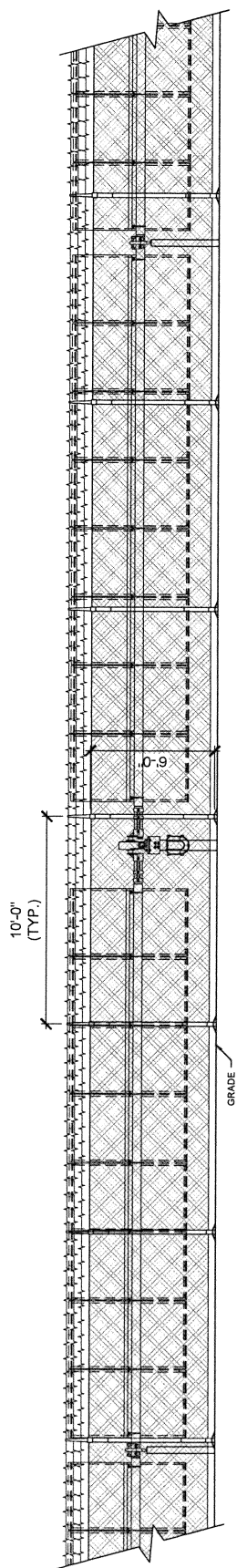








**A** NORTH-SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



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

Pre-Application Submittal

**Project:** Coalinga 1-1109 Solar

**Scope:** 1 MWac solar photovoltaic energy generation facility on the easterly +/-16 acres of a 53.81-acre parcel.

**Location:** APN 070-070-62S

**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)

CUP 3610

RECEIVED  
COUNTY OF FRESNO

SEP 19 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

(REVISED)

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 pole along the site's San Mateo Avenue frontage. An on-site collector line approximately 1,365 feet in length would connect to this pole.
2. *Operational time limits:*  
The facility will operate during daylight hours year-round. Operations would be automated and not require a staff presence.
3. *Number of customer or visitors:*  
The site would not receive customers or visitors.
4. *Number of employees:*  
The facility will be unmanned. Occasional site visits (generally less than one per day) would occur for security and maintenance.
5. *Service and delivery vehicles (number, type, frequency):*  
The facility would not receive any regular deliveries during operations. Service visits would occur periodically on an as-needed basis, and would generally require only a pick-up truck
6. *Access to the site (public road, private road, surface, unpaved/paved):*  
The site is accessible from an existing gravel-surfaced road, S. San Mateo Avenue.
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.

**EXHIBIT 6**

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.

CUP3610

Coalinga 1-1109 Solar  
 APN 070-070-62S  
 CUP No. 3610

RECEIVED  
 COUNTY OF FRESNO

SEP 19 2018

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

DEPARTMENT OF PUBLIC WORKS  
 AND PLANNING  
 DEVELOPMENT SERVICES DIVISION

- 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). *(Revised)*

The required agricultural information follows:

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
<b>Crop</b>	Fallow	Organic Wheat	Fallow	Fallow	Barley	Wheat - Durum	Fallow	Fallow	Fallow	Fallow	Fallow
<b>Yield</b>		4.1 tons			15.8 tons	21.7 tons					
<b>Water Source</b>		Non-irrigated			Non-irrigated	Non-irrigated					
<b>Tilling</b>	Nov 2007	July 2008	August 2009	Nov 2010	July & Nov 2011	July 2012	August 2013	August 2014	August 2015	August 2016	August 2017

- 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.

- 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.

- 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 Excelsior sandy loam (0-2% slope) and Westhaven loam (0-2% slope).

**EXHIBIT 7**

5. List all proposed measures and improvements intended to create a buffer between the proposed solar facility and adjacent agricultural operations (detailed information must be shown on Site Plan) and provide factual/technical data supporting the effectiveness of said proposed buffering measures.

The solar field is not located immediately adjacent to any agricultural activities; however, the project is designed with substantial buffers on all sides. The Solar Facility Guidelines target a 50-foot buffer from property lines to facility structures, excluding fencing. The project site plan shows the following approximate buffers: 101 feet along the north edge, 1,427 feet along the east edge, 38 feet along the south edge to a vacant parcel (214 feet to Phelps Avenue), and almost 2,600 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 is 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. In addition, the site does not currently and has not in the past (based on a review of various aerial photos dating back to 1937) contained include crops or other agricultural activities except livestock raising. Many surrounding properties are in similar use.

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 is 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 (currently 25 years). 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.



# Reclamation Plan

Coalinga 1-1109 Solar Project  
APN 070-070-62S  
County of Fresno

CUP 3610  
RECEIVED  
COUNTY OF FRESNO

MAR 13 2018

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

ForeFront Power, LLC  
100 Montgomery St., Suite 1400  
San Francisco, CA 94104

January 31, 2018

**Table of Contents**

1. Present use of the site ..... 3

2. Proposed alternate use of the land ..... 3

3. Duration ..... 3

4. Ownership of property ..... 3

5. Reclamation plan ..... 3

6. Site Plan ..... 4

7. Engineering cost estimate ..... 5

8. Financial assurances ..... 5

9. Evidence that all owners have been notified ..... 6

**List of Figures**

Figure 1. Project Location ..... 7

Figure 2. Site Aerial ..... 8

Figure 3. Reclamation Site Plan ..... 9

### **1. Present use of the site**

The Coalinga 1-1109 Solar (project) site is located on an 54-acre parcel (APN 070-070-62s) in the Pleasant Valley area of unincorporated Fresno County, near the city of Coalinga. The project site is located on the west side of S. San Mateo Avenue, 200 feet north of Phelps Avenue (Figures 1 and 2). The present General Plan land use designation is Agriculture and the zoning is AE-20.

The project site is located at an elevation of about 645 feet and is generally flat. The site consists of agricultural land, with active production of common wheat. Surrounding land uses are predominantly agricultural.

### **2. Proposed alternate use of the land**

ForeFront Power, LLC is proposing to develop and operate a 1-MWac solar photovoltaic energy generation facility on an 11.5-acre portion of the 54-acre parcel. Components of the facility will include a ground-mounted field of solar trackers and associated electrical equipment, including inverters and transformers; perimeter fencing; and interconnection to the electrical grid at an existing power line along the site's San Mateo Avenue frontage. A collector power line of approximately 1,365 feet will be constructed on the site. The majority of the construction activities will occur above ground; however, there will be minimal subsurface construction for tracker piles, electrical conduit systems, and racking systems.

### **3. Duration**

The project is being designed to have a functional operating life cycle of a minimum 25 years to a maximum of 35 years, contingent on the power off-take agreement and the operational date, currently targeted as June 2019. Under the current site control agreement, the project could remain in operation until June 2044.

### **4. Ownership of property**

The subject property is subject to a 25-year lease between ForeFront Power, LLC (lessee) and James S. Anderson (property owner/lessor).

### **5. Reclamation plan**

5-a) As the project is taken offline and permanently out of service, the reclamation process will commence to restore the project site to its previous agricultural condition. The entire reclamation of the site will be complete approximately 12 months after plant is taken off-line. As a result of the relatively basic design and minimal footprint of the project, the reclamation process will be simple to execute and will be completed in one phase. Demolition and reclamation will include removal of all above ground and subsurface equipment, structures, and fences. All foundations will be demolished and removed from the site, and all necessary grading

will be performed to return the site to its original grade. All removed and demolished infrastructure and components will be salvaged and recycled as available.

5-b) No hazardous chemicals or materials will be present at any time during normal site operations of the project. No additional precaution or handling methodologies will be necessary during the reclamation process. All transformers and high voltage electrical equipment will be recycled as per manufacturer requirements and coolant will be disposed of pursuant to California and Fresno County law.

5-c) All electrical equipment will be uninstalled and removed. Electrical equipment includes: inverters, PV modules, combiner boxes, transformers, switchgear, monitoring equipment, and any other on-site equipment and all affiliated cabling. The equipment will either be reused or recycled depending on its equipment, warranties, technical improvements, and market valuation. All mounting structures will be removed and recycled as possible. Any and all building improvements on the site will be demolished and removed.

5-d,e) All below-grade foundations will be demolished and removed, including concrete, rebar, and associated debris. All subsurface conduit and cabling that is not deemed necessary by the utility will be uninstalled and recycled. Any below grade facilities deemed necessary by the utility will remain buried and marked for identification.

5-f) All requisite grading required to restore the site to its original condition. Due to the low impact of the disk-and-roll approach used during site preparation and the flat condition of the project parcel, it is anticipated that minimal re-grading will be required during reclamation.

5-g) During the reclamation process the site will be return to its previous agricultural state through de-compaction of the site, as needed. Due to the disc-and-roll site preparation technique, it is expected that requisite de-compaction will be limited. The reclamation process will involve the input of the landowner to consult on site restoration for agricultural use, as they were the original users of the site in its agricultural state.

5-h) There is no irrigation system currently present on the project site. No irrigation will be required during operations.

## **6. Site Plan**

See Figure 3.

**7. Engineering cost estimate**

Civil Demolition	Quantity	Unit	Labor	TOTAL
Panel Removal	6,480	EA	\$ 1.75	\$ 11,340.00
Steel Structure Disassembly	1	LS	\$ 5,200.00	\$ 5,200.00
Driven Pile Foundation Removal	1,010	EA	\$ 5.00	\$ 5,050.00
Fencing Demolition	3,305	LF	\$ 2.50	\$ 8,262.50
Access Road Demolition	89,960	SF	\$ 0.25	\$ 22,490.00
			<b>Total</b>	<b>\$ 52,342.50</b>

Electrical Demolition	Quantity	Unit	Labor	TOTAL
Removal of Wire & Grounding Rods (including dismantle & load)	1	LS	\$ 5,000.00	\$ 5,000.00
Inverters / Parallel Gear / Combinor Boxes (including dismantle, load & disposal)	1	LS	\$ 5,000.00	\$ 5,000.00
			<b>Total</b>	<b>\$ 10,000.00</b>

Hauling	Quantity	Unit	Unit Weight (lbs)	Total Weight (tons)	\$/Load	TOTAL
Panel	6,480	EA	61.7	199.91	\$ 300.00	\$ 59,972.40
Driven Pile Foundations	1,010	EA	100	50.50	\$ 250.00	\$ 25,000.00
Tracker Structure Supports	1,010	EA	200	101.00	\$ 250.00	\$ 50,000.00
Copper (wire, inverter & parallel gear)	1	LS			\$ 500.00	\$ 500.00
					<b>Total</b>	<b>\$ 135,472.40</b>

Disposal Fees	Quantity	Unit	Unit Price	TOTAL
Dump Fees (Panels)	199.9	ton	\$ 35.00	\$ 6,996.78
Dump Fees (Building waste)	-	ton	\$ 25.00	\$ -
Dump Fees (Concrete)	2.0	ton	\$ 25.00	\$ 50.00
			<b>Total</b>	<b>\$ 7,046.78</b>

*\*PRICES ARE SUBJECT TO CHANGE\**

*\*PRICES WILL FLUCTUATE W/ MARKET CONDITIONS\**

Civil Demolition	\$ 52,342.50
Electrical Demolition	\$ 10,000.00
Hauling	\$ 135,472.40
Disposal Fees	\$ 7,046.78
<b>Total Decommission Cost</b>	<b>\$ 204,861.68</b>
Salvage Value (%)	50.0%
<b>Net Decommission Cost</b>	<b>\$ 102,430.84</b>

**8. Financial assurances**

ForeFront Power, LLC will provide the County of Fresno with a Letter of Credit in the amount of \$204,861. The Letter of Credit will increase annually by 3%, or be tied to the Consumer Price Index (CPI) or other mechanism acceptable to the Fresno County Department of Public Works and Planning.

**9. Evidence that all owners have been notified**

A lease agreement with the property owner, James S. Anderson, is in place. The lease agreement authorizes ForeFront Power, LLC to construct, operate, maintain, and decommission the solar project on the project site.

Figure 1. Project Location

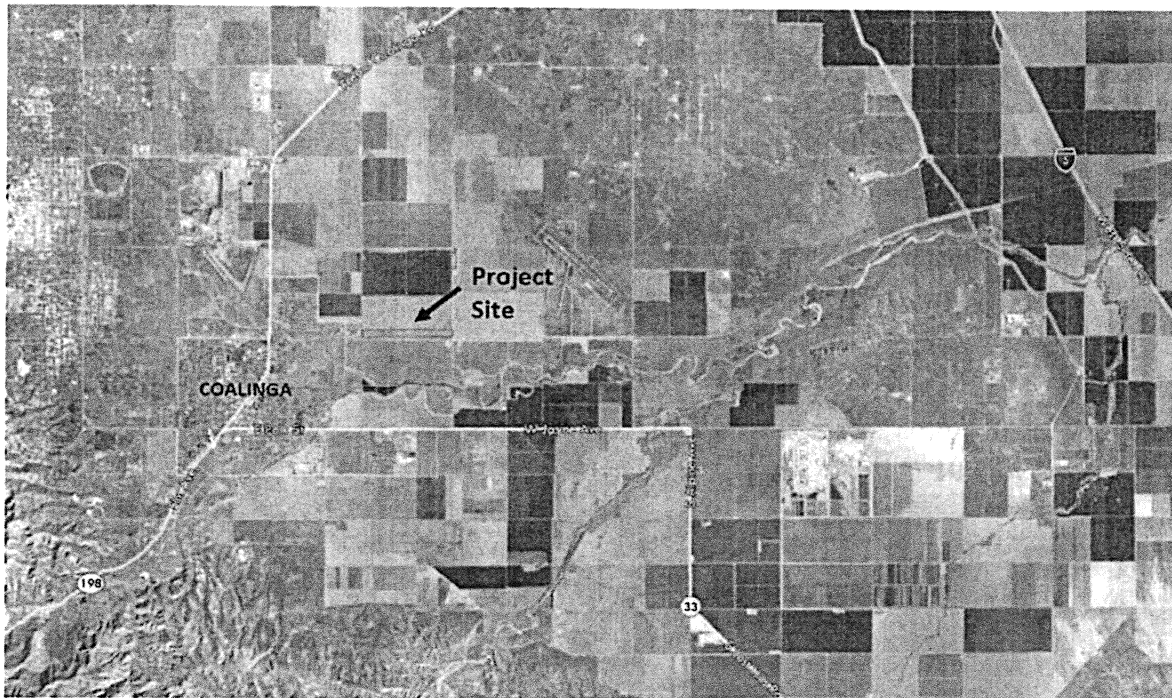


Figure 2. Site Aerial

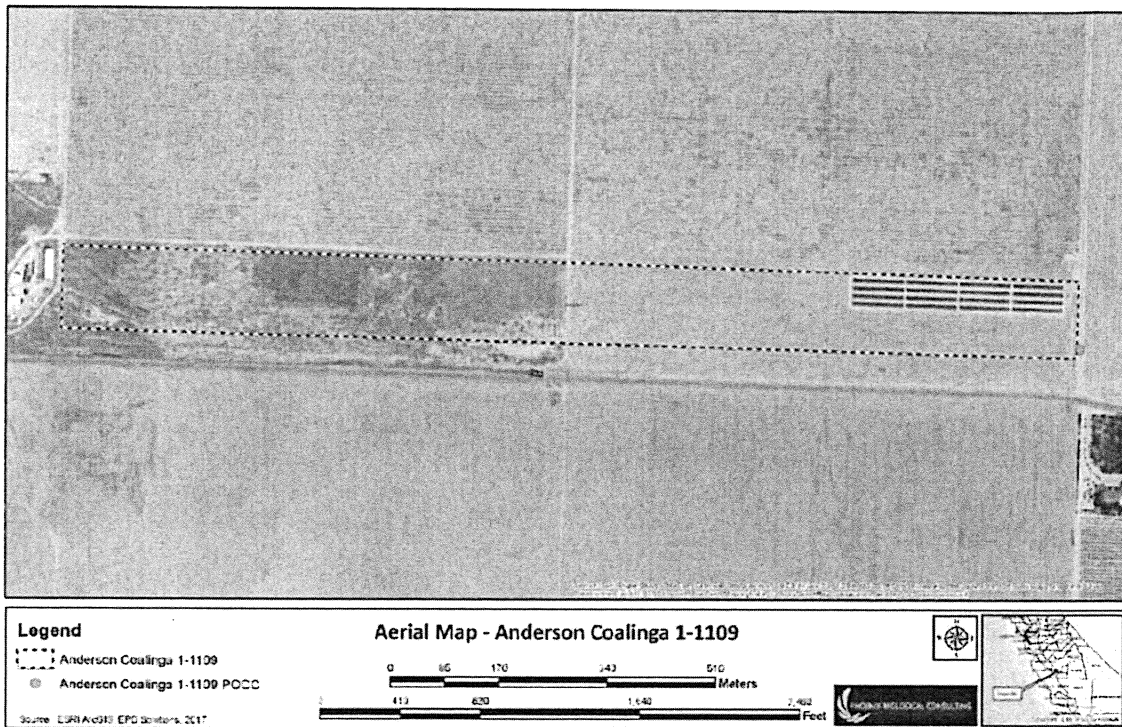
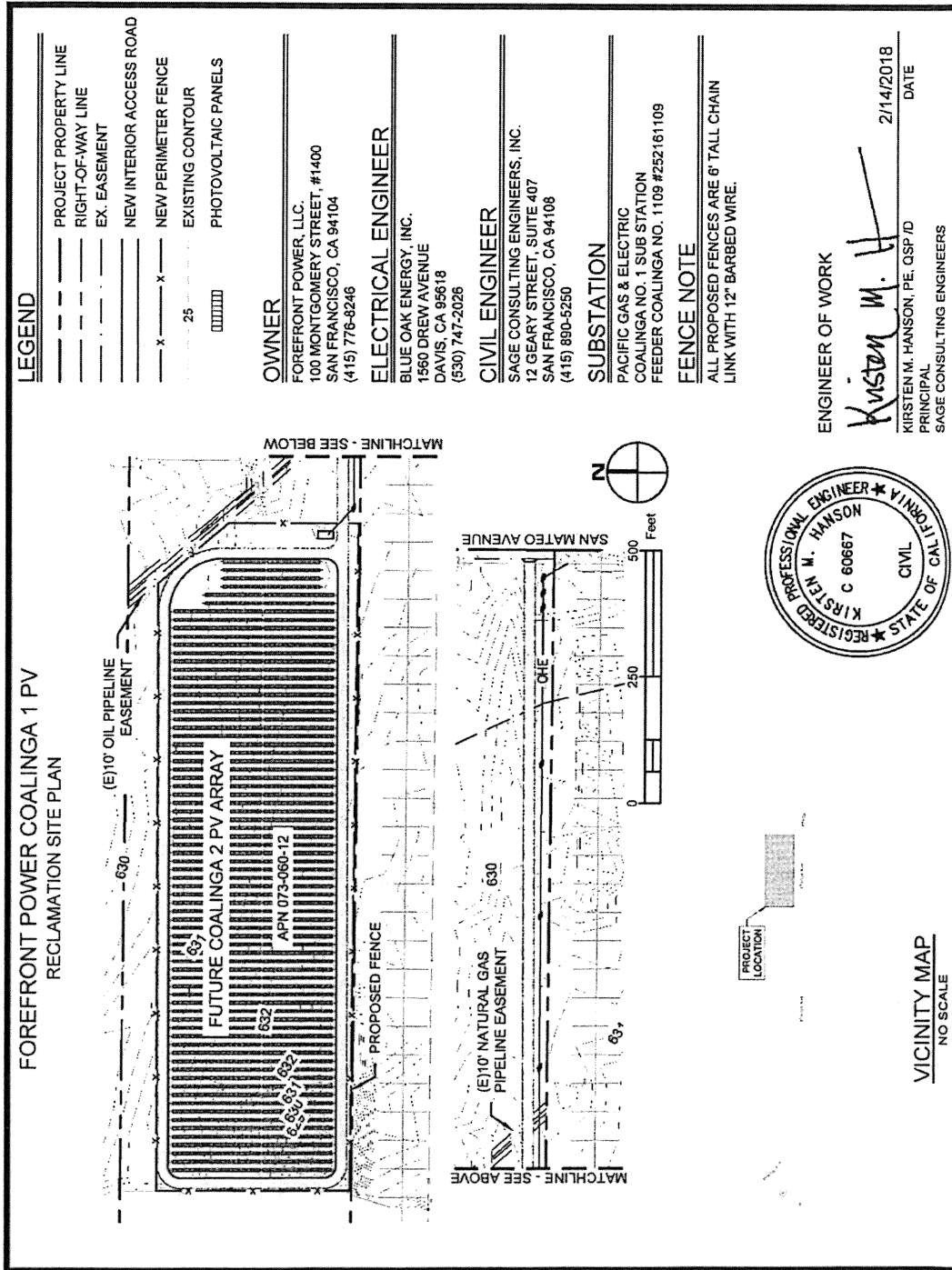




Figure 3. Reclamation Site Plan





# County of Fresno

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

## EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: ForeFront Power, LLC
- APPLICATION NOS.: Initial Study Application No. 7442 and Unclassified Conditional Use Permit Application No. 3610
- DESCRIPTION: Allow a one-megawatt photovoltaic solar power generation facility with related improvements on an approximately 11.5-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the northwest corner of Phelps Avenue and S. San Mateo Avenue approximately 875 feet east of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 070-070-62S).

### 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 site is located in an agricultural area near residential/commercial development in the City of Coalinga. No scenic vista, scenic resources, or historic buildings were identified on or near the site that could be impacted by the project. San Mateo Avenue, which provides access to the site, is not a scenic drive in the County General Plan. The project will have no impact on scenic resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

This project entails construction and operation of a photovoltaic (PV) solar power generation facility and related improvements on an approximately 11.5-acre portion of a 53.81-acre parcel with an output of one-megawatt. The project would interconnect with the electrical grid at an existing power line along the site's San Mateo Avenue frontage.

The project site is located approximately 875 feet east of the nearest city limits of the City of Coalinga and has been historically farmed. The surrounding land uses include farmland planted in field crops to the north, orchard with a single-family residence to the east, undeveloped land to the south and residential/commercial development in the City of Coalinga to the west of the project site. The nearest single-family residence is approximately 970 feet to the west of the property.

The buildings and structures included in the project proposal consist of ground-mounted PV solar module arrays and associated electrical equipment (including inverters and transformers) and perimeter fencing. The project would interconnect with the electrical grid at an existing power pole along the site's San Mateo Avenue frontage. An on-site overhead collector line (gen-tie) approximately 1,365 feet in length would connect on-site electrical equipment to this pole. The project will add seven new utility poles along the length of the gen-tie line.

The proposed solar power generation facility will have low visibility from the surrounding area. The majority of the project site (11.5 acres of a 53.81-acre parcel) will contain racking systems and PV module arrays that will have an overall height of 9 feet, secured by perimeter fencing topped with barbed wire. The fencing will create a physical buffer between the proposed improvements and adjacent farmlands.

Considering the project location in the area, low height and distance of PV module arrays from adjacent roadways (200 feet to Phelps Avenue and 1,427 feet to San Mateo Avenue), and the solar field secured by perimeter fencing, the project will have a less than significant impact on the visual character or quality of the site and its surroundings.

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

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

According to the Applicant's Operational Statement, outdoor lighting will be limited to small-scale security lighting at the entry gate and at electrical equipment such as transformers. In order to reduce any lighting and glare impact resulting from this proposal, a Mitigation Measure would require that all outdoor lighting shall be hooded and directed to not shine toward adjacent properties and public streets. With implementation of this measure, impact associated with new sources of light would be less than significant.

\* **Mitigation Measure:**

1. *All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.*

Regarding potential glare impacts, solar panels are notable for creating reflections or glare observed by drivers. This would be a potential impact for motorists along Phelps Avenue. However, the affected portion of Phelps Avenue does not carry significant daily traffic volumes (300 Average Daily Traffic) through the area.

Therefore, potential glare impacts would not be affecting a highly-travelled road, and thus, would be less than significant.

## 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 subject parcel is classified as Farmland of Local Importance on the 2014 Fresno County Important Farmland Map. The proposed solar facility will temporarily occupy a 11.5-acre portion of a 53.81-acre parcel, and at the end of 25 years of operation, the land will be reverted to the farming operation.

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- 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 forestland or conversion of forestland to non-forest use?

FINDING: NO IMPACT:

This proposal is not in conflict with the current agricultural zoning on the property and is unrestricted by a Williamson Act Land Conservation Contract. The proposed project is an allowed use on land designated for agriculture with discretionary approval and adherence to applicable General Plan Policies.

- 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 IMPACT WITH MITIGATION INCORPORATED:

Supplemental project information prepared for the proposed solar power generation facility in compliance with the "Solar Facility Guidelines" (Supplemental Information), approved by the Fresno County Board of Supervisors on May 3, 2011 (revised May 21, 2013 & December 12, 2017) has been submitted by the Applicant and reviewed by various agencies and departments.

As noted in Item No. 1 and 2 of the Supplemental Information related to Agricultural History and Water Source, the subject parcel has been fallow for seven out of the last ten years. Additionally, the site currently does not have access to a well or to irrigation district water and was non-irrigated during the three years of production. Water needed

for the construction, and perhaps for maintenance and operation of the proposed solar power generation facility, will be provided by the City of Coalinga.

As noted in response to Item No. 4 and 7 of the Supplemental Information related to Soils and Site Selection, the site's soils are not well suited for agriculture based on information provided by the Natural Resources Conservation Service (NRCS) for Westhaven loam, 0 to 2 percent slopes (map unit 474). The NRCS reports that this soil type is prime farmland if irrigated. However, as noted above, the site is non-irrigated and it is unknown if the water would be available for long-term operation of an agricultural use at this location. The site's soil type, classified as Nonirrigated Capability Class 7, is one of the lowest classes for this capability scale, indicating the site has "very severe limitations, making it unsuitable for cultivation." This soil type is also considered "highly fragile," meaning it is susceptible to degradation (e.g., erosion) due to dry conditions, extremely low organic matter, low vegetative cover, and other factors. The site was selected due to not having any active Williamson Act Contract or conservation easement or being an irrigated land with limited historical agricultural uses.

The proposed solar power generation facility will have less than significant impact on farmlands for two reasons:

According to the State's Farmland Mapping and Monitoring Program, the project site is designated as Farmland of Local Importance and does not meet the definition of a prime statewide or unique farmland. The subject proposal will occupy an approximately 11.5-acre portion of a 53.81-acre parcel of Farmland of Local Importance with soil deficiencies, and not well suited for crops.

Secondly, the loss of farmland resulting from this proposal would be temporary. As noted in response to Item No. 6 of the Supplemental Information related to Reclamation Plan, and defined in the Applicant-submitted Reclamation Plan, the project will be taken offline and permanently out of service at the end of 25 years of operation. At that point, reclamation process will commence to restore the project site to its previous agricultural condition. This process involves demolition and removal of all aboveground and subsurface equipment, foundations, structures, and fences from the site, and performing necessary grading to return the site to its original grade.

The site restoration requirements will be included as a Mitigation Measure and stipulated in a Covenant between the Applicant/Property Owner and the County of Fresno. Another Mitigation Measure would require that prior to issuance of building permits, financial assurances equal to the cost of reclaiming the land to its previous agricultural condition based on an engineering cost estimate prepared for the project by a registered engineer shall be submitted to ensure that the reclamation is performed according to the approved Plan.

Although, the Fresno County Department of Agriculture (Agricultural Commissioner's Office) expressed no specific concerns with this proposal, the agency, however, has consistently commented that solar power generation facilities may create habitat for weeds and rodents. Rodents could cause damage to aboveground and/or underground

equipment, and an uncontrolled population growth could cause damage to neighboring farmland. Likewise, unchecked weeds can become a fire hazard and can provide for food and cover for rodents. Therefore, in compliance with a mandatory requirement from the Agricultural Commissioner's Office, a Project Note would require that any weed or rodent infestation that is of a nature and magnitude as to constitute a "public nuisance" (Section 5551 of the California Food and Agricultural Code; Sections 3479 and 3480 of the Civil Code; and Section 372 of the Penal Code) and is not addressed by the Property Owner/Operator is unlawful under California Food and Agricultural Code Section 5553 and Penal Code Section 372. In compliance with Item No. 8 of the Supplemental Information, the Applicant has submitted a Pest Management Plan, which was reviewed by the Agricultural Commissioner's Office. A Mitigation Measure would require implementation of the Pest Management Plan in order to keep the site free from weeds and rodents during the life of the solar power generation facility. Likewise, in compliance with Item No. 9 of the Supplemental Information, a Condition of Approval would require the Applicant to acknowledge the Fresno County Right-to-Farm Ordinance regarding the inconveniences and discomfort associated with normal farm activities surrounding the proposed development.

Considering the above discussion and with adherence to the Mitigation Measures listed below, the project will have a less than significant impact on Agricultural and Forestry Resources.

\* **Mitigation Measures:**

1. *The project shall adhere to the procedures listed in the Reclamation Plan prepared for the operation, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any Construction Permits (Building, Electrical, Mechanical, Plumbing), the required bond amount, based on the engineer's estimate, shall be deposited (or evidence of a Bank Guarantee or Irrevocable Letter of Credit shall be provided).*
2. *A covenant shall be signed between the property owner and the County of Fresno and shall run with the land, requiring the site to be restored as nearly as practical to its original condition at the cessation of the operation of the solar power generation facility.*
3. *The project shall comply with the Pest Management Plan, prepared by ForeFront Power, LLC and dated January 31, 2018, in order to control weeds and rodents on the property that may impact adjacent properties.*

### 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?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the subject proposal along with the *Focused Air Quality and Greenhouse Gas Memorandum* prepared for the project by Urban Crossroads and dated October 6, 2017 and April 4, 2018.

Per the comments provided by the Air District, the project-specific criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of oxides of nitrogen (NO<sub>x</sub>), 10 tons per year of oxides of nitrogen (NO<sub>x</sub>), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SO<sub>x</sub>), 15 tons per year of particulate matter of 10 microns or less in size (PM<sub>10</sub>), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM<sub>2.5</sub>). As such, the District concludes that the project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.

The project is subject to Air District Rule 9510 (Indirect Source Review). This rule requires submittal of an Air Impact Assessment (AIA) Application prior to applying for the final discretionary approval, and payment of applicable off-site Mitigation Fees prior to issuance of the first Grading/Building Permit. An Air Impact Assessment (AIA) Application (ISR Project Number C-20180135) was submitted by the Applicant and deemed complete by the Air District on May 21, 2018. The District determined that the project complies with the emission reduction requirements of the District Rule 9510 and is not subject to payment of off-site fees.

Other Air District rules that may apply to this proposal include: District Regulation VIII - Fugitive Dust Rules, to address impacts related to PM-10; Rule 4102 (Nuisance); Rule 4601 (Architectural Coatings); Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations); and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated, partially demolished or removed. These requirements will be included as Project Notes.

Adherence to the Air District Rules will reduce air quality impacts to less than significant.

- E. Would the project create objectionable odors affecting a substantial number of people?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

The project will not create any objectionable odor that may affect people in the area and would be subject to Rule 4102 to prevent occurrences of public nuisances.

#### 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; or
- 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)?

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

The project site is a farmland located in an agricultural area. The site has been fallow for the last five consecutive years. An approximately 4.6-acre portion of the project site is developed with a solar power generation facility.

The Applicant's environmental consultant, Phoenix Biological Consulting, provided a Biological Habitat Assessment for the project, dated December 28, 2017, which was included with the project information packet provided to reviewing agencies in March 22, 2018. This information was also provided to the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife for review and comments.

According to the findings of the Biological Habitat Assessment (BHA), biologist from Phoenix Biological Consulting conducted a site visit on September 2, 2017 to evaluate the entire site for potential impacts from the proposed project, including sensitive plant and animal species as well as potential jurisdictional drainages that could be affected by the project. Results of the BHA indicate that the project site consists of highly-disturbed agricultural land used for active agricultural production of common wheat. The site contains no suitable nesting habitat for raptors, and due to the agricultural use of land, no suitable habitat is present for the nine rare plant species listed on the California Natural Diversity Database (CNDDDB) search within the ten-mile search radius. San Joaquin Kit fox habitat may be present on site, and their presence shall be investigated during the preconstruction surveys. Likewise, due to numerous CNDDDB occurrences of burrowing owl and Blunt-Nosed Leopard Lizard (BNLL) within the ten-mile radius of the site, a preconstruction take avoidance survey shall be conducted to determine presence of these species on the property. Additionally, no ground disturbances shall occur during nesting season without a survey clearance from a biologist.

According to the project review by the U.S. Fish and Wildlife Service (USFWS), the federally endangered San Joaquin kit fox and blunt-nosed leopard lizard (BNLL) have been documented in the California Natural Diversity Database (CNDDDB) within five miles of the project site. If the species are on site or in the vicinity during construction, operations, maintenance, or decommissioning, there is potential for take to occur. As such, USFWS requires preconstruction surveys for kit fox and BNLL for the entire site in order to identify project impact on these species. If the species are found, USFWS shall be contacted for further coordination. Any take that could occur because of the project would require prior consultation with USFWS under Section 7 or Section 10 of the Endangered Species Act of 1973 in order to avoid violation.



The California Department of Fish and Wildlife also reviewed the proposal and expressed no concerns with the project. The project will be subject to the following Mitigation Measures.

\* **Mitigation Measures:**

1. *A 14-day preconstruction site survey shall be conducted to prevent inadvertent take of burrowing owls. If burrowing owls are observed during the preconstruction survey, the project proponent shall discuss mitigation and avoidance requirements with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service.*
  2. *A 30-day preconstruction site survey shall be conducted to determine the presence of San Joaquin kit fox on the property. The Survey must be conducted on foot within prescribed parameters as outlined by **January 2011 Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance** ~~the U.S. Fish and Wildlife Service San Joaquin kit fox survey protocol for the northern range.~~ Any take that could occur because of the proposed project would require prior consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.*
  3. *A preconstruction site survey shall be conducted to determine the presence of Blunt-nosed Leopard Lizard (BNLL) on the property. The Surveys must be conducted on foot within prescribed temperature and weather as outlined by the **California Department of Fish and Game May 2004 updated version of the BNLL survey protocol** ~~U.S. Fish and Wildlife Service BNLL protocol revised May 2004.~~ Any take that could occur because of the proposed project would require prior consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.*
  4. *Ground disturbances shall not occur during bird nesting season (between February and August) without a clearance survey by a qualified biologist to ensure that nesting birds are not impacted.*
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means?

FINDING: NO IMPACT:

According to the Biological Habitat Assessment, the project site is a farmland (currently fallow) and contains no surface waters, wetlands, or Waters of the United States. As such, the project will have no impact on federally protected wetlands as defined by Section 404 of the Clean Water Act.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above, the project site has been fallow for the last five years. Due to the surrounding agricultural lands and proximity to City of Coalinga urban development, the site would not constitute a "movement corridor" for native wildlife.

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

FINDING: NO IMPACT:

The project site contains no trees and there is no sensitive rare plant that was identified in the California Natural Diversity Database (CNDDDB) and that would have suitable habitat on site. The project will not be in conflict with any local policies or ordinances protecting biological resources.

- F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

FINDING: NO IMPACT:

The project site is not within nor does it border a conservation area. The Kern National Wildlife Refuge is approximately 41 miles to the southeast of the project site.

## 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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is within an area designated as moderately sensitive to archeological finds.

The project was routed to the Southern San Joaquin Valley Information Center along with a copy of the *Cultural and Paleontological Assessment (The Assessment)* of the site conducted by Material Culture Consulting, Inc., and dated October 2017. The *Assessment* concluded that based on the lack of cultural materials observed within the project area and the limited known previously-recorded cultural resources within a one-mile radius of the project area, the project area is considered to have a low probability for the presence of prehistoric or historic archaeological deposits. The agricultural disturbance noted throughout the area has eradicated any near-surface record of prehistoric ethno-historic, or historic-era behavioral activities that may have otherwise been preserved as archaeological sites, deposits or features.

The *Assessment* recommends no additional cultural resource investigations or cultural resources monitoring except setting a plan in place to expediently address inadvertent discoveries and human remains should these be encountered during construction. Therefore, a Mitigation Measure would require that if cultural materials, including human remains, are unearthed during construction, all work is to be halted in the area of the find, and an archeologist is to be called in to evaluate the findings in order to make any necessary recommendations.

\* **Mitigation Measure:**

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.*

- 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 adherence to the above-noted Mitigation Measure, the project will have a less than significant impact on tribal cultural resources as defined in Public Resources Code Section 21074. The project was routed to the Santa Rosa Rancheria Tachi Yokut Tribe, and the Picayune Rancheria of Chukchansi Indians, who had no comments. Dumna Wo Wah Tribal Governments did not follow through in their request for consultation with the staff under AB 52.

## 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; or
2. Strong seismic ground shaking; or
3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

There are no known or identified active or potentially active faults on or adjacent to the proposed project site. The nearest known active or potentially active fault, Nunez fault, is located approximately eight miles northwest of the site. Neither the construction nor the operation of the proposed project would expose people or structures to the risk of loss, injury, or death involving rupture of a known earthquake fault. The impact would be less than significant.

4. Landslides?

FINDING: NO IMPACT:

The project site contains naturally flat relief, which precludes the possibility of landslides on site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed photovoltaic solar power generation facility would not involve significant grading activities. The racking systems and photovoltaic (PV) module arrays require a moderately flat surface for installation, which is characteristic of the subject parcel topography. However, some earthwork such as grading, fill, and compaction may be required to accommodate the placement of the racking systems and PV module arrays, subterranean conduits, footings, foundations, and access roads.

The Development Engineering Section of the Fresno County Department of Public Works and Planning reviewed the proposal and requires: 1) an Engineered Grading and Drainage Plan to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties; 2) a grading permit or voucher for any grading proposed with this application; and 3) any additional run-off generated by the proposal be retained or disposed of per County Standards. These requirements will be included as Project Notes.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

FINDING: NO IMPACT:

See Section VI. A. 4. above.

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

FINDING: NO IMPACT:

The proposed project is not located in an area with identified expansive soil as shown in the 2000 Fresno County General Plan Background Report (Figure 7-1). No impact relating to expansive soils would occur.

- 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:

The project would not include the use of septic tanks or alternative wastewater disposal systems. If sanitation facilities are required during the construction period, temporary portable toilets will be provided for the workers.

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concerns related to wastewater disposal.

## 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 majority of the Green House Gas (CHG) emissions associated with the proposed project will be from short-term construction activities. Operational emissions will be from maintenance activities, which would occur occasionally.

The project was routed to the San Joaquin Valley Air Pollution Control District (Air District) along with the *Focused Air Quality and Greenhouse Gas Memorandum* prepared for the project by Urban Crossroads, and dated October 6, 2017 and April 4, 2018. According to these documents, the annual Greenhouse Gas Emission with the construction and operation of the project is estimated to be 48.83 MTCO<sub>2</sub>e per year. The proposed project would not exceed the 7,000 MTCO<sub>2</sub>e threshold considered by the California Air Resources Board (ARB). As such, the proposed project would result in a less than significant impact with respect to CHG emissions.

The Air District reviewed the proposal and expressed no concerns regarding greenhouse gas emissions. The project will comply with District Rule 9510 and other Rules discussed in Section III. A. B. C. D. Air Quality.

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

### FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and 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 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, and all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. These requirements will be included as Project Notes. The use of hazardous materials entailed in the project would not generate impacts that amount to a level of significance requiring mitigation beyond what is required by existing regulations.

No schools are located within one quarter-mile of the project site. The nearest school, Coalinga Middle School, is approximately 1.2 miles west of the project site.

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

### FINDING: NO IMPACT:

The project is not located on a hazardous materials site. The Fresno County Department of Public Health, Environmental Health Division expressed no concerns regarding suitability of the site for the proposed use.

The site has historically been used for agricultural purposes that have utilized pesticides that are currently considered a health risk and no longer used. Geo Tek, Inc., conducted a *Phase I Environmental Site Assessment (ESA)* dated September 20, 2017 to determine the effects on humans of a pesticide on that was used on site during farming activities. Historically, some agricultural sites have utilized pesticides that are currently considered a health risk and are no longer used. Given the proposed use of the site is for a solar power generation facility and not for habitable development, the ESA revealed no evidence of a recognized environmental condition or concern in connection with the subject site.

- 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: NO IMPACT:

The project site is not located within an Airport Land Use Plan. The nearest airport, New Coalinga Municipal Airport, is approximately 1.2 miles east of the site. The project is an unmanned facility and will not be impacted by air traffic.

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

FINDING: NO IMPACT:

The project site is located in an area where existing emergency response times for fire protection, emergency medical services, and sheriff protection meet adopted standards. The project does not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with emergency response or evacuation in the project vicinity.

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

FINDING: NO IMPACT:

The project site is not located within or adjacent to a wildland area. The project will not expose persons or structures to wildland fire hazards.

## IX. HYDROLOGY AND WATER QUALITY

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

FINDING: NO IMPACT:

See discussion in Section VI. E. Geology and Soils. The Fresno County Department of Public Health, Environmental Health Division, reviewed this proposal and expressed no concerns related to soils or wastewater disposal.

The Central Valley Regional Water Quality Control Board (RWQCB) also reviewed the proposal and expressed no concerns related to the project impact on groundwater quality.

- 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:

The project will have no impact on groundwater resources. The project will use an estimated 5,000 to 10,000 gallons of water per day during one to two months of construction. Access to construction water will be through the City of Coalinga with the installation of a temporary meter at a City fire hydrant and payment of fees per City requirements. During operation, a permanent source of water is not required, as the project will use a commercially available biodegradable solution for panel cleaning.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns related to water for the project.

- 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: NO IMPACT:

The project will not affect any existing natural drainage channels, as none exist on the property.

- 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As noted above in Section VI. B., a grading permit or voucher will be required for any grading proposed with this application, and the project will adhere to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code.

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

FINDING: NO IMPACT:

See discussion in Section IX. A.

- G. Would the project place housing within a 100-year floodplain?



FINDING: NO IMPACT:

No housing is proposed with this project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Federal Emergency Management Authority (FEMA) FIRM Panel 3214H shows that portions of the subject parcel are in Zone A that is subject to the 100-year storm.

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, no net import of fill shall be allowed within the flood zone, and any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of the Fresno County Ordinance. This requirement will be included as a Project Note.

- 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:

The proposal will not expose persons or structures to potential levee or dam failures, nor is it prone to hazards such as seiche, tsunami or mudflow.

#### X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

This proposal will not physically divide a community. The project site is located approximately 875 feet east of the nearest city limits of the City of Coalinga.

- 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 subject property is designated Agriculture in the County-adopted Coalinga Regional Plan and is located within the City of Coalinga Sphere of Influence (SOI). The City reviewed the proposal for consideration of possible annexation and general comments and elected to release the project for processing by the County on December 7, 2017. Also, in its review of the proposal, the City did not oppose the project and expressed no concerns with the County approving this application.

The project is consistent with the County General Plan. The County General Plan allows the proposed facility in an agriculturally-zoned area by discretionary land use approval, provided it meets applicable General Plan policies.

Regarding General Plan Policy LU-A.3, Criteria a. b. c. d., the proposed solar generation facility will operate more efficiently in a non-urban area due to the property size required to produce electricity with solar panels and the availability of large undeveloped land in the subject area; will be located on non-Prime Farmland land; will use limited water (5,000-10,000 gallons per day) during project construction; and will have work force available nearby in the City of Coalinga.

Regarding General Plan Policy LU-A.12, Policy LU-A.13 and Policy LU-A.14, the subject proposal is consistent with General Plan Policy LU-A.3 as discussed above. The proposed facility will occupy an 11.5-acre portion of a 53.81-acre parcel which will be chain-link-fenced to provide buffer between the proposed facility and surrounding farming activities, with on-site improvements to maintain a 50-foot setback from the property lines. Additionally, after generating solar power for 25 years, the project site will be reverted to agricultural use in accordance with the Applicant's Reclamation Plan.

Regarding General Plan Policy PF-C.17, the project will use limited water provided by the City of Coalinga.

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

FINDING: NO IMPACT:

The project will not conflict with any Habitat Conservation or Natural Community Conservation Plans.

## 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: NO IMPACT:

No mineral resource impacts were identified in the analysis. The site is not located in an identified mineral resource area (Policy OS-C.2 of the General Plan).

## 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:

The project is an unmanned facility and will not expose people to severe noise levels or create substantial increases in ambient noise levels.

The Fresno County Department of Public Health, Environmental Health Division expressed no concerns related to noise. However, development of the proposed solar power generation facility will be subject to conformance with the Fresno County Noise Ordinance related to construction noise, limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. This requirement will be included as a Project Note.

- 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: NO IMPACT:

See discussion in Section VIII. E. F. above.

### 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:

The project will not construct or displace housing nor will it otherwise induce population growth.

### 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Fire Protection District, the project shall comply with the latest California Code of Regulations Title 24 – Fire Code, and County-approved site plans shall be approved by the Fire District prior to issuance of building permits by the County. Further, the project shall annex to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District. These requirements will be included as Project Notes and addressed through Site Plan Review.

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

FINDING: NO IMPACT:

The project will have no impact on police services, schools, parks or any other public facilities.

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:

No impact on recreational resources were identified in the project analysis.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, the project construction will take approximately four months based on a five-day work week with workers on site eight hours each day. During construction, a maximum of 40 construction personnel per day

will be on site. During operations, one person per day will visit the site for security and maintenance.

A *Trip Generation Evaluation* was prepared for the project by Urban Crossroads and dated October 27, 2017. The Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning reviewed the document and, based on an estimated 19 medium-duty and 19 heavy-duty trucks associated with vendor activity accessing the site on a daily basis during peak Solar Field Installation activity, expressed no concerns, nor required a Traffic Impact Study for the project. The impact would be less than significant.

- C. Would the project result in a change in air traffic patterns?

FINDING: NO IMPACT:

Due to low height of solar panels (9 feet) and related improvements, the project will not impact air traffic patterns.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The County Design Division and Road Maintenance and Operations Division (RMO) of the Department of Public Works and Planning did not identify any concerns with respect to increased traffic hazards or emergency access to the site. The proposed solar facility will gain access from San Mateo Avenue for construction, routine maintenance and emergencies.

- 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:

The project will not conflict with any adopted alternative transportation plans.

## XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements?

FINDING: NO IMPACT:

See discussion in Section VI. E. Geology and Soils.

- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: NO IMPACT:

See discussion in Section IX. B. Hydrology and Water Quality.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section IX. E. Hydrology and Water Quality.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: NO IMPACT:

See discussion in Section IX. B. Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: NO IMPACT:

See discussion in Section VI. E. Geology and Soils.

- 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:

Construction and decommissioning of the project would generate waste that may include cardboard, wood pallets, copper wire, scrap steel, common trash, and wood wire spools. Given the size of the project, the waste would be limited and could be accommodated by the local landfill site.

Once operational, the proposed solar power generation facility will require one person to visit the site daily for security and maintenance. Considering the number of employee to be present at the facility on a regular basis, the project will not have a significant impact on landfill. Further, as discussed in Section VIII. B., all hazardous waste will be handled in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5.

#### 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:

Construction of the project may have an impact on sensitive biological and cultural resources. Included Mitigation Measures in Section IV. A. B. and Section V. A. B. C. D. will minimize such impacts to less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Valley Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the project analysis other than aesthetics, agriculture and forestry resources, biological resources, and cultural resources, which will be addressed with the Mitigation Measures discussed in Section I. D., Section II. A. B. C. D. E., Section IV. A. B. and Section V. A. B.

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

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the project analysis.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study (No. 7442) prepared for Unclassified Conditional Use Permit Application No. 3610, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to mineral resources, population and housing or recreation.

Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation/traffic and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics, agricultural and forestry resources, biological resources, and cultural resources have been determined to be less than significant with the identified 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" Streets, Fresno, California.

EA:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3600-3699\3610\IS-CEQA\CUP 3610 IS wu.docx



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: IS 7442	<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): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): ForeFront Power, LLC	Project Title: Unclassified Conditional Use Permit Application No. 3610		
Project Description: Allow a one-megawatt photovoltaic solar power generation facility with related improvements on an approximately 11.5-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the northwest corner of Phelps Avenue and S. San Mateo Avenue approximately 875 feet east of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 070-070-62S).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7442) prepared for Unclassified Conditional Use Permit Application No. 3610, staff has concluded that the project will not have a significant effect on the environment.  No impacts were identified related to mineral resources, population and housing or recreation.  Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation/traffic and utilities and service systems have been determined to be less than significant.  Potential impact related to aesthetics, agricultural and forestry resources, biological resources, and cultural resources have been determined to be less than significant with the identified mitigation measure.  The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast 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 – August 31, 2018		Review Date Deadline: October 1, 2018	
Date: August 27, 2018	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

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

**LOCAL AGENCY  
MITIGATED NEGATIVE DECLARATION**



# 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 3610  
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