



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 7 November 18, 2021

**SUBJECT:** Initial Study No. 8027 and Unclassified Conditional Use Permit Application No. 3705

Allow the construction, operation and ultimate decommissioning of a 1.75-Megawatt AC solar photovoltaic energy generation facility, located on an approximately 13-acre portion of a 19.32-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project site located on the south side of E. Manning Avenue approximately 450 feet from the southeast corner of the intersection of E. Manning and S. Crawford Avenue, approximately 2.25 miles east of the City of Reedley and 2.25 miles west of the City of Orange Cove (22899 E. Manning Avenue) (APN: 373-111-72) (Sup. Dist. 4).

**OWNER:** David Gonzalez

**APPLICANT:** Forefront Power, LLC

**STAFF CONTACT:** Jeremy Shaw, Planner  
(559) 600-4207

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) No. 8027; and
- Approve Unclassified Conditional Use Permit No. 3705 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. Zoning Map
4. Land Use Map
5. Site Plans and Detail Drawings and Elevations
6. Applicant’s Operational Statement
7. Applicant’s “Project Compliance with Solar Facility Guidelines”
8. Summary of Initial Study No. 8027
9. Draft Mitigated Negative Declaration (MND)
10. Reclamation Plan
11. Pest Management Plan
12. Department of Conservation comment letter

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

| <b>Criteria</b>          | <b>Existing</b>   | <b>Proposed</b>   |
|--------------------------|---|---|
| General Plan Designation | Agriculture   | No change   |
| Zoning                   | AE-20   | No change   |
| Parcel Size              | 19.31 acres   | No change   |
| Project Site             | See parcel size above   | 12.52 acres   |
| Structural Improvements  | 1,481 square-foot Single Family Dwelling/ 578 square-foot detached garage             | Addition of new solar arrays (panels and trackers) covering approximately 12.52-acres |
| Nearest Residence        | On the subject parcel, approximately 60 feet east of the nearest proposed solar array | No change   |
| Surrounding Development  |   | No change   |
| Operational Features     | <u>Single-Family dwelling and Community Garden</u>                                    | <u>The project proposes an approximately 12.5-acre solar generating facility</u>      |

| <b>Criteria</b>    | <b>Existing</b> | <b>Proposed</b>   |
|--------------------|-----------------|---|
| Employees          | N/A             | Approximately 11, including one general maintenance technician and 10 panel cleaners  |
| Customers          | N/A             | N/A   |
| Traffic Trips      | Residential     | Approximately 22 daily trips during operation on days where maintenance and panel cleaning occur, four times per year for panel cleaning, and once per week for equipment maintenance |
| Lighting           | Residential     | One motion activated security light mounted near the access gate along Manning Avenue (as per applicant's operational statement).   |
| Hours of Operation | N/A             | The Solar facility will operate 24 hours per day, seven days per week   |

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

**ENVIRONMENTAL ANALYSIS:**

An initial study (IS) was prepared for this project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study has been included as Exhibit 7.

**PUBLIC NOTICE:**

Notices were sent to 20 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

An Unclassified Conditional Use Permit may be approved only if five 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 project entails the construction, operation and ultimate decommissioning of a photovoltaic solar energy generating facility to be located on an approximately 12.5-acre portion of a 19.32-acre parcel. The energy generated by the facility will be delivered to Pacific Gas and Electric (PG&E) via a new approximately 920-foot-long overhead transmission line to the existing PG&E Reedley substation located approximately 550 feet northeast of the project site.

*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 yard: 35 feet<br>Side Yard: 20 feet<br>Rear Yard: 20 feet<br>Street Side Yard (or side yard abutting the street for corner lots): 35 feet | Front yard (north):<br>Side Yard (west):<br>Street Side Yard (east):<br>Rear Yard (south): | Yes                          |
| Parking                 | No requirements   | N/A  | N/A                          |
| Lot Coverage            | No requirements   | N/A  | N/A                          |
| Space Between Buildings | No animal or fowl pen, coop, barn or corral shall be located within forty (40) feet of any dwelling or other building used for human habitation | No change  | Yes                          |
| Wall Requirements       | None  | N/A  | N/A                          |
| Septic Replacement Area | 100 Percent   | No change  | Yes                          |
| Water Well Separation   | Septic tank: 100 feet<br>Leach field: 100 feet<br>Seepage pit: 150 feet   | No change  | Yes                          |

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

Development Engineering Section, Department of Public Works and Planning: According to FEMA FIRM Panel 2685H, the subject parcel is not subject to flooding from the 100-year (one-percent chance) storm event. According the U.S.G.S Quad Map, Dinuba Town Ditch should be coordinated with the owners of the ditch or appropriate agency.

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

**Analysis:**

The subject property contains approximately 19.32-acres, and is improved with a single-family dwelling and detached garage. The property also contains vineyards which have lain fallow for approximately ten years, and a community garden occupies approximately 11,000 square feet in the northeast portion of the parcel adjacent to the residence. The property has been used historically for the cultivation of Staff review of the site plan demonstrates that the proposed solar arrays will be set back approximately 117 feet from the ultimate right-of-way of E. Manning Avenue and approximately 154 feet from the nearest right-of-way of S. Crawford Avenue, well in excess of the minimum required front and street side yard setbacks. There is an irrigation canal running along the east side of the subject property, which includes an 80-foot-wide easement. Additionally, the solar arrays will be set back more than 50 feet from side and rear property boundaries, in accordance with the County Adopted Solar Facility Guidelines. The proposed solar arrays will be set back approximately 55 feet from the residence.

Based on the foregoing analysis, Staff finds that the subject parcel is adequate in size and shape to accommodate the proposed solar energy facility, meeting all applicable yard setbacks of the AE-20 Zone District.

**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*

|                              |           | <b>Existing Conditions</b>  | <b>Proposed Operation</b>   |
|------------------------------|-----------|---|---|
| Private Road                 | No        | N/A   | N/A   |
| Public Road Frontage         | Yes       | E. Manning Avenue:<br>S. Crawford Avenue:   | No change   |
| Direct Access to Public Road | Yes<br>No | E. Manning Avenue: One existing driveway utilized by the residence<br>S. Crawford Avenue: No access | One additional 30-foot-wide gated access driveway is proposed, at the west end of the solar arrays along E. Manning Avenue. |
| Road ADT                     |           | Information pending response from Roads   | Unknown   |

|                                     |    | <b>Existing Conditions</b>  | <b>Proposed Operation</b>  |
|-------------------------------------|----|---|--|
| Road Classification                 |    | E. Manning Avenue: Arterial (Scenic Drive)<br>S. Crawford Avenue: Local Road  | No change  |
| Road Width                          |    | E. Manning Avenue: 27.5 feet<br><br>S. Crawford Avenue: 30.45 feet  | No change<br><br>No change   |
| Road Surface                        |    | Asphalt concrete  | No change  |
| Traffic Trips                       |    | Residential   | Maintenance and security: (1) round trip per week (52 round trips per year)<br><br>Panel cleaning: two (2) truck trips per year<br><br>Construction:                             |
| Traffic Impact Study (TIS) Prepared | No | The project was reviewed by the Road Maintenance and Operations Division and the Design Division; neither department recommended a Traffic Impact Analysis, however the Design Division, Transportation Planning Unit recommended that a Traffic Management Plan be submitted as a Condition of Approval. That Condition has been included as a Mitigation Measure. | A Traffic Management Plan will be required to demonstrate how construction and reclamation related traffic will be handled without creating adverse impacts to surrounding roads |
| Road Improvements Required          |    | No  | No   |

**Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:**

Road Maintenance and Operations Division, Department of Public Works and Planning: E. Manning Avenue currently has 60 feet of road right-of-way/ An additional 23 feet of road right-of-way is required along the parcel frontage to meet the ultimate right-of-way of 106 feet for E. Manning Avenue.

Design Division, Transportation Planning: A Traffic Management Plan is needed to address potential impacts during the construction and decommissioning phases of the project. In

addition to managing traffic flow during construction and decommissioning, the Traffic Management Plan shall also address dust mitigation.

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

**Analysis:**

The subject property has frontage along both E. Manning Avenue and S. Crawford Avenue. The project will take access via a new 30-foot-wide driveway onto E. Manning Avenue. A trip generation was completed for the project by EPD Solutions, Inc. dated October 22, 2021. The trip generation analysis quantified the number of vehicle trips that would be generated during three phases of construction over approximately four months, and decommissioning and reclamation of the project over approximately twelve months. Construction was estimated to generate approximately 189 daily and 20 peak hour trips during phase three, site construction and panel installation. According the findings of the trip generation, operation of the project would entail approximately 5-0 round trips, once per quarter along with several maintenance trips per month, or approximately 22 maximum daily round trips on those days, based on 10 panel washing crew members and 1 maintenance worker.

California Assembly Bill (AB) 743 requires that projects be evaluated transportation impacts through quantification of vehicle miles travelled (VMT) contributed by a project, with the goal of reducing greenhouse gas emissions. The State adopted threshold of significance for VMT is that projects which generate or attract 110 or fewer average daily trips generally can be assumed to have a less than significant impact on transportation. Therefore, the project would have a less than significant impact on transportation with regard to vehicle miles travelled.

Construction of the project will require the submission and approval of a traffic management plan to address potential impacts from traffic generated by construction activities.

Based on the above information, and County staff has determined that E. Manning and S. Crawford Avenues are adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*See recommended Mitigation Measure No. 7 attached as Exhibit 1.*

**Conclusion:**

Finding 2 can be made.

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

| <b>Surrounding Parcels</b> |             |                                   |         |                        |
|----------------------------|-------------|-----------------------------------|---------|------------------------|
|                            | Size:       | Use:                              | Zoning: | Nearest Residence:     |
| North                      | 19.82 acres | Single-Family Residential/Orchard | AE-20   | Approximately 240 feet |
|                            | 19.23 acres | Orchard                           |         | None                   |
| South                      | 19.89 acres | Single-Family                     | AE-20   | Approximately 680 feet |

| <b>Surrounding Parcels</b> |             |                           |       |                        |
|----------------------------|-------------|---------------------------|-------|------------------------|
|                            |             | Residential/Orchard       |       |                        |
| East                       | 17.17 acres | Orchard                   | AE-20 | None                   |
|                            | 1.42 acres  | Orchard                   |       | None                   |
|                            | 1.22 acres  | Single-Family Residential |       | Approximately 375 feet |
| West                       | 39.60 acres | Orchard                   | AE-20 | Approximately .90 mile |

Distances are approximate and calculated from the nearest subject property boundary.

**Reviewing Agency/Department Comments:**

Department of Public Health, Environmental Health Division: The potential adverse impacts caused by this project could include (but are not limited to) water quality degradation, odors, noise and vectors. The construction and operation of the proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the County Noise Ordinance.

**Analysis:**

The proposed solar facility will be located on an approximately 12.5-acre portion of a 19.32-acre parcel, in an area of agricultural uses and sparse residential development. The arrays will be screened behind slatted chain link fencing along both public road frontages, and will not be easily visible from surrounding property. Once construction is complete, the project will not produce any noise, dust or glare that would impact neighboring property.

Based on the above analysis and comments from reviewing agencies and County departments, staff believes the proposal will not have an adverse effect upon surrounding properties.

**Recommended Conditions of Approval:**

*None. or See recommended Conditions of Approval attached as Exhibit 1.*

**Conclusion:**

Finding 3 can/cannot be made.

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

| <b>Relevant Policies:</b>   | <b>Consistency/Considerations:</b>   |
|---|--|
| General Plan Policy LU-A.3: The County may allow by discretionary permit in areas designated Agriculture, special agricultural uses and agriculturally related activities, including value added processing facilities and certain non-agricultural uses listed in Table LU.3. Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria: | Once operational, the project will generate renewable energy to be supplied to the grid through transmission to the adjacent Pacific Gas and Electric Reedley Substation.<br><br>The project is anticipated to use approximately 1.09-acre feet of water, or 355,000 gallons during construction for dust control, to be trucked in from an off-site |



| <b>Relevant Policies:</b>   | <b>Consistency/Considerations:</b>   |
|---|--|
| <ul style="list-style-type: none"> <li>a. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics;</li> <li>b. The use should not be sited on productive agricultural lands if less productive land is available in the vicinity;</li> <li>c. The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use of management of surrounding properties within at least one quarter (1/4) mile radius;</li> <li>d. A probable work forces should be located nearby or be readily available;</li> </ul> | <p>municipal source; and approximately 90,000 gallons during decommissioning activities. Solar Panel cleaning is expected to occur twice annually, and require approximately 13,750 gallons per year or 0.04-acre foot, which would be delivered by tanker truck. Because no groundwater use is proposed, the project will not have a detrimental impact on groundwater resources or the management of groundwater in the area.</p> <p>The project will not have any employees; however, construction and decommissioning activities may provide temporary employment opportunities.</p> |
| <p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations</p>   | <p>The proposed solar arrays will be set back a minimum of 50 feet from adjacent property and any agricultural operations contained therein.</p>   |
| <p>General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate</p>   | <p>The project will convert approximately 12.5 acres of potentially productive agricultural land to non-agricultural uses for a period of at least 20 years, which is the proposed operational time frame for the proposed facility. However, one operation ceases the project improvements will be removed and the land restored as nearly as possible to its pre-project condition, in accordance with the applicant's reclamation plan. Mitigation has been included which provides specific requirements for implementation of the reclamation plan.</p>                             |
| <p>General Plan Policy PF-C.17: The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation.</p>   | <p>The project was reviewed by the Water and Natural Resources Division which determined that the water supply was adequate to support the proposed use.</p>   |

| Relevant Policies:   | Consistency/Considerations:  |
|--|--|
| <p>General Plan Policy OS-L.3: The County shall manage the use of land adjacent to scenic drives and scenic highways based on the following principles:<br/>[...]</p> <p>d. Intensive land development proposals including, but not limited to, subdivisions of more than four lots, commercial developments, and mobile home parks shall be designed to blend into the natural landscape and minimize visual scarring of vegetation and terrain. The design of said development proposals shall also provide for maintenance of a natural open space area two hundred (200) feet in depth parallel to the right-of-way. Modification of the setback requirement may be appropriate when any one of the following conditions exist:</p> <ol style="list-style-type: none"> <li>1) Topographic or vegetative characteristics preclude such a setback;</li> <li>2) Topographic or vegetative characteristics provide screening of buildings and parking areas from the right-of-way;</li> <li>3) Property dimensions preclude such a setback; or</li> <li>4) Development proposal involves expansion of an existing facility or an existing concentration of uses</li> </ol> | <p>In response to this policy the applicant offered to increase the setback distance between the proposed solar array and the Manning Avenue Right-of-way, to 117. Additionally, the project will be screened from view of the roadway by slatted chain link fencing. Staff determined that these proposed mitigations were adequate to address this Policy.</p> |

**Reviewing Agency Comments:**

Water and Natural Resources Division, Department of Public Works and Planning: The Water and Natural Resources Division has conducted a water supply evaluation for the proposed solar power generating facility and determined that the water supply is adequate to support the proposal. Additionally, the subject parcel is not located within an area of the County designated as being water short.

California Department of Conservation, Division of Land Resource Protection: The conversion of agricultural land represents a permanent reduction and significant impact to California’s agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project. All mitigation measures that are potentially feasible should be included in the project’s environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements. Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation

easements, among other measures as potential mitigation. Mitigation includes compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

**Analysis:**

Comments from the California Department of Conservation (DOC) expressed general concern regarding the conversion of agricultural land. The DOC's recommendation to include conservation easements be reviewed and applied to the project was considered by staff, however staff determined that a conservation easement was not warranted in due to the limited size of the project, and that the land will not be permanently unavailable for agriculture, but will be restored to agricultural production capability upon cessation of the use. The County does not operate or participate in a mitigation bank of Conservation easements. The conversion of agricultural land to not agricultural uses is generally addressed through the requirement for project site reclamation, where feasible.

As part of the application submittal process the Applicant was required to submit reclamation plan detailing the lease life and timeline for removal of the improvements and specific measures to return the site to the agricultural capability prior to installation of solar improvements. Additionally, the Applicant is required to submit 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. According to the Applicant's responses to Solar Guidelines the subject site was selected due to its not being restricted under Williamson Act contract, or Conservation easement; and, because the land has lain fallow and has not been engaged in agricultural production for approximately the last ten years and does not have a functioning agricultural well. The project site does maintain a small community garden which is supplied water via an on-site domestic well. Additionally, the Applicant's responses to the County's Solar Guidelines, the project is contracted with PG&E under its Disadvantaged Communities Program, designed to provide renewable energy to Disadvantaged Communities meeting certain criteria, as identified by the California Office of Environmental Health Hazard Assessment (OEHHA). The initial project life is estimated to be minimum of 20 years, after which the site will be returned as nearly as is feasible to its previous agricultural state, or if the project life is to be extended, a new discretionary permit review and approval will be required.

Based on these factors, the proposed solar energy generating facility and related improvements are consistent with the General Plan.

**Recommended Conditions of Approval:**

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

**Conclusion Finding 4:**

Finding 4 can be made, staff has determined that this proposal can be found to be consistent with General Plan with adherence to the included Mitigation Measures and Conditions of Approval.

Finding 5: *That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.*

**PUBLIC COMMENT:**

None

**CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit Application No. 3705, subject to the recommended Conditions.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8207; and
- Move to determine the required Findings can be made, as described in the Staff Report, and move to approve Unclassified Conditional Use Permit No. 3705, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Alternative Motion** (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit Application No. 3705; 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.

JS:

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EXHIBIT 1

**Mitigation Monitoring and Reporting Program  
Initial Study No. 8027/Unclassified Conditional Use Permit Application No. 3705  
(Including Conditions of Approval and Project Notes)**

| Mitigation Measures     |                                     |  |                               |  |                              |
|-------------------------|-------------------------------------|--|-------------------------------|--|------------------------------|
| Mitigation Measure No.* | Impact                              | Mitigation Measure Language  | Implementation Responsibility | Monitoring Responsibility  | Time Span                    |
| 1.                      | Aesthetics                          | The proposed solar arrays and appurtenant equipment shall be screened behind slatted chain-link fencing, provided in an earth tone color. The slatted fencing color shall be maintained in good repair, with any damaged, discolored or missing slats being promptly replaced, for the duration of operation of the project.   | Applicant                     | Applicant/Fresno County Department of Public Works and Planning (PW&P) | As long as the project lasts |
| 2.                      | Aesthetics                          | Exterior lighting from dusk until dawn shall be minimized through the installation of the lowest-wattage bulb necessary for safety purposes; and all outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.   | Applicant                     | Applicant/P W&P  | As long as the project lasts |
| 3.                      | Agricultural and Forestry Resources | The proposed project will adhere substantially to the provisions of the Reclamation Plan prepared for the project, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any development permits, the project proponent will provide financial assurance in the form of a cash deposit or cash escrow or other form acceptable to the County. | Applicant                     | Applicant/P W&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/P W&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)              | Prior to construction        |

EXHIBIT 1

|                               |   |  |           |                 |   |
|-------------------------------|---|--|-----------|-----------------|---|
| 6.                            | Cultural Resources/Tribal Cultural Resources  | In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours. | Applicant | Applicant/P W&P | During all ground disturbing activities to include construction, operation and decommissioning /reclamation |
| 7.                            | Transportation  | Prior to the issuance of development permits for the project, a Traffic Management Plan shall be submitted to and approved by the Design Division of the Fresno County Department of Public Works and Planning. Construction and reclamation of the proposed solar energy generating facility shall comply with the Traffic Management Plan, as approved by the Fresno County Department of Public Works and Planning.   | Applicant | Applicant/P W&P | During construction and reclamation activities  |
| <b>Conditions of Approval</b> |   |  |           |                 |   |
| 1.                            | Development of the property shall be substantially in accordance with the Site Plans, Elevations and Operational Statement approved by the Planning Commission.   |  |           |                 |   |
| 2.                            | Prior to issuance of development permits, an additional 23 feet of road right-of-way across the subject parcel frontage along E. Manning Avenue, shall be irrevocably offered for dedication to meet the ultimate right-of-way of 106 feet (53 feet south of the section line) for E. Manning Avenue.   |  |           |                 |   |
| 3.                            | The life of this land use permit will expire upon expiration of the 20-year initial life of the project (lease term). 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 responses to the Solar Facility Guidelines attached as Exhibit 7 to the Staff Report and as approved and/or modified by the Commission.  |  |           |                 |   |
| 6.                            | <p>The project shall adhere substantially to the provisions in the Reclamation Plan as submitted to the Planning Commission and prepared for the decommissioning of the facility when operation ceases. Reasonable modifications may be made to the Plan to address changes of scope and configuration of the final Site Plan and improvements. The draft reclamation Plan shall be reviewed and approved as final by the County of Fresno, Department of Public Works and Planning prior to the issuance of any development permits.</p> <p>Prior to the County of Fresno's issuance of any grading or development permit, the project owner must enter into a reclamation agreement with the County of Fresno on terms and conditions acceptable to the County of Fresno, which reclamation agreement shall require the project</p> |  |           |                 |   |

|    |  |
|----|--|
|    | <p>owner to (1) decommission, dismantle, and remove the project and reclaim the site to its pre-project condition in accordance with the approved Reclamation Plan, and (2) maintain a financial assurance to the County of Fresno, to secure the project owner's obligations under the reclamation agreement, in an amount sufficient to cover the costs of performing such obligations, as provided herein. Such financial assurance shall be in the form of cash and maintained through an escrow arrangement acceptable to the County of Fresno. Such financial assurance may be in any other form of security acceptable to the County of Fresno.</p> <p>The amount of the financial assurance under the reclamation agreement shall (1) initially cover the project owner's cost of performing its obligations under the reclamation agreement, as stated above, based on the final County of Fresno-approved design of the project, which cost estimate shall be provided by the project owner to the County of Fresno, and be subject to approval by the County of Fresno, and (2) be automatically increased annually, due to increases in costs, using the Engineering News-Record construction cost index. This initial cost estimate will consider any project components, other than Improvements, that are expected to be left in place at the request of and for the benefit of the subsequent landowner as long as the improvements are directly supportive restoring the site to a viable agricultural use. (e.g., access roads, electrical lines, O&amp;M building).</p> |
| 7. | <p>Prior to issuance of development permits, the project proponent/applicant shall record a document on the subject property incorporating the provisions of the County Right-of-to-Farm Notice (Ordinance Code Section 17.40.100).</p> <p>Fresno County Right-to-Farm Notice: " It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right to farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been operation for three years."</p>   |
| 8. | 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.

| 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.   |
| 3.   | <p>To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <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> </ul> |

**Notes**

- 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.

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:

A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) are required to be filed with the State Water Resources Control Board (SWRCB) prior to commencement of any construction or other ground disturbance of one acre or more. Copies of the completed NOI with WDID Number and SWPPP shall be provided to the Development Engineering section of the 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.
- If a licensed Civil Engineer determines that the proposed development does not substantially increase the net impervious surface on site and the existing drainage patterns are not altered, an engineering grading and drainage plan will not be required; However, a Letter of Retention and Letter of Certification from a licensed Civil Engineer addressed to the Fresno County Department of Public Works and Planning will be required. The Letter of Certification must specify why an engineered grading and drainage plan is not needed.

5. 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:

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021 – *Construction, Demolition, Excavation, Extraction, and other Earthmoving Activities*.

If demolition is involved, a Certified Asbestos Consultant will need to perform an asbestos survey prior to the demolition of a regulated facility. Following completion of an asbestos survey; the asbestos survey, Asbestos Notification, Demolition Permit Release, and the proper fees are to be submitted to the Air District ten (10) days prior to the removal of the Regulated Asbestos Containing Material and/or the demolition when no asbestos is present.

As per District Rule 2010 (Permits Required), the project may be required to obtain a District Authority to Construct, prior to installation of equipment that controls or may emit air contaminants, including but not limited to emergency internal combustion engines, boilers, and baghouses.

To identify other District Rules or regulations that apply to this project or to obtain information about District Rules and permit requirements, the project proponent (applicant) is strongly encouraged to contact the District’s Small Business Assistance Office.



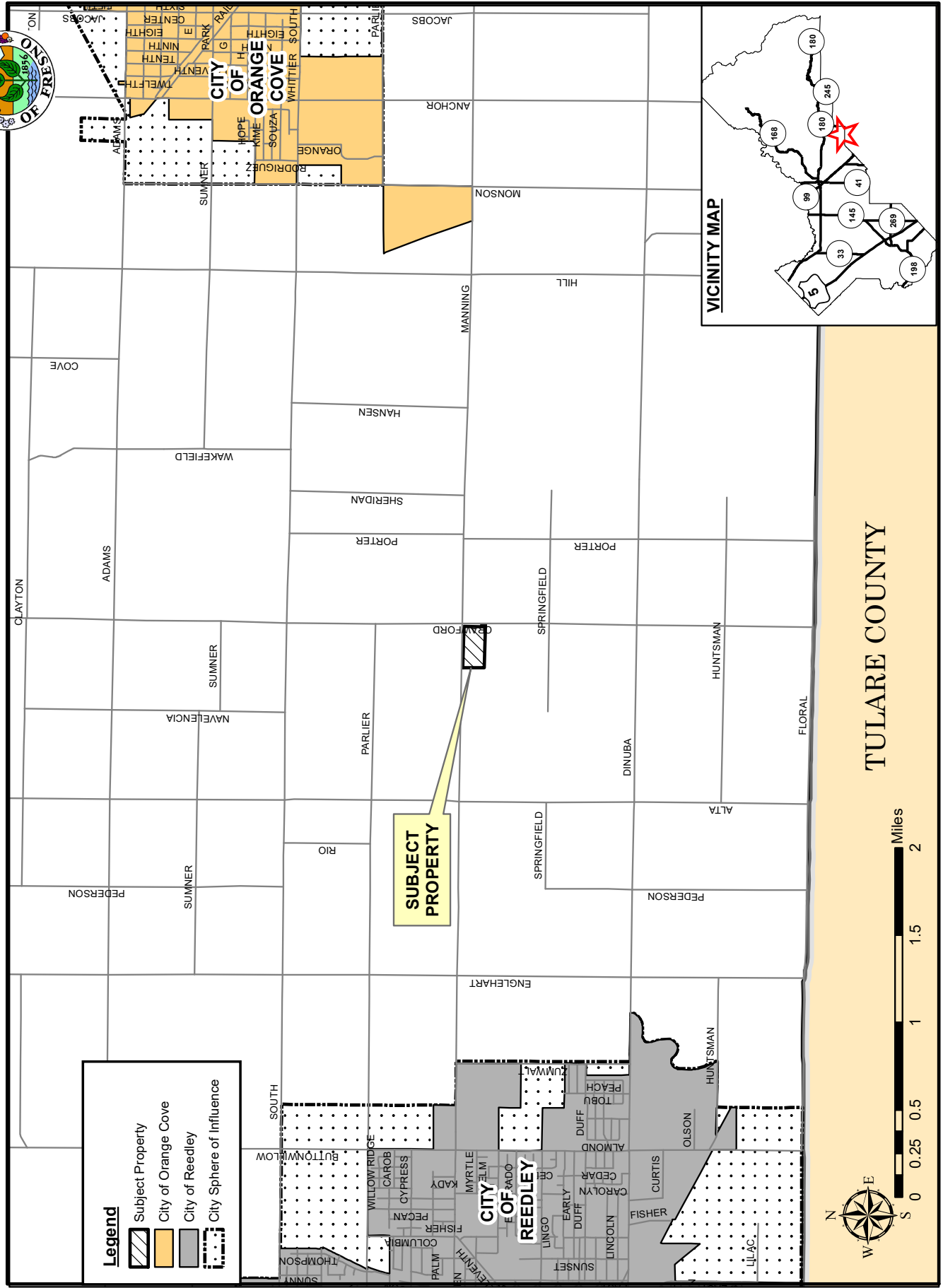
**Notes**

|     |  |
|-----|--|
|     |  |
| 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>• The access driveway(s) shall be a minimum of 24 feet and a maximum of 35 feet in width. If only the driveway is to be paved, the first 100 feet off of the edge of the ultimate road right-of-way shall be concrete or asphalt paved. An encroachment permit will be required for any improvements within the County right-of-way, prior to commencement of construction.</li> <li>• Any proposed access gate shall be set back a minimum of 20 feet from the edge of the paved road, or the length of the longest vehicle to enter the site, whichever is greater.</li> <li>• Internal access roads shall comply with Fire District requirements for emergency apparatus.</li> <li>• A dust palliative shall be required on all parking and circulation areas.</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> |
| 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>   |
| 9.  | <p>An additional runoff generated by the proposed development, cannot be drained across property lines or into the County right-of-way, and must be retained on-site, as per County Standards.</p>   |
| 10. | <p>If not already present, a ten-foot by ten-foot corner cut-off shall be improved for sight distance purposes at any proposed or existing driveway accessing E. Manning Avenue.</p>   |



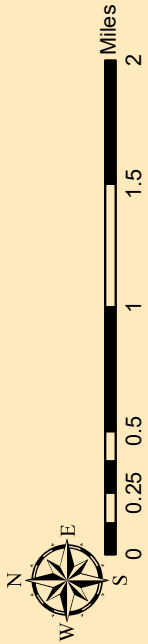
# LOCATION MAP

CUP 3705

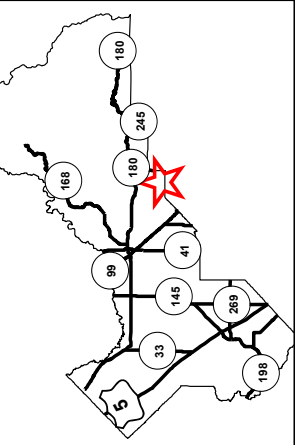


**Legend**

- Subject Property
- City of Orange Cove
- City of Reedley
- City Sphere of Influence



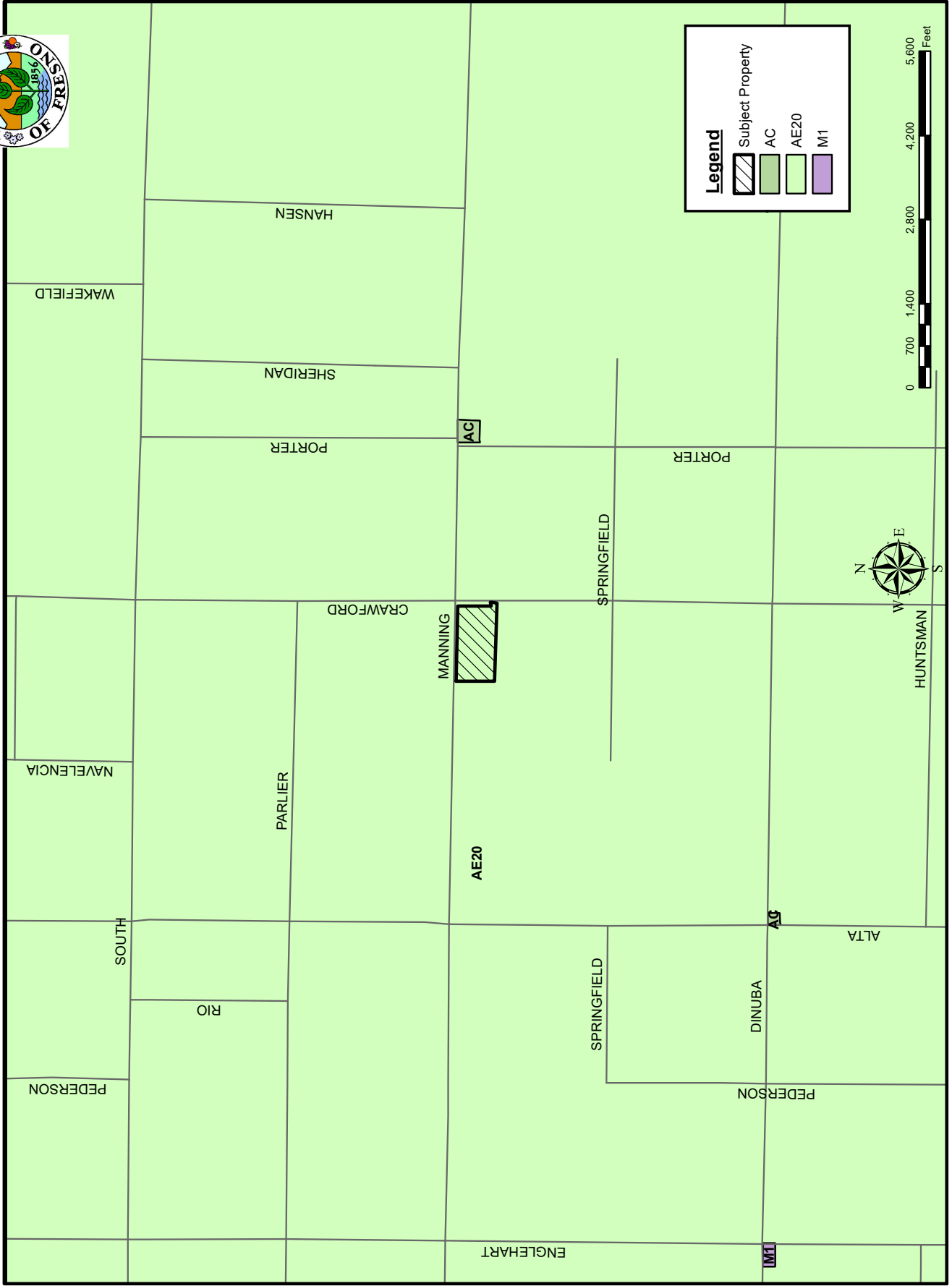
### VICINITY MAP





CUP 3705  
STR 29- 15/24

# EXISTING ZONING MAP





# EXISTING LAND USE MAP

CUP 3705



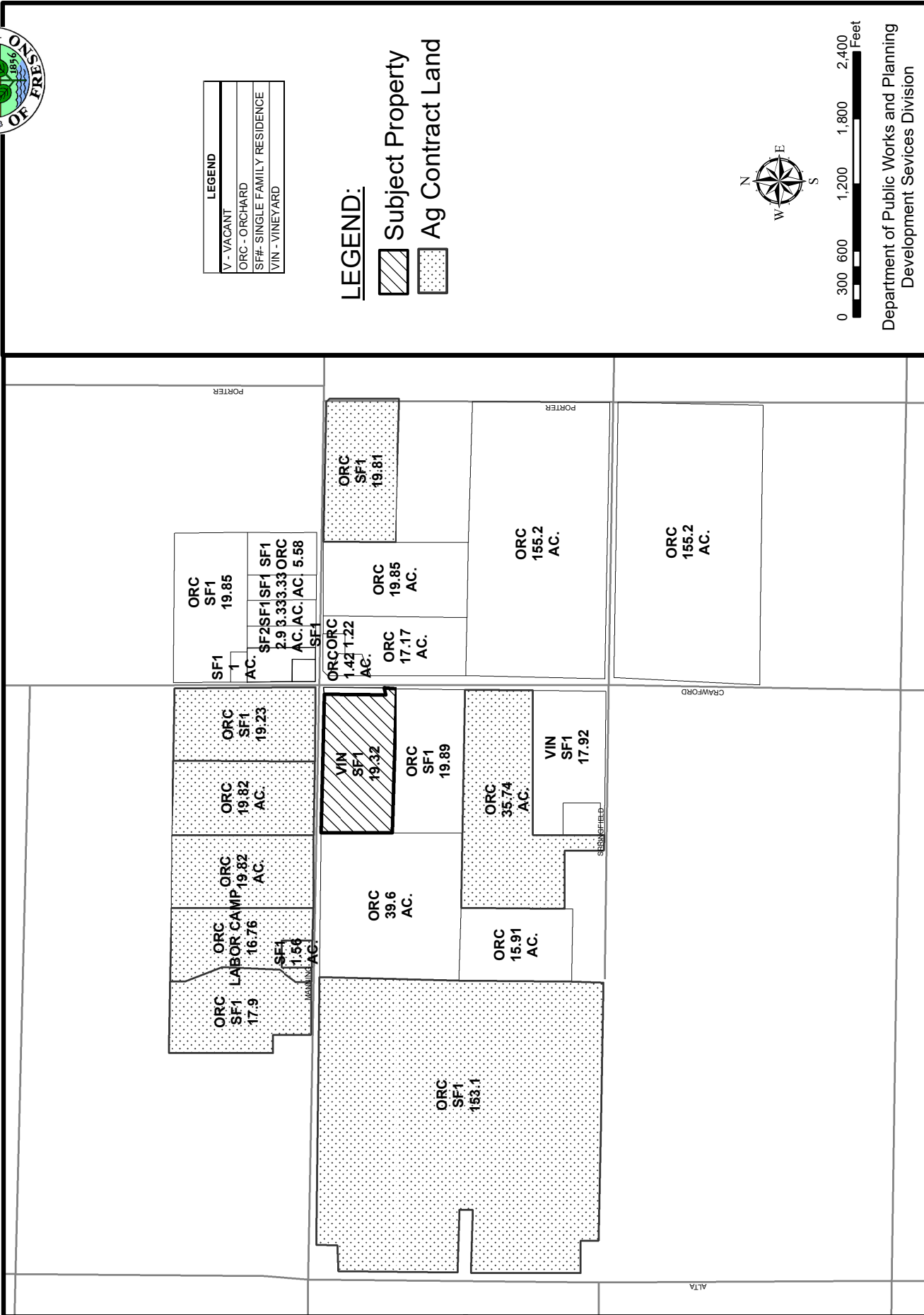
| LEGEND                        |  |
|-------------------------------|--|
| V - VACANT                    |  |
| ORC - ORCHARD                 |  |
| SF# - SINGLE FAMILY RESIDENCE |  |
| VIN - VINEYARD                |  |

## LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning  
Development Services Division







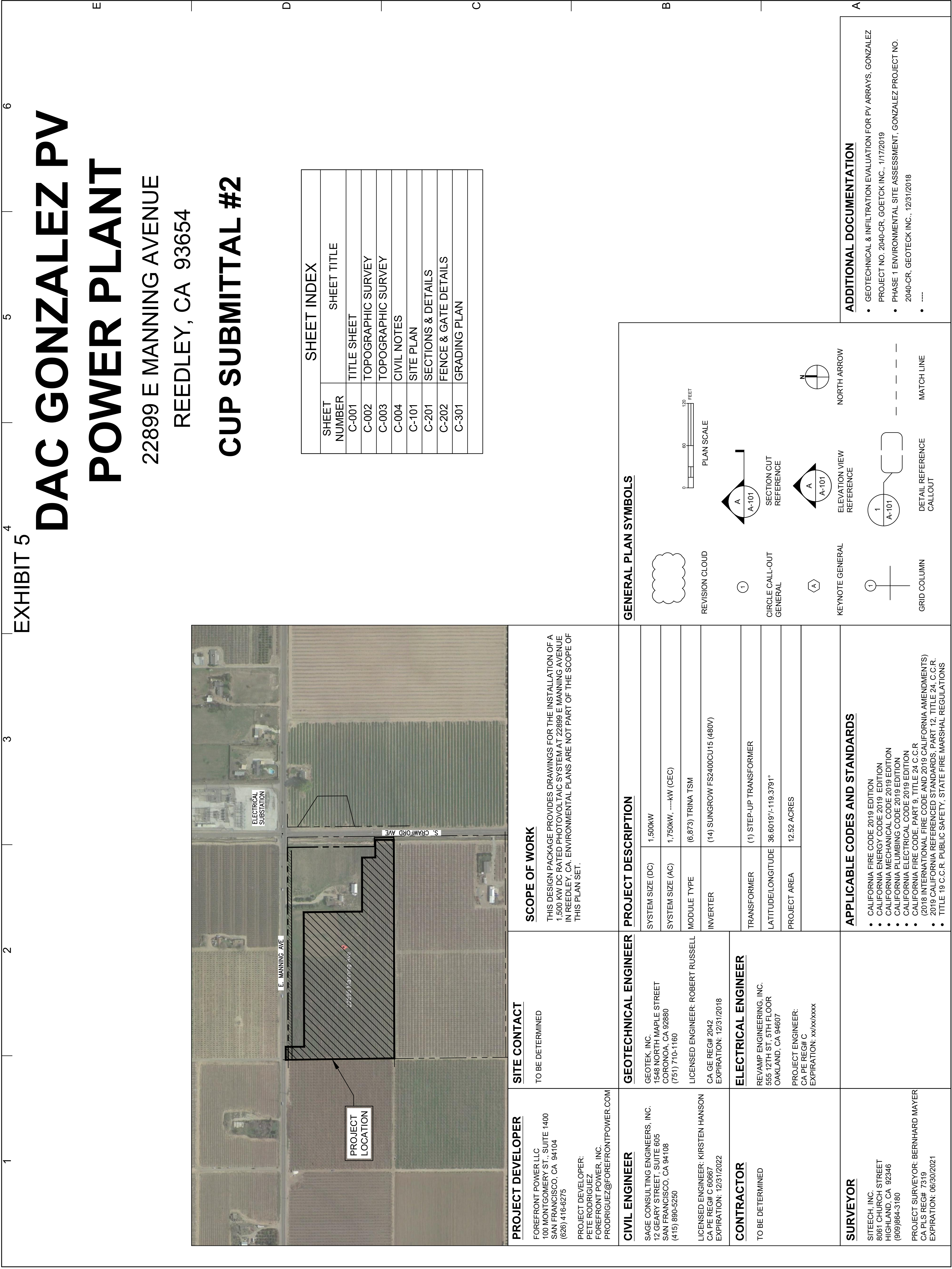


EXHIBIT 5

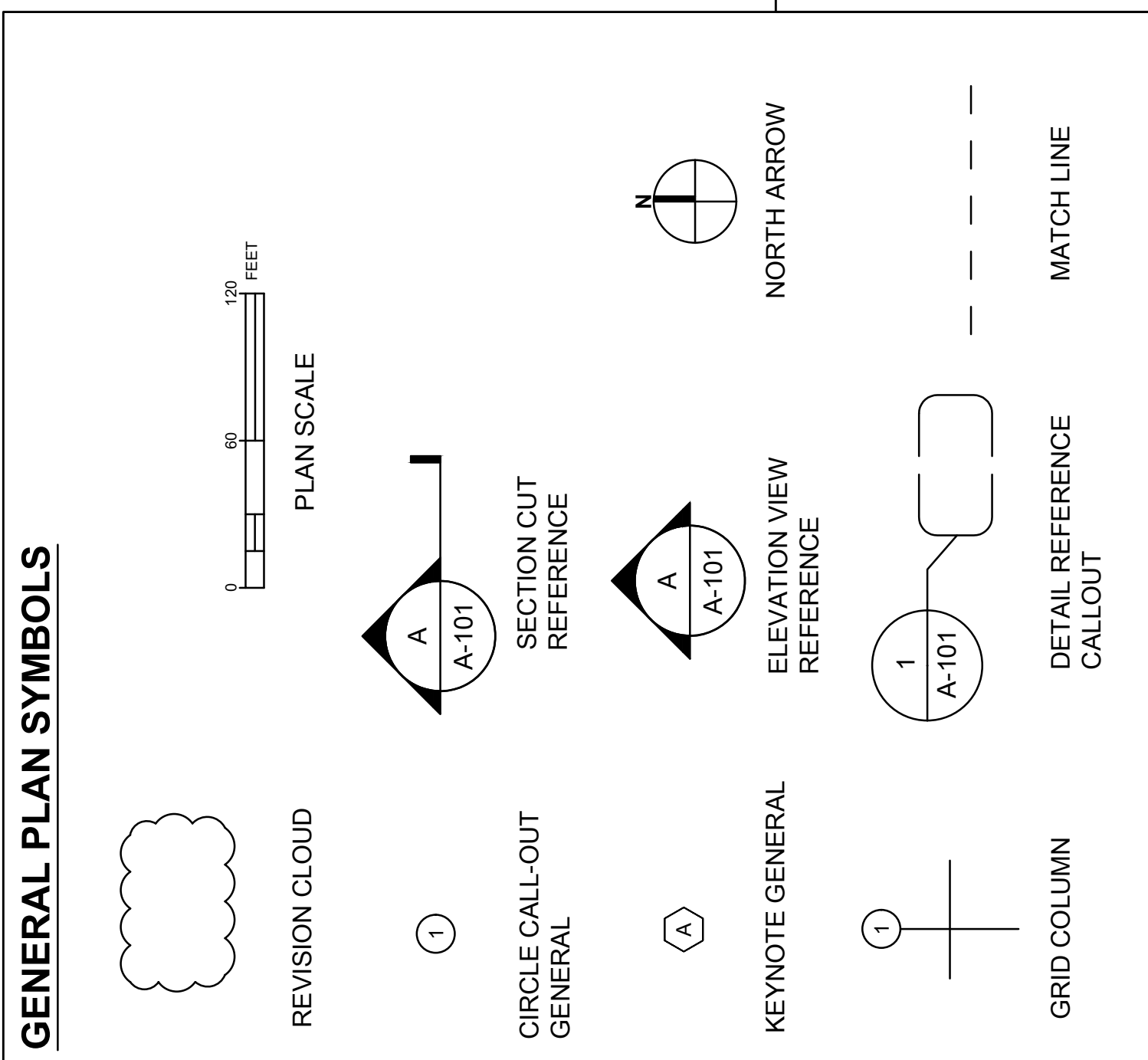
# DAC GONZALEZ PV POWER PLANT

22899 E MANNING AVENUE  
REEDLEY, CA 93654

## CUP SUBMITTAL #2

| SHEET INDEX  |                      |
|--------------|----------------------|
| SHEET NUMBER | SHEET TITLE          |
| C-001        | TITLE SHEET          |
| C-002        | TOPOGRAPHIC SURVEY   |
| C-003        | TOPOGRAPHIC SURVEY   |
| C-004        | CIVIL NOTES          |
| C-101        | SITE PLAN            |
| C-201        | SECTIONS & DETAILS   |
| C-202        | FENCE & GATE DETAILS |
| C-301        | GRADING PLAN         |

|  |  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
|--|--|---|--|---|------------------|------------------|-----------------------|-----------------------|-------------------|-------------------|--------------------------------|--------------------------------|-------------------------|-------------------------|---------------------|---------------------|--------------|-------------|--|
| <b>PROJECT DEVELOPER</b><br>FOREFRONT POWER LLC<br>100 MONTGOMERY ST., SUITE 1400<br>SAN FRANCISCO, CA 94104<br>(628) 416-6275<br>PROJECT DEVELOPER:<br>PETE RODRIGUEZ<br>FOREFRONT POWER, INC.<br>PRODRIGUEZ@FOREFRONTPOWER.COM | <b>SITE CONTACT</b><br>TO BE DETERMINED  | <b>SCOPE OF WORK</b><br>THIS DESIGN PACKAGE PROVIDES DRAWINGS FOR THE INSTALLATION OF A 1,500 KW DC RATED PHOTOVOLTAIC SYSTEM AT 22899 E MANNING AVENUE IN REEDLEY, CA. ENVIRONMENTAL PLANS ARE NOT PART OF THE SCOPE OF THIS PLAN SET. | <b>PROJECT DESCRIPTION</b> <table border="1"> <tr> <td>SYSTEM SIZE (DC)</td> <td>1,500kW</td> </tr> <tr> <td>SYSTEM SIZE (AC)</td> <td>1,750kW, ----kW (CEC)</td> </tr> <tr> <td>MODULE TYPE</td> <td>(6.873) TRINA TSM</td> </tr> <tr> <td>INVERTER</td> <td>(14) SUNGROW FS2400CU15 (480V)</td> </tr> <tr> <td>TRANSFORMER</td> <td>(1) STEP-UP TRANSFORMER</td> </tr> <tr> <td>LATITUDE/LONGITUDE</td> <td>36.6019°/-119.3791°</td> </tr> <tr> <td>PROJECT AREA</td> <td>12.52 ACRES</td> </tr> </table>  | SYSTEM SIZE (DC)  | 1,500kW          | SYSTEM SIZE (AC) | 1,750kW, ----kW (CEC) | MODULE TYPE           | (6.873) TRINA TSM | INVERTER          | (14) SUNGROW FS2400CU15 (480V) | TRANSFORMER                    | (1) STEP-UP TRANSFORMER | LATITUDE/LONGITUDE      | 36.6019°/-119.3791° | PROJECT AREA        | 12.52 ACRES  |             |  |
| SYSTEM SIZE (DC)   | 1,500kW  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
| SYSTEM SIZE (AC)   | 1,750kW, ----kW (CEC)  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
| MODULE TYPE  | (6.873) TRINA TSM  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
| INVERTER   | (14) SUNGROW FS2400CU15 (480V)   |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
| TRANSFORMER  | (1) STEP-UP TRANSFORMER  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
| LATITUDE/LONGITUDE   | 36.6019°/-119.3791°  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
| PROJECT AREA   | 12.52 ACRES  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
| <b>CIVIL ENGINEER</b><br>SAGE CONSULTING ENGINEERS, INC.<br>12 GEARY STREET, SUITE 605<br>SAN FRANCISCO, CA 94108<br>(415) 890-5250<br>LICENSED ENGINEER: KIRSTEN HANSON<br>CA PE REG# C 60667<br>EXPIRATION: 12/31/2022         | <b>GEOTECHNICAL ENGINEER</b><br>GEOTEK, INC.<br>1548 NORTH MAPLE STREET<br>CORONOA, CA 92880<br>(751) 710-1160<br>LICENSED ENGINEER: ROBERT RUSSELL<br>CA GE REG# 2042<br>EXPIRATION: 12/31/2018                                 | <b>ELECTRICAL ENGINEER</b><br>REVAMP ENGINEERING, INC.<br>555 12TH ST, 5TH FLOOR<br>OAKLAND, CA 94607<br>PROJECT ENGINEER:<br>CA PE REG# C<br>EXPIRATION: xx/xx/xxxx  | <b>APPLICABLE CODES AND STANDARDS</b> <ul style="list-style-type: none"> <li>CALIFORNIA FIRE CODE 2019 EDITION</li> <li>CALIFORNIA ENERGY CODE 2019 EDITION</li> <li>CALIFORNIA MECHANICAL CODE 2019 EDITION</li> <li>CALIFORNIA PLUMBING CODE 2019 EDITION</li> <li>CALIFORNIA ELECTRICAL CODE 2019 EDITION</li> <li>CALIFORNIA FIRE CODE, PART 9, TITLE 24 C.C.R. (2018 INTERNATIONAL FIRE CODE AND 2019 CALIFORNIA AMENDMENTS)</li> <li>2019 CALIFORNIA REFERENCED STANDARDS, PART 12, TITLE 24, C.C.R.</li> <li>TITLE 19 C.C.R. PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS</li> </ul> |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
| <b>SURVEYOR</b><br>SITEECH, INC.<br>8061 CHURCH STREET<br>HIGHLAND, CA 92346<br>(909)864-3180<br>PROJECT SURVEYOR: BERNHARD MAYER<br>CA PLS REG# 7319<br>EXPIRATION: 06/30/2021  | <b>PROJECT DEVELOPER</b><br>FOREFRONT POWER LLC<br>100 MONTGOMERY ST., SUITE 1400<br>SAN FRANCISCO, CA 94104<br>(628) 416-6275<br>PROJECT DEVELOPER:<br>PETE RODRIGUEZ<br>FOREFRONT POWER, INC.<br>PRODRIGUEZ@FOREFRONTPOWER.COM | <b>SITE CONTACT</b><br>TO BE DETERMINED   | <b>SCOPE OF WORK</b><br>THIS DESIGN PACKAGE PROVIDES DRAWINGS FOR THE INSTALLATION OF A 1,500 KW DC RATED PHOTOVOLTAIC SYSTEM AT 22899 E MANNING AVENUE IN REEDLEY, CA. ENVIRONMENTAL PLANS ARE NOT PART OF THE SCOPE OF THIS PLAN SET.  | <b>PROJECT DESCRIPTION</b> <table border="1"> <tr> <td>SYSTEM SIZE (DC)</td> <td>1,500kW</td> </tr> <tr> <td>SYSTEM SIZE (AC)</td> <td>1,750kW, ----kW (CEC)</td> </tr> <tr> <td>MODULE TYPE</td> <td>(6.873) TRINA TSM</td> </tr> <tr> <td>INVERTER</td> <td>(14) SUNGROW FS2400CU15 (480V)</td> </tr> <tr> <td>TRANSFORMER</td> <td>(1) STEP-UP TRANSFORMER</td> </tr> <tr> <td>LATITUDE/LONGITUDE</td> <td>36.6019°/-119.3791°</td> </tr> <tr> <td>PROJECT AREA</td> <td>12.52 ACRES</td> </tr> </table> | SYSTEM SIZE (DC) | 1,500kW          | SYSTEM SIZE (AC)      | 1,750kW, ----kW (CEC) | MODULE TYPE       | (6.873) TRINA TSM | INVERTER                       | (14) SUNGROW FS2400CU15 (480V) | TRANSFORMER             | (1) STEP-UP TRANSFORMER | LATITUDE/LONGITUDE  | 36.6019°/-119.3791° | PROJECT AREA | 12.52 ACRES | <b>APPLICABLE CODES AND STANDARDS</b> <ul style="list-style-type: none"> <li>CALIFORNIA FIRE CODE 2019 EDITION</li> <li>CALIFORNIA ENERGY CODE 2019 EDITION</li> <li>CALIFORNIA MECHANICAL CODE 2019 EDITION</li> <li>CALIFORNIA PLUMBING CODE 2019 EDITION</li> <li>CALIFORNIA ELECTRICAL CODE 2019 EDITION</li> <li>CALIFORNIA FIRE CODE, PART 9, TITLE 24 C.C.R. (2018 INTERNATIONAL FIRE CODE AND 2019 CALIFORNIA AMENDMENTS)</li> <li>2019 CALIFORNIA REFERENCED STANDARDS, PART 12, TITLE 24, C.C.R.</li> <li>TITLE 19 C.C.R. PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS</li> </ul> |
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| MODULE TYPE  | (6.873) TRINA TSM  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |
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| PROJECT AREA   | 12.52 ACRES  |   |  |   |                  |                  |                       |                       |                   |                   |                                |                                |                         |                         |                     |                     |              |             |  |



- ADDITIONAL DOCUMENTATION**
- GEOTECHNICAL & INFILTRATION EVALUATION FOR PV ARRAYS, GONZALEZ PROJECT NO. 2040-CR, GOETEK INC., 1/17/2019
  - PHASE 1 ENVIRONMENTAL SITE ASSESSMENT, GONZALEZ PROJECT NO. 2040-CR, GEOTECK INC., 12/31/2018
  - ....

|   |  |                                       |
|---|--|---------------------------------------|
| <b>FOREFRONT POWER</b><br><small>2017 FOREFRONT POWER, LLC AND ITS AFFILIATES. ALL RIGHTS RESERVED.</small><br>100 MONTGOMERY ST., #1400<br>SAN FRANCISCO, CA 94104<br>(415) 776-8246<br>www.ForeFrontPowerLLC.com  | <b>SAGE</b><br><small>Consulting Engineers, Inc.</small><br>12 Geary Street, Suite 407<br>San Francisco, CA 94108<br>(415) 890-5250<br>www.sage-ca.com | STAMP:                                |
|   |  | PROJECT NUMBER:<br>CA-18-0116 / J0091 |
| DAC GONZALEZ PV<br>POWER PLANT<br>FOREFRONT POWER LLC<br>22899 E MANNING AVENUE<br>REEDLEY, CA 93654  |  | SHEET TITLE:<br>TITLE SHEET           |
| SHEET SIZE: ARCH "D"<br>24" X 36" (610 x 914)   |  | NO. REVISION DATE INIT.               |
| <small>THIS DRAWING IS THE PROPERTY OF FOREFRONT POWER, LLC. THIS INFORMATION IS CONFIDENTIAL AND IS TO BE USED ONLY IN CONNECTION WITH THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART IS TO BE DISCLOSED TO OTHERS WITHOUT WRITTEN PERMISSION FROM FOREFRONT POWER, LLC.</small> |  |                                       |
| DATE: 10/25/2021  |  | DRAWN BY: PA                          |
| ENGINEER: CS  |  | APPROVED BY: KH                       |
| PROJECT PHASE:<br>CUP SUBMITTAL #2  |  | SCALE:<br>NO SCALE                    |
| SHEET NO.:<br><b>C-001</b>  |  |                                       |



**SCHEDULE "B-II" ITEMS**

- ITEM NO. A  
ITEMS IN THROUGH TO ARE TAXES - NON-SURVEY RELATED - DO AFFECT - NOT PLOTTED.  
EASEMENT(S) FOR VINEYARD DITCH AND INCIDENTAL PURPOSES AS DELINEATED OR AS OFFERED FOR DEDICATION ON RECORD OF SURVEY FILED IN BOOK 2, PAGE 30, FRESNO COUNTY RECORDS - DOES AFFECT - PLOTTED HEREON.
  - ITEM NO. B  
EASEMENT(S) GRANTED TO CALIFORNIA FRUIT AND WINE LAND CO., A CORPORATION FOR IRRIGATION AND WATER RIGHTS TO THE PARCELS DESCRIBED IN THE RECORD DOCUMENT.  
- DOES AFFECT - NOT PLOTTED - THE LOCATION CANNOT BE DETERMINED FROM THE RECORD DOCUMENT.
  - ITEM NO. C  
EASEMENT(S) GRANTED TO PACIFIC GAS & ELECTRIC COMPANY AND PACIFIC TELEPHONE & TELEGRAPH COMPANY FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES GRANTED IN DOCUMENT RECORDED FEBRUARY 08, 1957 AS RECORDING NO. 8380 IN BOOK 2867, PAGE 356 OF OFFICIAL RECORDS - DOES NOT AFFECT - ITEM FALLS WITHIN EXCEPTION AREA.
- ITEM D IS A DEED OF TRUST - NON-SURVEY RELATED - NOT PLOTTED.  
ITEM E IS TITLE NOTE - NON-SURVEY RELATED - NOT PLOTTED.

THE ABOVE DESCRIBED SCHEDULE B-II ITEMS ARE FROM CHICAGO TITLE INSURANCE COMPANY GUARANTEE NO. FWFM-1018001386 (AMENDMENT B) HAVING A DATE OF GUARANTEE OF JULY 29, 2020.

**BASIS OF BEARINGS**

THE BEARINGS SHOWN HEREON ARE BASED ON THE NORTH-SOUTH CENTER SECTION LINE (CENTERLINE OF CRAWFORD AVENUE) AS DEPICTED IN RECORD OF SURVEY FILED IN BOOK 2, PAGE 30 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS.

BEARING BEING SOUTH 00° 33' 00" EAST.

**DATUM STATEMENT**

COORDINATES SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM (CCS 83), ZONE IV, NAD 1983. ALL DISTANCE SHOWN HEREON ARE GROUND.

**FLOOD INFORMATION**

BY GRAPHICAL PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE(S) "X" OF THE FLOOD INSURANCE RATE MAP NO. 06019C2685H, WHICH BEARS AN EFFECTIVE DATE OF 02-18-2009 AND DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.

ZONE "X" DENOTES AREAS OUTSIDE OF THE 100 AND 500 YEAR FLOOD ZONES.

**GENERAL NOTES**

- POSTED ADDRESS IS: 22899 E. MANNING AVENUE, REEDLEY, CA.
- ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/NSPS SPECIFICATIONS UNLESS OTHERWISE SHOWN.
- ASSESSOR'S PARCEL NO.: 373-111-72.
- THERE ARE NO PROPOSED CHANGES IN ADJACENT STREET RIGHT OF WAY LINES; NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THERE WAS NO OBSERVABLE EVIDENCE OF SITE BEING USED FOR A SOLID WASTE DUMP, SLUMP, OR SANITARY LANDFILL.
- THERE WAS NO OBSERVABLE EVIDENCE OF SITE BEING USED AS A CEMETERY.

**ZONING INFORMATION**

PER TABLE A, ITEM 6: ZONING INFORMATION WAS NOT PROVIDED BY THE TITLE INSURER

**BENCH MARK INFORMATION**

BENCH MARK:  
 DESIGNATION - TIRRS: 152430  
 NUMBER: LO 118  
 LOCATION: ALTA AVENUE AND SPRINGFIELD AVENUE  
 37.6 FEET EAST OF YELLOW STRIP ALTA AVENUE  
 28.4 FEET SOUTH OF CENTERLINE SPRINGFIELD ALIGNMENT  
 1.6 FEET SOUTHWEST OF CENTERLINE JP  
 EAST CORNER  
 ELEVATION = 356.490 FEET (NAVD 88)

**STATEMENT OF UTILITIES**

THE UTILITY LOCATIONS SHOWN HEREON WERE DETERMINED BY OBSERVED ABOVE GROUND EVIDENCE WITH MARKINGS FROM A UTILITY LOCATOR COMPANY. WHILE THE INFORMATION IS ASSUMED TO BE ACCURATE NO GUARANTEE IS MADE TO THE EXACT LOCATION OF THE UNDERGROUND UTILITIES.

**STATEMENT OF ENCROACHMENTS**

NONE NOTED AT THE TIME OF THE SURVEY

**AREA OF PROPERTY**

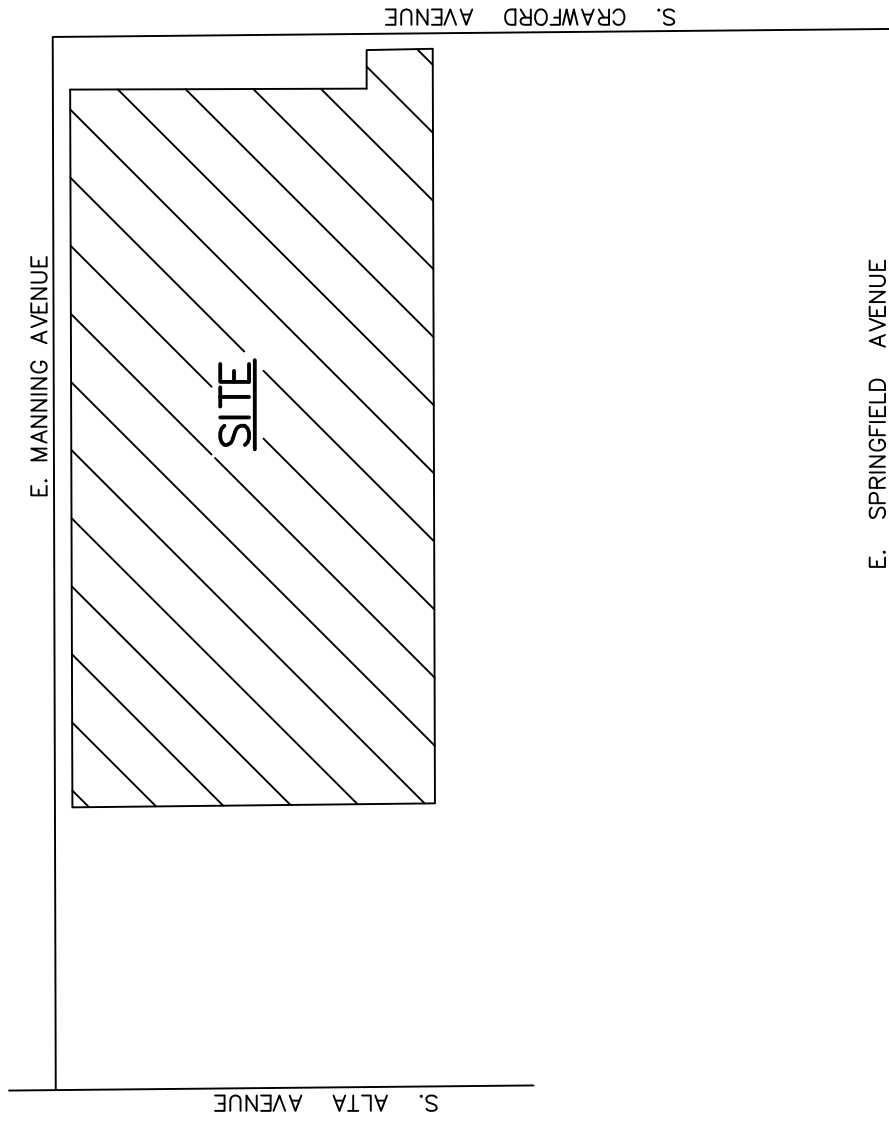
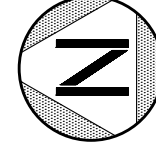
BOUNDARY - 18.315 ACRES OR 797,820.9 SQ. FT.

**SHEET INDEX**

SHEET 1 - TITLE  
SHEET 2 - ALTA SURVEY

**VICINITY MAP**

NOT TO SCALE



**RECORD DESCRIPTION**

FOR APN/PARCEL ID(S): 373-111-72

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

LOT 71 OF SPRINGFIELD COLONY, IN THE UNINCORPORATED AREA, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 2 PAGE 30 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE COUNTY OF FRESNO BY DEED RECORDED APRIL 26, 1957 IN BOOK 3917 PAGE 698, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE COUNTY OF FRESNO BY DEED RECORDED AUGUST 3, 1979 IN BOOK 7341 PAGE 988, AS DOCUMENT NO. 88731, OFFICIAL RECORDS.

THE ABOVE DESCRIBED PARCELS ARE THE SAME LANDS AS DESCRIBED IN THE CHICAGO TITLE INSURANCE COMPANY GUARANTEE NO. FWFM-1018001386 (AMENDMENT B) HAVING A DATE OF GUARANTEE OF JULY 29, 2020.

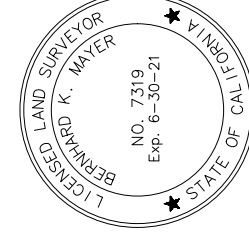
**TOPOGRAPHIC SURVEY**

Gonzales  
22899 E. Manning Avenue  
Reedley, Ca

**Surveyor's Certification**

To: Forefront Power

This is to certify that this Survey is made in accordance with the Standard Requirements set by Forefront Power. The field work was completed on January 15, 2019.



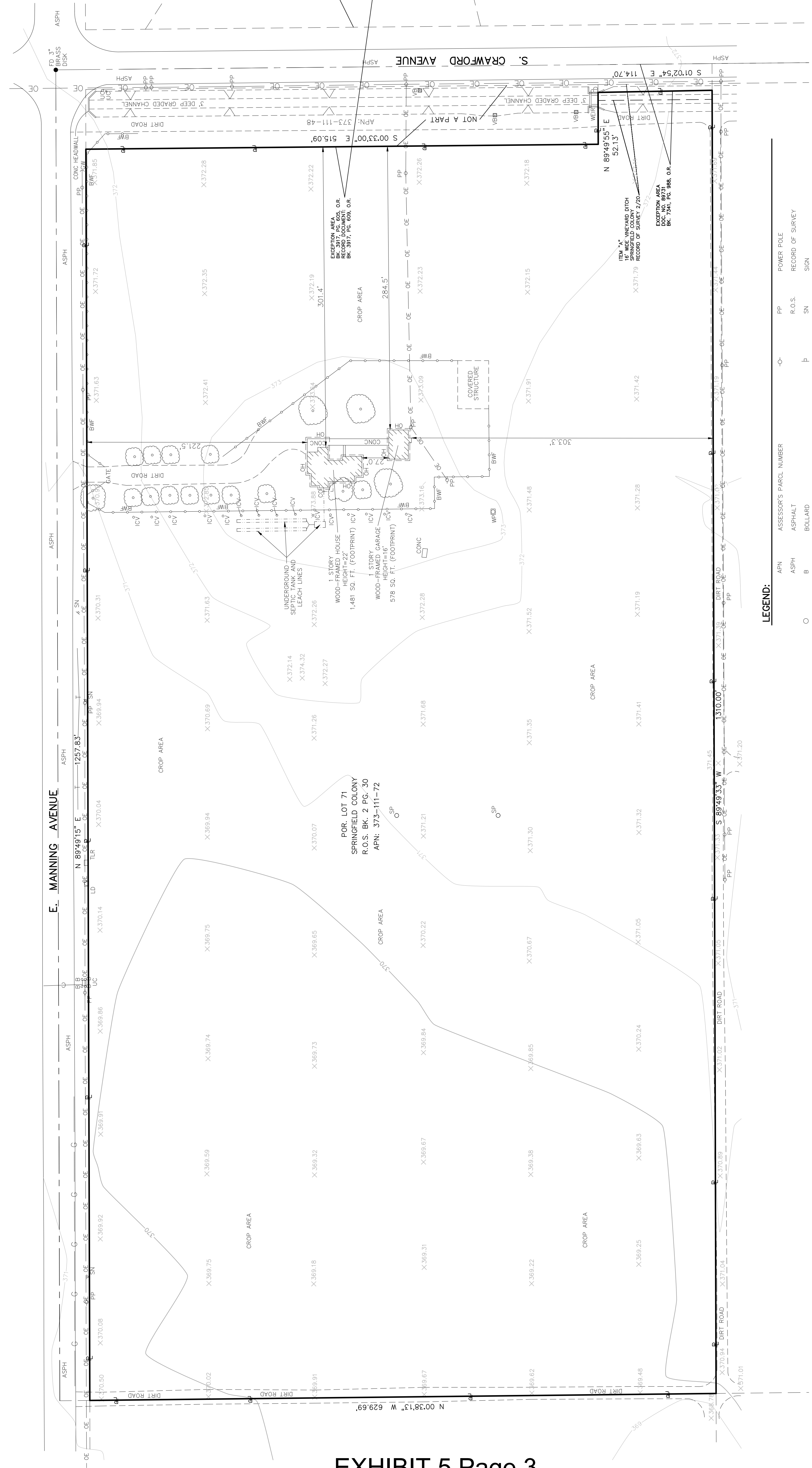
BERNHARD K. MAYER

Registration No. L.S. 7319  
in the State of: California  
Date of Survey: 03/18/21  
Date of Revision: 05/04/21  
Date of Revision: 10/25/21

SURVEY PERFORMED BY:  
SITE TECH, INC.  
8061 Church Street  
Highland, CA 92346  
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SITE TECH, INC.  
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8061 Church Street (P.O. Box 592) Highland, Ca 92346  
Sheet 1 of 9





**LEGEND:**

| APN  | ASSESSOR'S PARCEL NUMBER | R.O.S. | POWER POLE                          |
|------|--------------------------|--------|-------------------------------------|
| ASPH | ASPHALT                  | PP     | RECORD OF SURVEY                    |
| B    | BOLLARD                  | SN     | SIGN                                |
| BK.  | BOOK                     | SP     | STANDPIPE                           |
| CONC | CONCRETE                 | TLR    | TELEPHONE UTILITY RISER             |
| CO   | CLEAN OUT                | UC     | UTILITY CABINET                     |
| FD   | FOUND MONUMENT AS NOTED  | VB     | VALVE BOX                           |
| GW   | GUY WIRE                 | WP     | WATER PUMP ASSEMBLY                 |
| ICV  | IRRIGATION CONTROL VALVE | x111   | SPOT GRADES                         |
| LD   | LID METAL                | -G-    | CONTOUR LINES                       |
| OE   | OVERHEAD ELECTRIC LINES  | -C-    | UNDERGROUND GAS MARKING             |
| OH   | OVERHANG                 | -T-    | UNDERGROUND COMMUNICATIONS MARKING  |
| PG   | PAGE                     | -L-    | UNDERGROUND TELEPHONE LINE MARKINGS |
| PL   | PROPERTY LINE            | -...-  | UNDERGROUND SEPTIC SYSTEM           |

CIVIL NOTES

- 1. ALL WORK DETAILED ON THESE PLANS AND PERFORMED UNDER THIS CONTRACT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE PROJECT GEOTECHNICAL REPORT. WHERE INDICATED, STATE AND/OR LOCAL STANDARD SPECIFICATIONS SHALL APPLY.
2. THE CONTRACTOR SHALL ABIDE BY ALL LOCAL, STATE, AND FEDERAL LAWS, RULES AND REGULATIONS WHICH APPLY TO THE CONSTRUCTION OF THESE IMPROVEMENTS, INCLUDING EPA REQUIREMENTS WITH RESPECT TO STORM WATER DISCHARGE.
3. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS AGAINST THE PROVIDED SURVEY INCLUDING THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL POTENTIAL OBSTRUCTIONS INCLUDING ALL UNDERGROUND UTILITIES. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL NOTIFY THE OWNER AND ENGINEER SO THAT THE CONFLICT CAN BE RESOLVED WITH A MINIMUM AMOUNT OF DELAY.
4. THE CONTRACTOR SHALL CONTACT LINE LOCATING SERVICE FOR THE LOCATION OF EXISTING UTILITIES TWO (2) WORKING DAYS PRIOR TO ANY EXCAVATION.
5. ALL ELECTRICAL, TELEPHONE, CABLE TV, GAS AND OTHER UTILITY LINES, CABLES AND APPURTENANCES ENCOUNTERED DURING CONSTRUCTION THAT REQUIRE RELOCATION SHALL BE COORDINATED WITH THAT UTILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ALL NECESSARY UTILITY ADJUSTMENTS. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR DELAY OR INCONVENIENCES CAUSED BY UTILITY COMPANY WORK CREWS. THE CONTRACTOR MAY BE REQUIRED TO RESCHEDULE HIS ACTIVITIES TO ALLOW UTILITY CREWS TO PERFORM THEIR REQUIRED WORK.
6. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITY LINES WITHIN THE CONSTRUCTION AREA. ANY DAMAGE TO EXISTING FACILITIES CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE.
7. CONSTRUCTION SHALL NOT OCCUR IN ANY PUBLIC RIGHTS OF WAY, PUBLIC OR PRIVATE EASEMENTS, BEYOND THE LIMITS OF DISTURBANCE, OR OUTSIDE THE PROPERTY LIMITS WITHOUT A PERMIT. ANY PUBLIC OR PRIVATE PROPERTY OR IMPROVEMENTS THAT ARE DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED TO THE SATISFACTION OF THE OWNER AT THE COST OF THE CONTRACTOR.
8. OVERNIGHT PARKING OF CONSTRUCTION EQUIPMENT SHALL NOT OBSTRUCT DRIVEWAYS OR DESIGNATED TRAFFIC LANES. THE CONTRACTOR SHALL NOT STORE ANY EQUIPMENT OR MATERIAL WITHIN THE PUBLIC RIGHT-OF-WAY. OVERNIGHT PARKING OF CONSTRUCTION VEHICLES ON PRIVATE PROPERTY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
9. THE CONTRACTOR SHALL OBTAIN ALL THE NECESSARY PERMITS FOR THE PROJECT PRIOR TO COMMENCING CONSTRUCTION (I.E. BARRICADING, TOPSOIL DISTURBANCE, EXCAVATION, NPDES STORM WATER, SHORING ETC.).
10. ALL PROPERTY CORNERS DESTROYED DURING CONSTRUCTION SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE. ALL PROPERTY CORNERS MUST BE RESET BY A REGISTERED LAND SURVEYOR.
11. ALL BARRICADES AND CONSTRUCTION SIGNING SHALL CONFORM TO APPLICABLE SECTION OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD), U.S. DEPARTMENT OF TRANSPORTATION, LATEST EDITION.
12. THE CONTRACTOR SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS CONTROLLING POLLUTION OF THE ENVIRONMENT PRIOR TO THE START OF THE PROJECT CONSTRUCTION. THE CONTRACTOR SHALL CONTACT THE AGENCIES RESPONSIBLE FOR AIR, NOISE, AND WATER QUALITY CONTROL REGULATIONS TO DETERMINE THE STANDARDS WHICH SHALL ADHERE DURING CONSTRUCTION OPERATIONS. THE CONTRACTOR SHALL OBTAIN, PREPARE, SUBMIT ALL FORMS, APPLICATIONS PERMITS, AND/OR PLANS REQUIRED TO COMPLY WITH ALL FEDERAL, STATE AND LOCAL LAWS CONTROLLING POLLUTION OF THE ENVIRONMENT. THE CONTRACTOR SHALL ALSO MODIFY ALL PLANS, PERMITS, FORMS, APPLICATIONS AS REQUIRED, AS SITE CONDITIONS CHANGE TO STAY IN COMPLIANCE WITH THESE LAWS AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RECORD KEEPING AND/OR INSPECTIONS ASSOCIATED WITH THESE LAWS AND REGULATIONS. THE CONTRACTOR SHALL PROVIDE THE OWNER ONE ADDITIONAL COPY OF EACH REQUIRED PLAN, SUBMITTED FORM OR APPLICATION, AND PLAN UPDATE AS THEY ARE SUBMITTED. THESE RESPONSIBILITIES INCLUDE, BUT ARE NOT LIMITED TO, ENVIRONMENTAL PROTECTION AGENCY (EPA), AND N.P.D.E.S. REQUIREMENTS. CONTRACTOR SHALL FILE THE APPROPRIATE NOTICES, INCLUDING THE NOTICE OF TERMINATION (N.O.T.) FORM, WITH THE REQUIRED AGENCIES. NOTICE OF INTENT (N.O.I.) SHALL BE FILED BY ENGINEER/OWNER WHO SHALL NOTIFY CONTRACTOR OF ALLOWED CONSTRUCTION START DATE. THE CONTRACTOR SHALL ALSO MODIFY THE "STORM WATER POLLUTION PREVENTION PLAN" (SWPPP) AS REQUIRED. PERFORMANCE OF THESE RESPONSIBILITIES ARE INCIDENTAL TO CONSTRUCTION OF THE PROJECT AND NO SEPARATE PAYMENT WILL BE MADE.
13. BEFORE COMMENCING CONSTRUCTION, CONTRACTOR SHALL LOCATE, POTHOLE AND MEASURE DEPTH TO TOP OF ALL EXISTING, UNDERGROUND WET & DRY UTILITIES AT PROPOSED CROSSING LOCATIONS, ACCORDING TO THE CONTRACT DOCUMENTS OR AS SPECIFIED BY THE UTILITY OWNER. CONTRACTOR SHALL PROVIDE ENGINEER AND OWNER WITH AN "AS-BUILT" PLAN OF ALL INFORMATION, AND RECEIVE FORMAL APPROVAL BEFORE STARTING WORK.
14. CONTRACTOR TO ENSURE ALL WORK PERFORMED IS IN ACCORDANCE WITH EXISTING PROJECT PERMITS, STUDIES AND REPORTS PROVIDED IN THE CONTRACT DOCUMENTS INCLUDING: CONDITIONAL USE, SPECIAL USE, OR ANY OTHER LAND USE TYPE PERMITS INCLUDING THE ASSOCIATED CONDITIONS OF APPROVAL; ENVIRONMENTAL STUDIES AND REPORTS; HYDROLOGICAL STUDIES AND REPORTS; ETC
15. CONTRACTOR SHALL DETERMINE THE SOURCE OF AND SECURE APPROVAL OF CONSTRUCTION WATER AS NECESSARY TO COMPLETE THE PROJECT.
16. CONTRACTOR SHALL MANAGE DUST, DIRT, MUD, SNOW, ETC., DURING THE CONSTRUCTION PHASE IN SUITABLE MANNER SO AS TO NOT IMPACT THE COMMISSIONING, PERFORMANCE, INSPECTION, OR RELIABILITY OF ANY EQUIPMENT SUCH AS BUT NOT LIMITED TO: MODULES, COMBINERS, INVERTERS, TRANSFORMERS, DISCONNECTS, SWITCHGEAR, SCADA / SEEDS / WEATHER STATIONS, CONDUCTORS AND TERMINATIONS, AND TRACKERS.
17. PANELS SHALL BE CLEANED BY CONTRACTOR TO REMOVE ALL DUST WITHIN THE 48 HOUR WINDOW PRECEDING PERFORMANCE TESTING. CLEANING PLAN SHALL BE APPROVED BY OWNER, AND NO SEPARATE PAYMENT SHALL BE MADE TO CONTRACTOR FOR SUCH ACTIVITIES.

CALL BEFORE YOU DIG

8-1-1

ABBREVIATIONS

Table listing abbreviations and their meanings: AE ARCHITECT/ENGINEER, ABAN ABANDON, ABC AGGREGATE BASE COURSE, AC ASPHALTIC CONCRETE PAVEMENT, ADDL ADDITIONAL, ADJ ADJUSTABLE/ADJACENT, AHJ AUTHORITY HAVING JURISDICTION, AFG ABOVE FINISH FLOOR, AGGR AGGREGATE, AI AREA INLET, ALIG ALIGNMENT, ALT ALTERNATE, APRX APPROXIMATE, ARCH ARCHITECTURAL, ASSY ASSEMBLY, BITUM BITUMINOUS, BL BASE LINE, BLDG BUILDING, BOC BACK OF CURB, C&G CURB AND GUTTER, CB CATCH BASIN, CCB CONCRETE BLOCK, CE CONCRETE EDGE, CF CUBIC FOOT/FEET, CI CURB INLET, CIP CAST-IN-PLACE, CJ CONSTRUCTION JOINT, CL CENTERLINE, CMP CORRUGATED METAL PIPE, CMU CONCRETE MASONRY UNIT, CO CLEANOUT, CONC CONCRETE, CONN CONNECTION, CONST CONSTRUCTION, CTRL CENTER, CTRL CONTROL, CVT CULVERT, CY CUBIC YARD, DEMO DEMOLITION, DET DETAIL, DI DROP INLET, DIA DIAMETER, EX EXISTING, E EAST, EJ EXPANSION JOINT, EL ELEVATION, ENGR ENGINEER, EOP EDGE OF PAVEMENT, EP EDGE OF PAVEMENT, EQ EQUAL, EST ESTIMATE, EXC EXCAVATION, FES FLARED END SECTION, FF FINISHED FLOOR, FG FINISHED GRADE, FL FLOW LINE, FLR FLOOR, FOC FACE OF CONCRETE/CURB, FT FEET/FOOT, GEN GENERAL

LEGEND

- PROJECT PROPERTY LINE
PROPERTY LINE
EASEMENT
SETBACK
RIGHT-OF-WAY
CENTERLINE OF ROAD
EXISTING FENCE
NEW FENCE
LIMITS OF GRADING
EXISTING CONTOUR (MINOR)
EXISTING CONTOUR (MAJOR)
NEW CONTOUR (MINOR)
NEW CONTOUR (MAJOR)
FLOOD LIMIT (10 YEAR)
FLOOD LIMIT (25 YEAR)
FLOOD LIMIT (50 YEAR)
FLOOD LIMIT (100 YEAR)
EX. SLOPE
PROPOSED SLOPE
SPOT ELEVATION, EXISTING GRADE
SPOT ELEVATION, FINISHED GRADE

6

5

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3

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SAGE logo and contact information: Consulting Engineers, Inc. 12 Geary Street, Suite 407 San Francisco, CA 94108 (415) 776-8246 www.sagece.com

STAMP:

DAC GONZALEZ PV POWER PLANT
FOREFRONT POWER LLC
22899 F MANNING AVENUE
REEDLEY, CA 93654

PROJECT NUMBER: CA-18-0116 / J0091

SHEET TITLE: CIVIL NOTES

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

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Table with columns: NO., REVISION, DATE, INIT. (Empty rows for revisions)

DATE: 10/25/2021
DRAWN BY: PA
ENGINEER: CS
APPROVED BY: RH

PROJECT PHASE: CUP SUBMITTAL #2
SCALE: NO SCALE

SHEET NO.: C-004









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DATE: 10/25/2021

DRAWN BY: PA

ENGINEER: CS

APPROVED BY: RH

PROJECT PHASE: CUP SUBMITTAL #2

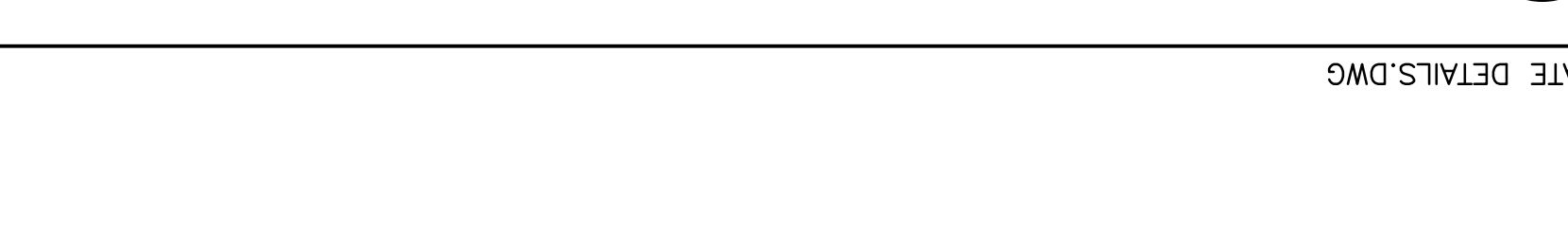
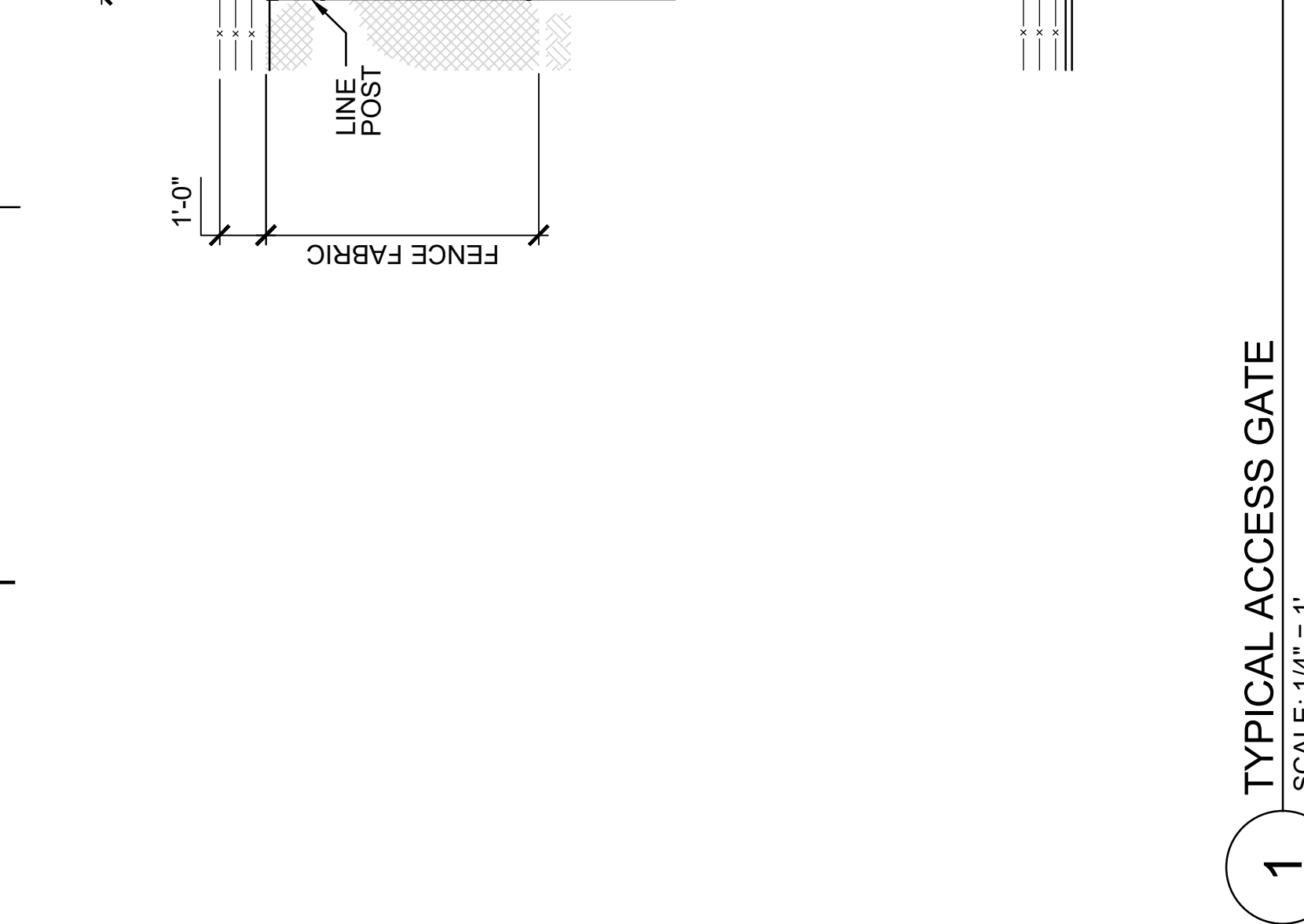
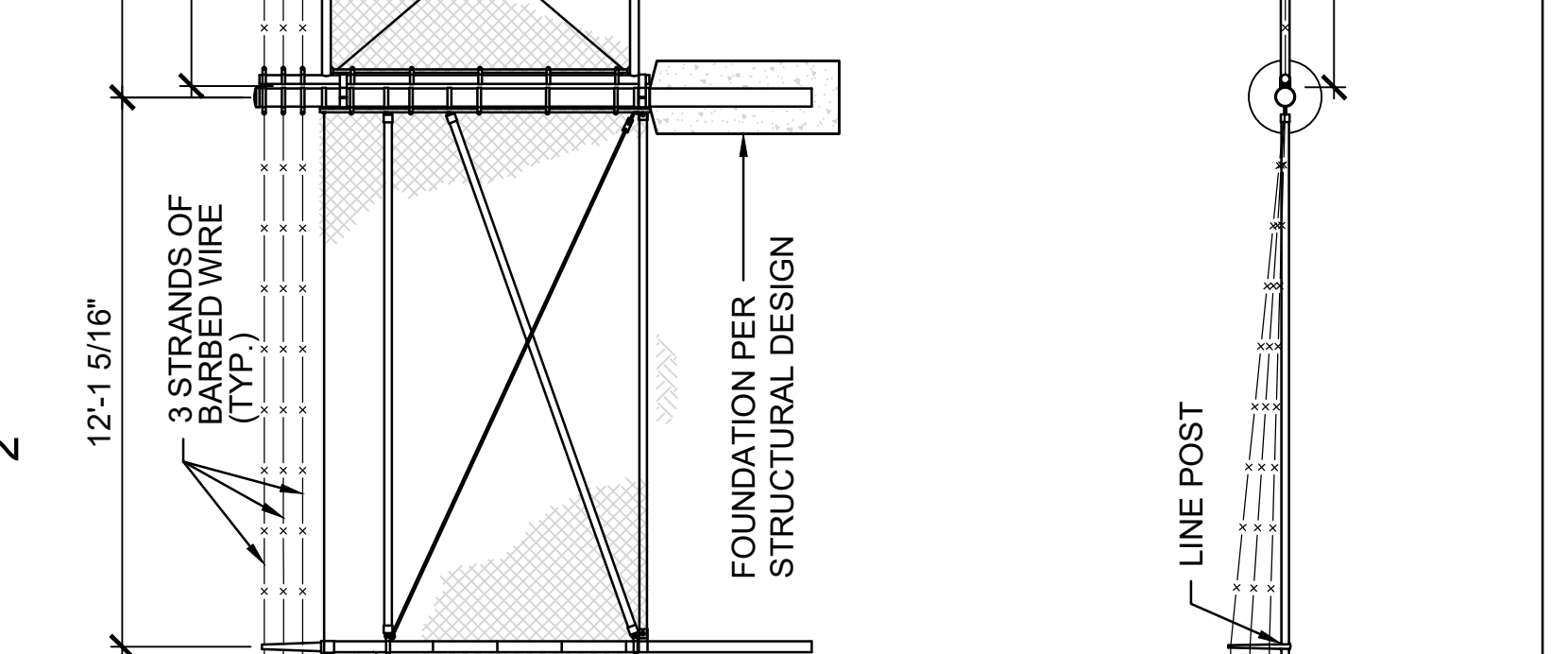
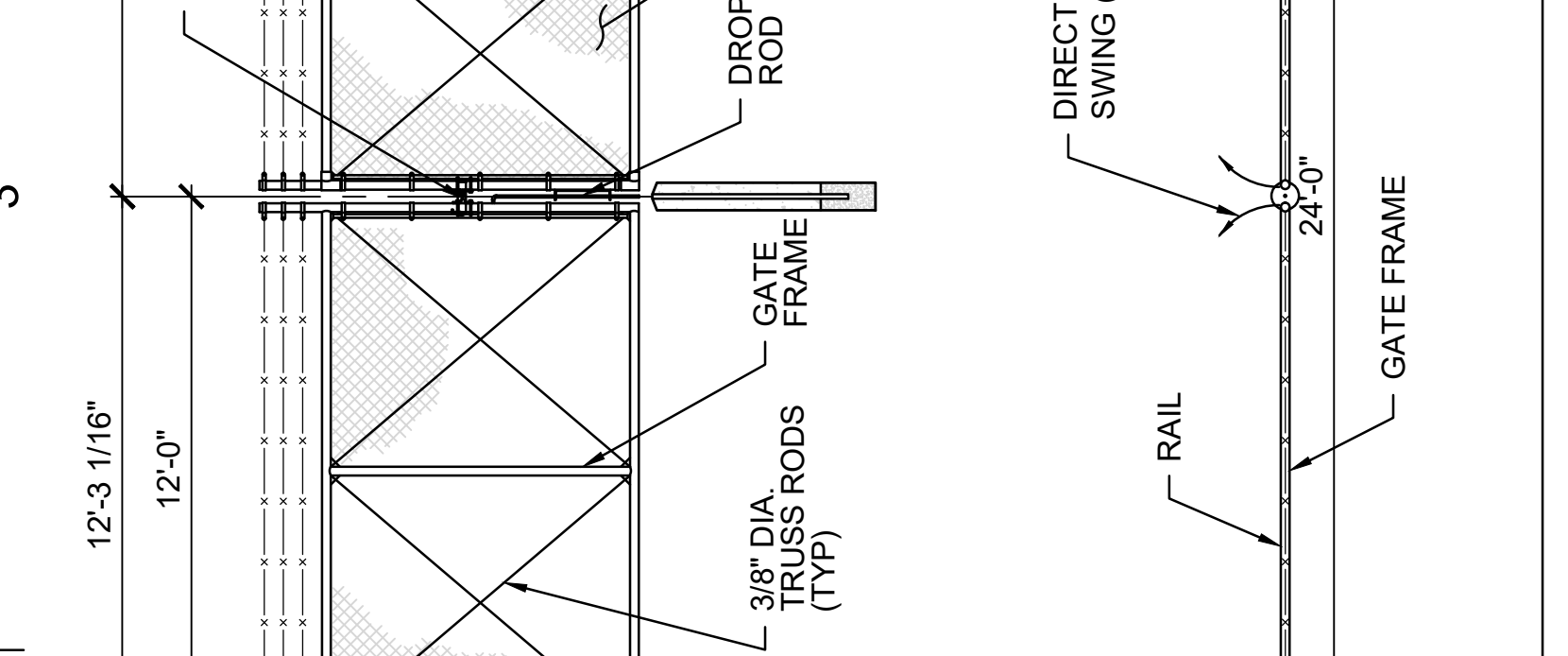
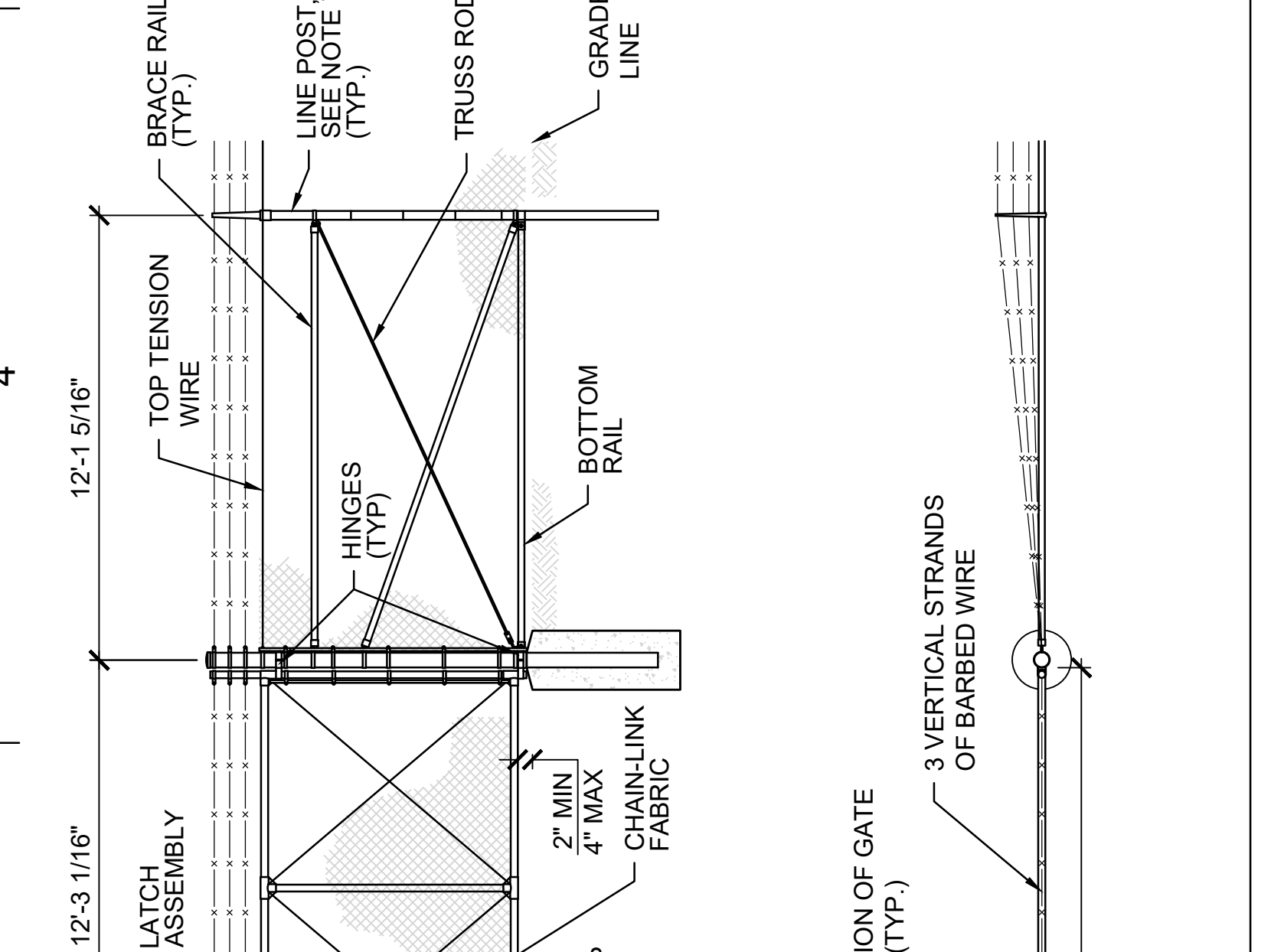
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**SHEET NOTES**

1. WIRE TIES, RAILS, POSTS, AND BRACES SHALL BE CONSTRUCTED ON THE SECURE SIDE OF THE FENCE ALIGNMENT. CHAIN-LINK FABRIC SHALL BE PLACED ON THE OPPOSITE SIDE OF THE SECURE AREA.
2. C-SECTION POSTS SHALL BE INSTALLED SO THAT THE VOID INSIDE THE POST IS COMPLETELY FILLED WITH CONCRETE UP TO THE TOP OF THE FOUNDATION.
3. SWING GATES SHALL BE CONSTRUCTED WITH DROP RODS, PADLOCKS, LATCH ASSEMBLY, AND GATE KEEPERS EXCEPT AS NOTED.
4. ALL GATE FRAMES SHALL BE A MINIMUM 1-7/8" NOMINAL (ROUND) OR 2" NOMINAL (SQUARE). GATE FRAMES SHALL BE OF WELDED CONSTRUCTION OR SHALL BE ASSEMBLED USING HEAVY FITTINGS. AT THE CONTRACTOR'S OPTION A WELDED HORIZONTAL BRACE MAY BE USED IN LIEU OF TRUSS RODS TO BRACE ALL WELDED GATE FRAMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER RIGID CONSTRUCTION OF ALL GATES SUPPLIED.
5. GATES SHALL BE DESIGNATED AS FOLLOWS:  
 FENCE TYPE - FE5, FE6, ETC.  
 FABRIC WIDTH - INCHES  
 TYPE OPENING - SO (SINGLE)  
                   - DO (DOUBLE)  
 HINGE - RA (STANDARD)  
           - HO (OFFSET)  
 OPENING - INCHES (CLEAR)  
           OPENING BETWEEN GATE POSTS  
 EXAMPLES: FE5-120-SO-HO-144  
               FE5-120-SO-HO-144
6. CHAIN-LINK FABRIC SHALL BE 11 GAUGE WITH 2" OPENINGS.
7. LINE POSTS SHALL BE 10 FEET LONG 1-7/8" SCHEDULE 40 GRADE 50 PIPE DIRECTLY DRIVEN 4 FEET INTO NATIVE SOIL.
8. SLATS NOT PERMITTED WITHOUT EOR APPROVAL AND SIGN-OFF.

**STEEL POST SCHEDULE**

| USE AND SECTION         | MINIMUM OUTSIDE DIMENSIONS (NOMINAL)      |  |
|-------------------------|---|--|
|                         | FABRIC LESS THAN 72"                      | FABRIC 72" TO 96"  |
| CORNER END & PULL POSTS | 2.375" O.D.<br>2.00" SQ.<br>3.50" X 3.50" | 2.375" O.D.<br>2.00" SQ.<br>3.50" X 3.50"                    |
| TUBULAR - ROUND         | 1.9" O.D.<br>2.25" X 1.70"                | 2.375" O.D.<br>2.25" X 1.70"                                 |
| TUBULAR - SQUARE        | 1.875" X 1.625"                           | 1.86" O.D.<br>1.50" O.D.<br>1.625" X 1.50"<br>1.625" X 1.25" |
| C-SECTION (ROLL-FORMED) |   |  |



**DETAIL NOTE(S)**

1. REPEAT BRACE EVERY 500 FEET AND AT CORNERS.

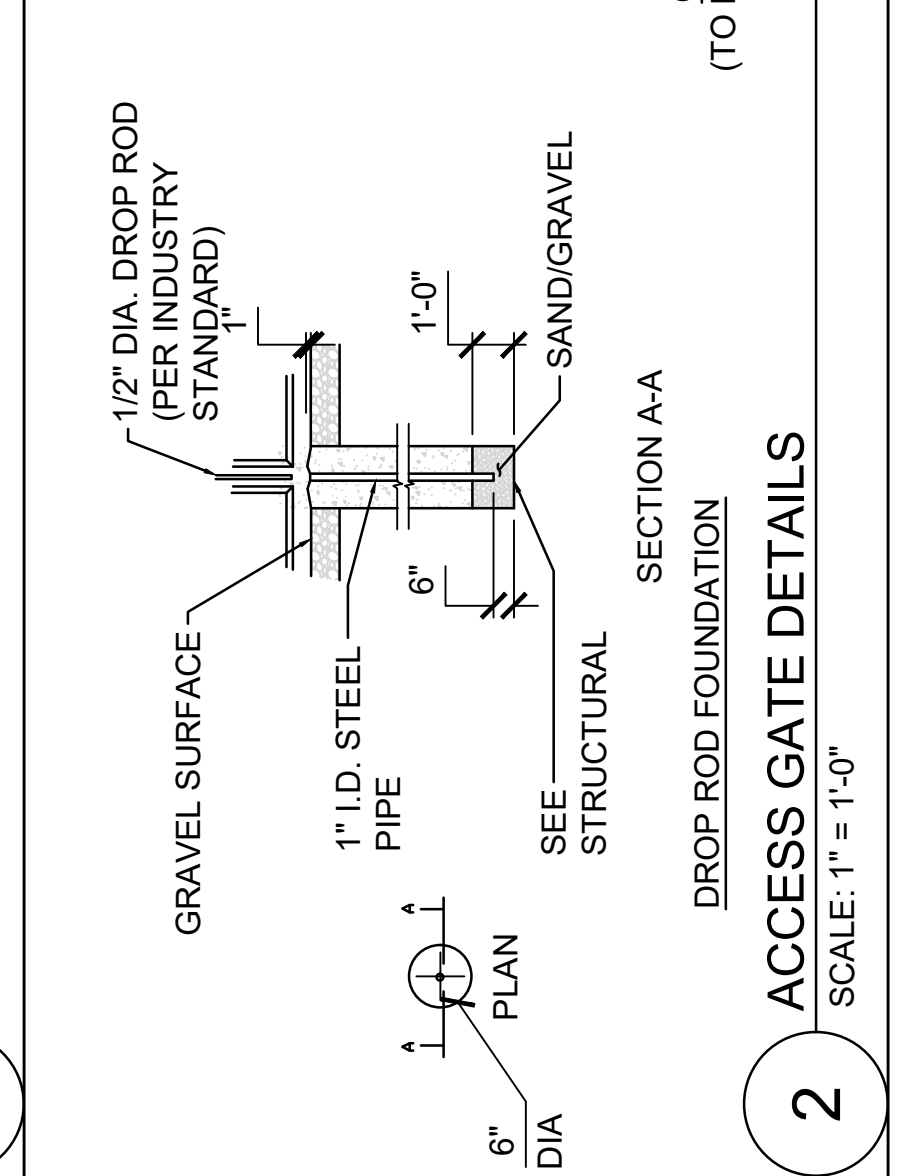
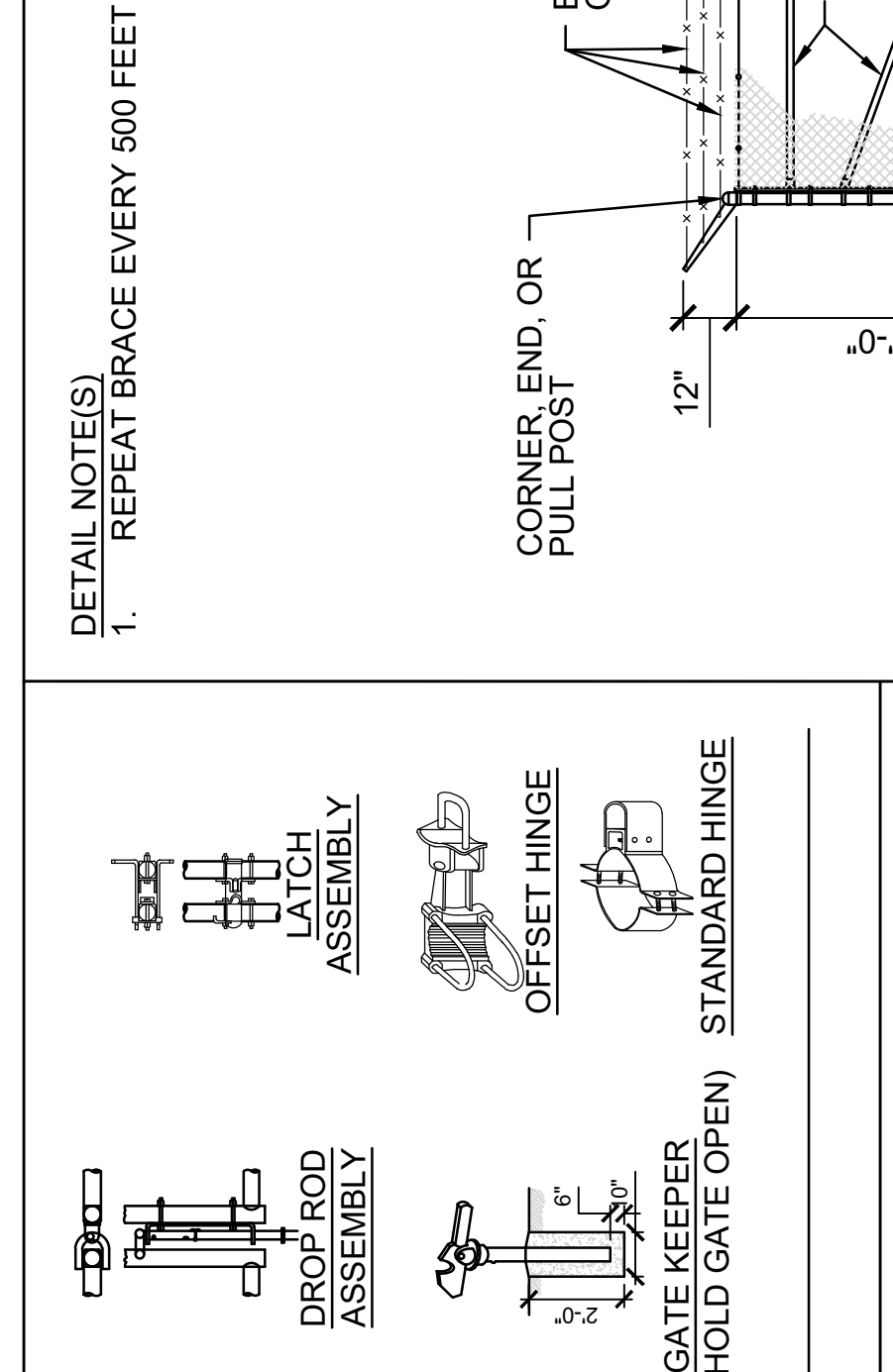
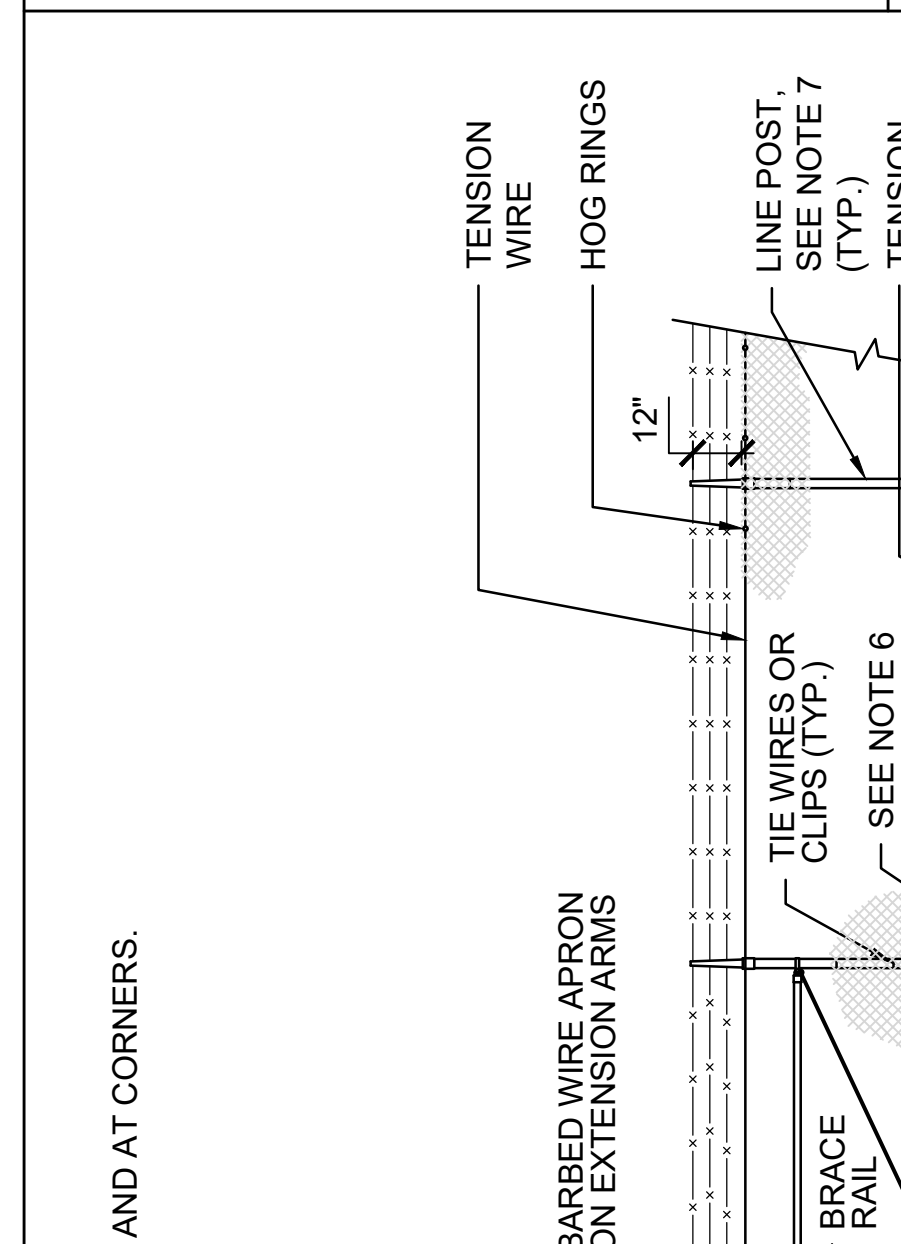
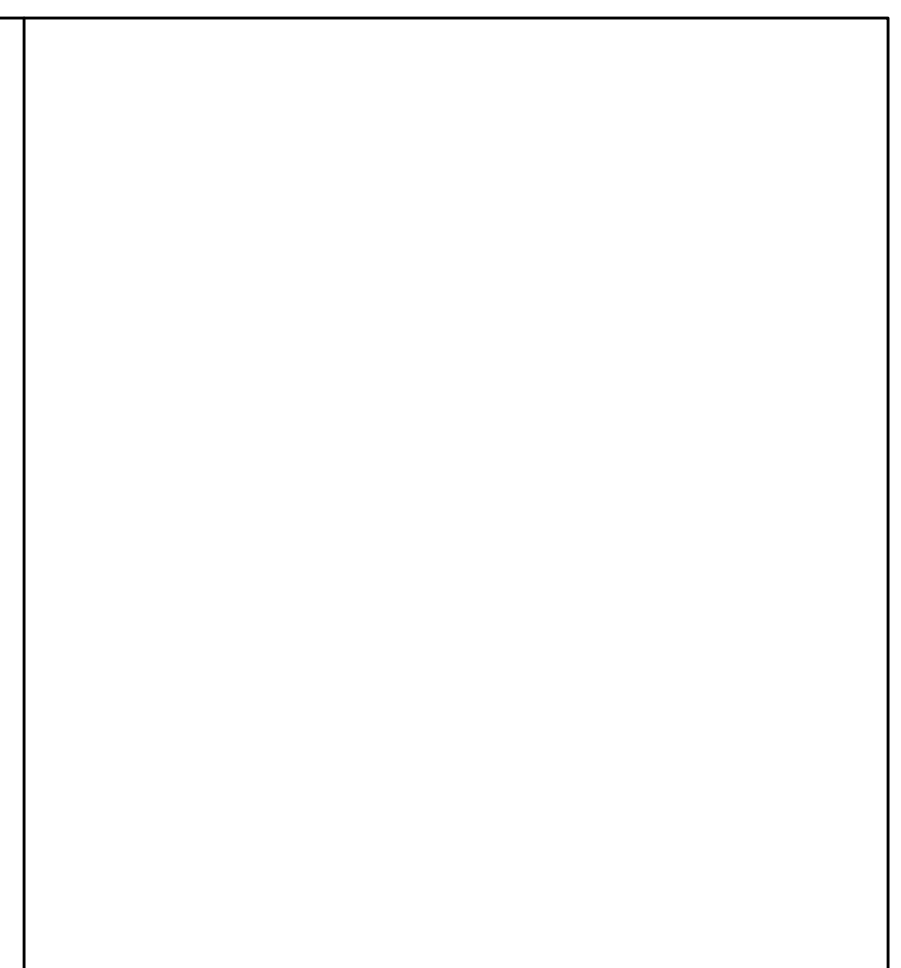
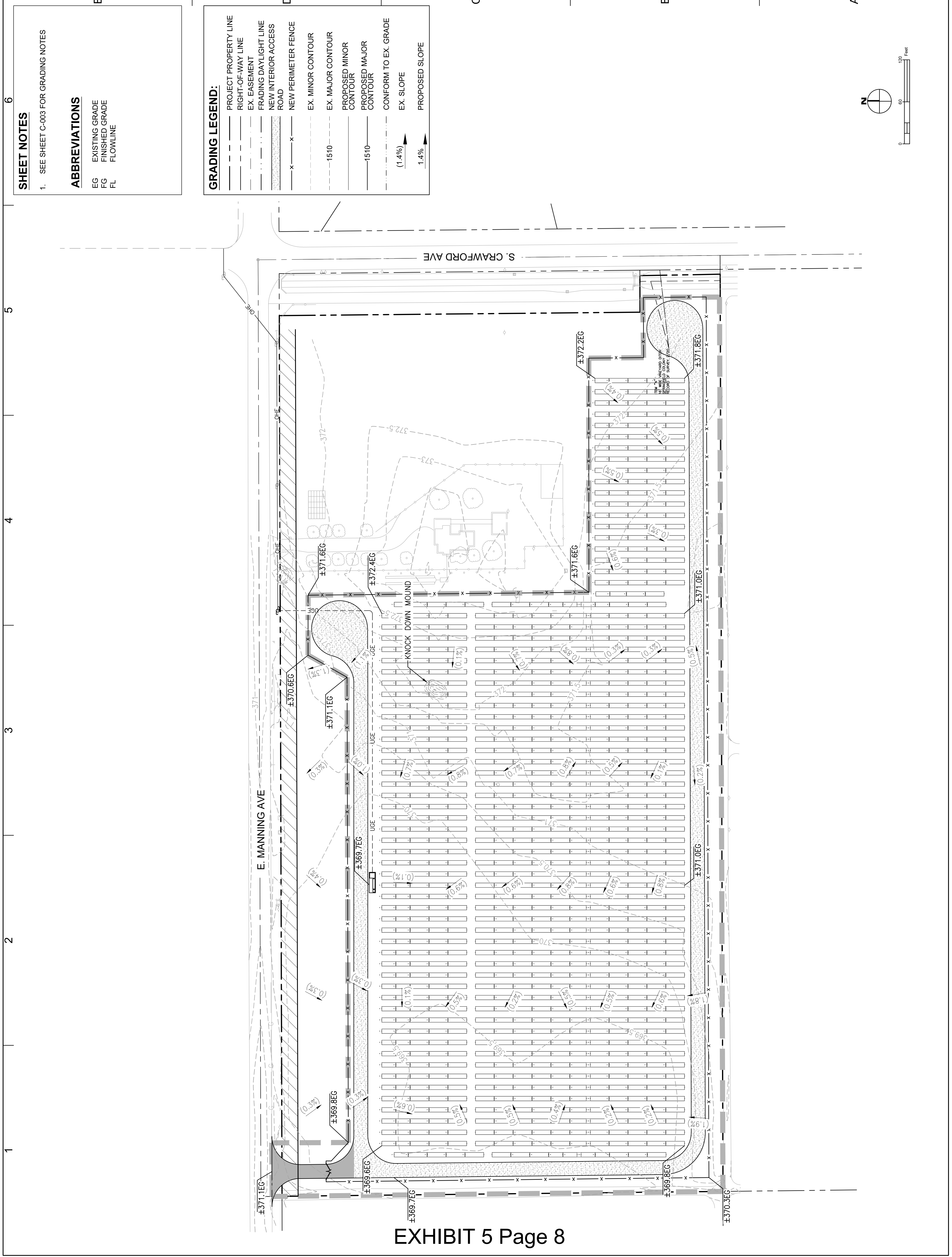


EXHIBIT 5 Page 8



**SHEET NOTES**

1. SEE SHEET C-003 FOR GRADING NOTES

**ABBREVIATIONS**

EG EXISTING GRADE  
FG FINISHED GRADE  
FL FLOWLINE

**GRADING LEGEND:**

|  |                          |
|--|--------------------------|
|  | PROJECT PROPERTY LINE    |
|  | RIGHT-OF-WAY LINE        |
|  | EX. EASEMENT             |
|  | FRADING DAYLIGHT LINE    |
|  | NEW INTERIOR ACCESS ROAD |
|  | NEW PERIMETER FENCE      |
|  | EX. MINOR CONTOUR        |
|  | EX. MAJOR CONTOUR        |
|  | PROPOSED MINOR CONTOUR   |
|  | PROPOSED MAJOR CONTOUR   |
|  | CONFORM TO EX. GRADE     |
|  | EX. SLOPE                |
|  | PROPOSED SLOPE           |

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STAMP:

DAC GONZALEZ PV  
POWER PLANT  
FOREFRONT POWER LLC  
22899 E MANNING AVENUE  
REEDLEY, CA 93654

PROJECT NUMBER:  
CA-18-0116 / J0091

SHEET TITLE:  
GRADING PLAN

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

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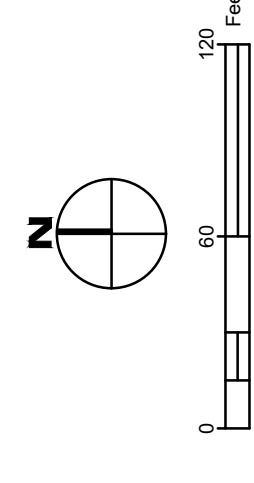
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DATE: 10/25/2021  
DRAWN BY: PA  
ENGINEER: CS  
APPROVED BY: RH

PROJECT PHASE:  
CUP SUBMITTAL #2

SCALE:  
1" = 60'

SHEET NO.:  
**C-301**





## EXHIBIT 6

**Project:** Gonzalez Solar

**Scope:** 1.75 MWac Solar Photovoltaic Energy Generation Facility on +/-13 acres of a 19.32-acre parcel.

**Location:** 373-111-72

**Applicant's Representative:**

EPD Solutions, Inc.

c/o Jeff Alvarez

2 Park Plaza, Suite 1120

Irvine, Calif. 92614

(949) 794-1182

[jeff@epdsolutions.com](mailto:jeff@epdsolutions.com)

### Operational Statement

*1. Nature of the Operation – What do you propose to do? Describe in detail.*

The project is a solar photovoltaic power plant. The facility will generate electricity from the sun during daylight hours, and will be unmanned. The project will interconnect with the electrical grid at a power pole located within an existing substation about 550 feet northeast of the project site, via a collector power line about 920 feet in length. Power line height would be expected to be about 35 feet, subject to PG&E review and approval of final specifications. The site will be fenced and will contain only solar panels and associated electrical equipment, with no structures proposed. The project is not “behind the meter”. It is a commercial operation to provide energy to PG&E.

Construction of the facility is expected to start in late 2022 and continue over a four-month period.

*2. Operational time limits:*

The facility will operate automatically, with no staff presence, 24 hours a day year-round.

*3. Number of customer or visitors:*

The site would not receive any customers or visitors.

*4. Number of employees:*

The facility will be unmanned. Occasional site visits (generally once a week) would occur for security, maintenance, and pest control purposes. Generally, these visits would require only one vehicle, staffed with one or two individuals carrying out all required routine services.

*5. Service and delivery vehicles (number, type, frequency):*

The facility would not receive any regular deliveries during operations. Service visits would occur periodically on an as needed basis and would generally require only a pick-up truck.

*6. Access to the site (public road, private road, surface, unpaved/paved):*

The site is adjacent to Manning Avenue and Crawford Avenue, both public, paved roads. Driveway access is planned from Manning Avenue only. Access is not readily available from Crawford Avenue due to the presence of a drainage channel.

*7. Number of parking spaces for employees, customers, and services/ delivery vehicles:*

As the facility will be unmanned and will 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 will be grown, produced, or sold on-site.

9. *What equipment is used (if appropriate, provide pictures or a brochure):*

Equipment used on the site would include:

- Solar panels
- Transformers, inverters, and related electrical equipment

10. *What supplies or materials are used and how are they stored?*

No supplies or materials would routinely be used at the site. Any items required for periodic maintenance would be carried on maintenance vehicles.

11. *Does the use cause an unsightly appearance?*

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 waste 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):*

Construction water (for dust control) would be sourced from a local construction water service, with access to metered water that is available for construction use across the county. Estimated water use during construction is 355,000 gallons, or 1.09 acre-feet. Water use during decommissioning would be approximately one-quarter of this amount, or 90,000 gallons. The solar field would utilize steel piles. Concrete would only be required for the foundations of electrical equipment such as inverters. Concrete would be delivered to the site via ready-mix truck and would not require water onsite. Water for worker consumption would be commercially packaged and not from local sources.

During operations, the site will be unmanned and no water will be sourced on-site. Panel cleaning, generally occurring twice a year, would utilize water obtained from a construction water service, then filtered or treated with a water softener. No soaps or other cleaners are used. Water use is about 0.5 to 1 gallon per panel. Based on the approximate total 6,873 panels, water use would be under 13,750 gallons per year, or 0.04 acre-feet. Each panel cleaning would require two tanker trucks.

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 structures are proposed. New construction on the site would be limited to PV panels, transformers and other electrical equipment, and a perimeter fence.

16. *Explain which buildings or what portion of buildings will be used in the operation:*

Within the solar field development area, there are no existing buildings and only electrical equipment is proposed, with no buildings planned. Within the larger parcel, a single-family residence is present. This building is one story and was constructed in the mid-20<sup>th</sup> century, and includes a detached garage and storage shed. The residence will remain in its current use and there are no plans to use it in support of the solar field.

*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.

*18. Landscape or fencing proposed (describe type and location):*

Fencing is proposed to consist of a perimeter chain link fence with barbed wire. Slats would be installed in fencing fronting on Manning Avenue and Crawford Avenue to minimize visibility of the solar field. No landscaping is proposed.



EXHIBIT 7

**Project Compliance with Solar Facility Guidelines**

Updated 11/5/21

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

The required agricultural information follows:

|                     | 2010   | 2011   | 2002   | 2013   | 2014   | 2015   | 2016   | 2017   | 2018   | 2019   | 2020   |
|---------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| <b>Crop</b>         | Fallow | Fallow | Fallow | Fallow | Fallow | Fallow | Fallow | Fallow | Fallow | Fallow | Fallow |
| <b>Yield</b>        |        |        |        |        |        |        |        |        |        |        |        |
| <b>Water Source</b> |        |        |        |        |        |        |        |        |        |        |        |
| <b>Tilling</b>      |        |        |        |        |        |        |        |        |        |        |        |

2. Information shall be submitted that identifies the source of water for the subject parcel (surface water from irrigation district, individual well(s), conjunctive system). If the source of water is via district delivery, the applicant shall submit information documenting the allocations received from the irrigation district and the actual disposition of the water (i.e. utilized on-site or moved to other locations) for the last ten years. If an individual well system is used, provide production capacity of each well, water quality data and data regarding the existing water table depth.

The site has been fallow for the past decade and no water use has been recorded. The agricultural well previously serving the site is no longer functional and has been removed by the owner.

Construction water (for dust control) would be sourced from a local construction water service, with access to metered water that is available for construction use across the county. Estimated water use during construction is 355,000 gallons, or 1.09 acre-feet. Water use during decommissioning would be approximately one-quarter of this amount, or 90,000 gallons. The solar field would utilize steel piles. Concrete would only be required for the foundations of electrical equipment such as inverters. Concrete would be delivered to the site via ready-mix truck and would not require water onsite. Water for worker consumption would be commercially packaged and not from local sources.

During operations, the site will be unmanned and no water will be sourced on-site. Panel cleaning, generally occurring twice a year, would utilize water obtained from a construction water service, then filtered or treated with a water softener. No soaps or other cleaners are used. Water use is about 0.5 to 1 gallon per panel. Based on the approximate total 6,873 panels, water use would be under 13,750 gallons per year, or 0.04 acre-feet. Each panel cleaning would require two tanker trucks.

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

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

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

Per the project's Biological Habitat Assessment, the soils consist of Atwater sandy loam (ArA), Greenfield sandy loam (GuA), and Hanford sandy loam (Hk). (See Figure 1)

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 project maintains a buffer of 50 feet or greater from solar panels to the nearest offsite agricultural uses. In the buffer area is a perimeter road and a fence.

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 enclosed.

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 project site is located in a predominantly agricultural area of Fresno County, and few non-agricultural properties are available in the vicinity. The project site is constrained in its location in order to comply with State policy. The project is located within a disadvantaged community and is contracted with PG&E under the Disadvantaged Communities Program (DAC), which was established to comply with Assembly Bill 327 of 2013. AB 327 and the DAC program have the goal of establishing renewable energy generation in communities that rank in the highest 25 percent statewide for pollution levels, as mapped by the California Office of Environmental Health Hazard Assessment. There are limited lands available for development within disadvantaged communities that meet interconnection requirements (availability of an electrical circuit with adequate capacity), while also complying with County requirements for zoning and having a willing landowner.

While the site has some history of agricultural use, the parcel is more appropriate for solar use than others in the area due to the lack of any active Williamson Act Contract or Conservation Easement. In addition, the parcel has been fallowed for the past decade and is not generating valuable agricultural output. The property owner has indicated the agricultural well serving the site has ceased to function and has been removed. Therefore, large-scale agriculture on the property is not feasible without significant expenditure to drill a new, much deeper well.

Limited community-serving agricultural use will continue onsite with implementation of the project. The Community Life Garden, which currently has 30 garden plots, relies on the smaller-capacity residential well serving the house on the property and will continue to operate.

Finally, it is noted that the solar field has a limited lease term of 20 years. At the end of the lease the project will be decommissioned and the site reclaimed in accordance with a county-approved Reclamation Plan. Upon reclamation, the site will be available for agricultural use if desired by the owner.

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 enclosed.

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

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

10. Note: The life of the approved land use permit will expire upon expiration of the initial life of the solar lease. If the solar lease is to be extended, approval of new land use permit will need to be obtained.

The duration of the land use permit is noted.

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

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

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

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

13. In addition to disclosing the number of trips in the required project Operational Statement, the applicant shall disclose the weight of the shipments anticipated to the site. If the project is approved, pursuant to the CEQA analysis and based upon the existing road conditions and the weight/frequency of shipments to the site, the applicant shall mitigate impacts to County roads.

During the construction period, the following truck trips and vehicle weights are planned:

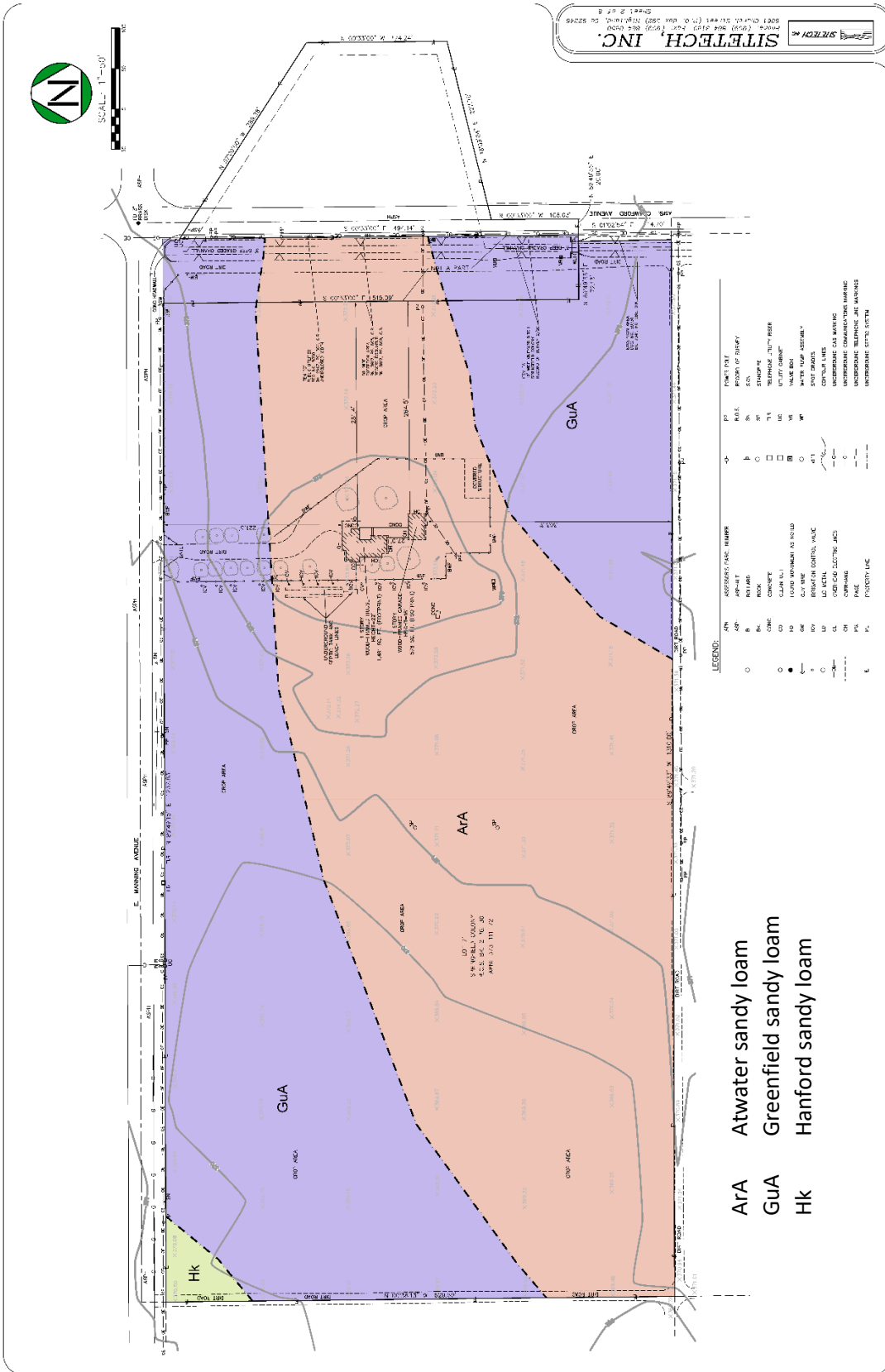
|                         |             |            |
|-------------------------|-------------|------------|
| Flatbed Delivery Trucks | 3 trips/day | 65,000 lbs |
| Water Trucks            | 2 trips/day | 60,000 lbs |

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. Twice a year, two water tankers would also access the site to provide filtered water for panel cleaning.

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.

Figure 1. Soil Units







# 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 No. 8027 and Unclassified Conditional Use Permit Application No. 3705
- DESCRIPTION:** Allow the construction, operation and ultimate decommissioning of a 1.75-Megawatt AC solar photovoltaic energy generation facility, located on an approximately 13-acre portion of a 19.32-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION:** The project site located on the south side of E. Manning Avenue approximately 450 feet from the southeast corner of the intersection of E. Manning and S. Crawford Avenue, approximately 2.25 miles east of the City of Reedley and 2.25 miles west of the City of Orange Cove (373-111-72) ( 22899 E. Manning Avenue) (Sup. Dist. 4).

### I. AESTHETICS

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

- A. Have a substantial adverse effect on a scenic vista?

**FINDING: LESS THAN SIGNIFICANT IMPACT:**

No scenic vistas were identified; however, the project site is located in a rural area where surrounding properties do have views of open space, foothills and mountains to the east. Smith Mountain, elevation 1,016 feet is located approximately one mile southeast of the project site. The proposed solar arrays will be no more than eight feet in height and screened behind a slatted chain link fence. The arrays are shorter than many surrounding mature orchard trees therefore the project will have less than significant impact on views from surrounding property.

- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

No scenic resources were identified that would be impacted by the project. The project entails the removal of approximately 13 acres previously dedicated to vineyards. Based upon staff review of site photos, the vineyards do not appear to be actively cultivated. The project site is abutted on two sides by mature orchards, which will not be impacted. Manning Avenue on which the project site has frontage and proposes access, is designated as a scenic drive in the County's General Plan. As such the applicant was required to modify the project such that an adequate setback from the scenic roadway was maintained. With the addition of slatted chain-link fencing to further screen the project from the roadway, that maintenance of a 50-foot buffer distance between the solar arrays and abutting agricultural uses and considering that the solar arrays low height profile will not obstruct views from the road or surrounding property, impacts to scenic resources will be less than significant with adherence to the included Mitigation Measure.

\* **Mitigation Measure(s)**

- 1. The proposed solar arrays and appurtenant equipment shall be screened behind slatted chain-link fencing, provided in an earth tone color. The slatted fencing color shall be maintained in good repair, with any damaged, discolored, or missing slats being promptly replaced, for the duration of operation of the facility.*

- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No publicly accessible viewing vantage points were identified. As discussed previously, impacts to view from surrounding property will be minimal. The proposed solar arrays will be located approximately 150 feet from the paved edge of the roadway along E. Manning Avenue and approximately 145 feet from the paved edge of S. Crawford Avenue. The proposed solar arrays will be less than eight feet in height and be screened from view of the public right-of-way and adjacent property behind a slatted chain link fence. Additionally, the project will be required to adhere substantially to the Pest Management Plan dated February 26, 2021 (which includes weed management), which includes provisions for control of unwanted vegetation on the site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The reflection of sunlight off solar panel surfaces would be the primary source of potential glare from the project. Solar Panels comprise cells designed to capture solar energy in order to convert it into usable energy. Therefore, solar panels are designed to absorb as much light as possible to maximize the efficiency of energy production. Additionally, Photovoltaic (PV) panels are covered with a tempered glass layer treated with an anti-reflective coating that further reduces the reflectivity of the panels. When compared to common reflective surfaces, solar panels without an anti-reflective coating produce around the same amount of reflectivity as water, which is about half the amount of reflectivity as standard glass commonly used in residential or commercial applications (Shields 2010). If an anti-reflective coating is applied to the solar panels, the reflectivity of the panels can be reduced to substantially less than that of water. A security lighting fixture is proposed at the proposed entry gate, and any other lighting, as may be required for electrical equipment in accordance with current building code.

\* **Mitigation Measure(s)**

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

## II. AGRICULTURAL AND FORESTRY RESOURCES

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

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

According to the 2016 important farmlands map, the subject property contains approximately equal parts of Prime farmland and farmland of Statewide Importance. The project would convert approximately 13 of the property's 19 acres to non-agricultural use for the duration of the project life. Crop records provided by the applicant in their submitted Responses to Solar Guidelines, indicate that the existing vineyards have been fallow since approximately 2010, and no water has been used for agricultural purposes, however no reason is given as to why the land has remained

fallow. Although the project will remove 13 acres of farmland from production, potentially for a period of twenty (20) years, according to information provided in the applicant's reclamation plan. However, because the project will be decommissioned within twenty years, and the land returned to its pre-project condition, in accordance with the applicant's submitted reclamation plan, dated February 26, 2021; and because the project will leave approximately 30 percent of the 19-acre parcel, excepting the area dedicated to residential use, available for agricultural production. Never the less, the project will convert Prime farmland and Farmland of Statewide Importance to non-agricultural uses for the life of the project. However, once operation the facility has ceased, the land will be restored as nearly as possible to its original condition, consistent with the applicant's submitted reclamation plan, which is required for all solar projects in accordance with the County's Solar Facility Guidelines. Therefore, with adherence to the reclamation plan and the provision of financial assurance for the reclamation plan, impacts to Farmland would be less than significant.

\* Mitigation Measure(s)

- 1. The proposed project will adhere substantially to the provisions of the Reclamation Plan for the Gonzalez Solar Project, dated February 26, 2021; and, the project proponent will provide financial assurance to the County in a manner and form acceptable to the County.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is not restricted under Williamson Act contract, and the proposed use would not be in conflict with the agricultural zoning because it is an allowed use in an agriculturally zoned district provided it receives the required discretionary review and approval.

C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?

D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The subject property is not zoned for forest land or timberland production.

E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As discussed previously, the project will result in the conversion of approximately 13-acres of farmland classified as Prime and of Statewide Importance, however, once

operation the facility has ceased, the land will be restored as nearly as possible to its original condition, consistent with the applicant's submitted reclamation plan, which is required for all solar projects in accordance with the County's Solar Facility Guidelines.

### III. AIR QUALITY

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

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

FINDING: NO IMPACT:

According to the Air Quality and Greenhouse Gas Impact Analysis prepared for this project by EPD Solutions, Inc. date May 27, 2021, no applicable air quality plans were identified that the project would conflict with or obstruct implementation of.

- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: NO IMPACT:

According to the Air Quality and Greenhouse Gas Impact Analysis prepared for this project by EPD Solutions, Inc. date May 27, 2021, the proposed solar facility is not expected to result in exceedance of the significance thresholds for any criteria pollutants, identified by the San Joaquin Air Pollution Control District.

- C. Expose sensitive receptors to substantial pollutant concentrations; or

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

FINDING: NO IMPACT:

Neither project construction or operation is not anticipated to generate substantial pollutant concentrations or other odor causing emissions, that would affect sensitive receptors. The project once constructed will produce renewable solar generated electricity.

### IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or

regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? No comments expressing concerns related to adverse impacts to wildlife habitat, were received from either the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

FINDING: NO IMPACT:

No riparian habitat, or sensitive natural communities were identified on or near the project site. A search of the U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) and the California Department of Fish and Wildlife (CDFW), California Natural Diversity Database (CNDDDB) mapping tool, identified no riparian habitat, critical habitat or sensitive natural communities, on or in the immediate vicinity of the project site.

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

FINDING: NO IMPACT:

There are no federally protected wetlands on the subject property or in the vicinity of the subject parcel. According the U.S. Fish and Wildlife, National Wetlands Inventory (NWI) Wetlands Mapper, there are two wetland features in the vicinity of the project site; an irrigation canal running along the eastern project boundary, and another irrigation canal located approximately one-third mile to the west.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION  
INCORPORATED:

A biological habitat assessment prepared for the project by Phoenix Biological Consulting, dated February 26, 2021 indicated that the subject parcel is considered suitable habitat for nesting birds including Swainson's Hawk, and that potential impacts to nesting birds be should be addressed through pre-construction surveys. The habitat assessment indicated that the subject parcel did not provide suitable habitat for any threatened or endangered avian species.

\* **Mitigation Measure**

1. *Prior project related ground disturbance, surveys for Burrowing Owl, Swainson's Hawk, and nesting birds shall be conducted by a qualified wildlife biologist. The surveys shall be conducted within 30 days prior to construction if project development occurs during the spring. No ground disturbance shall occur during nesting season (between February and August) without a clearance survey conducted by the qualified biologist.*

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

FINDING: NO IMPACT:

No conflicts with local policies protecting biological resources, adopted habitat conservation, natural community conservation, or any other regional, state or local habitat conservation plans were identified.

V. **CULTURAL RESOURCES**

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project is not located in an area of the County identified as having a moderate or high sensitivity to cultural resources. However, to address the possibility of previously undiscovered cultural materials being unearthed by ground disturbance.

\* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal*

*evidence procedures shall be followed by photos, reports, video, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

## VI. ENERGY

Would the project:

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

FINDING: NO IMPACT:

The project is not anticipated to result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during construction or operation. Project construction will be required to comply with the applicable building code related to energy efficiency, and Air Resources Board regulations pertaining to off-road compression-ignition (diesel) engines and equipment and compliance with idling engine restrictions. Project operation will generate renewable electrical energy which will be sold to the grid.

## VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
  - 2. Strong seismic ground shaking?
  - 3. Seismic-related ground failure, including liquefaction?
  - 4. Landslides?

FINDING: NO IMPACT:

The project site is not located in an area of increased risk as a result of seismic activity, according to Figure 9-5, Probabilistic Seismic Hazards (10% probability in 50 years) of the Fresno County General Plan Background Report (FCGPBR).

- B. Result in substantial soil erosion or loss of topsoil?



FINDING: NO IMPACT:

The project site is not located in an area p identified as being prone to soil erosion or loss of topsoil from flooding, which is generally within the river influence areas of eastern Fresno County, as per Figure 7-3 Erosion Hazards in Eastern Fresno County, of the FCGPBR. The project site is located in an area of irrigated agriculture and construction of the project is not anticipated to result in substantial soil erosion or loss of topsoil.

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

FINDING: NO IMPACT:

The project site is not located in an area of the County identified a being at increased risk of landslide or subsidence, as per Figure 9-6 Landslide Hazards and Areas of Subsidence, of the FCGPBR. The project site is located with one of the four Major Geologic Units classified as being comprised of Quaternary alluvial materials as identified in Figure 9-1.

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

FINDING: NO IMPACT:

The subject parcel is not located in an area of the County identified as having soils exhibiting moderate to high expansion potential, as per Figure 7-1 of the Fresno County General Plan Background Report.

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

FINDING: NO IMPACT:

No new onsite wastewater treatment system is proposed with this project.

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

FINDING: NO IMPACT:

No paleontological resources were identified in the analysis or by any reviewing agencies or departments.

## VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Air Quality and Greenhouse Gas Impact Analysis prepared for this project by EPD Solutions, Inc. date May 27, 2021, the project will generate Greenhouse Gas Emissions from construction activities, which were projected using the California Emissions Modeler (CalEEMod). The GHG Analysis refers to the 2008 Climate Change Action Plan (CCAP) and 2009 Final Staff Report Addressing Greenhouse Gas Emissions Impacts Under CEQA, developed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The 2009 Staff Report references the California Air Resources Board (ARB) recommendation of a GHG emissions threshold of 7,000 metric tons of CO<sub>2</sub> equivalent per year for operational emissions, and performance standards for construction and transportation emissions.

Construction activities were anticipated to generate approximately 183 metric tons of CO<sub>2</sub>e (equivalent) during construction during 2022, which equates to approximately 6 metric tons of CO<sub>2</sub>e per year distributed over a 30-year period. The project is projected to operate for a minimum period of 20 years, according the applicant's Reclamation Plan. It can be reasonably concluded that the project would generate a similar or smaller quantity of GHG emissions during reclamation of the site once the project has been decommissioned. Given this assumption, the projects GHG emissions would be well below the ARB recommended GHG emissions threshold, for both phases of the project. Additionally, because the project is a renewable energy generating facility, it is anticipated to result in a net decrease in cumulative GHG emissions when compared to non renewable electrical energy generation.

## IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

FINDING: NO IMPACT:

According to the Applicant's reclamation plan dated August 6, 2021, the project does not propose to use, transport or dispose of any hazardous materials, nor create a

significant public or environmental hazard as result of releasing such hazardous materials into the environment.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: NO IMPACT:

The project site is not located within a quarter mile of an existing school.

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

FINDING: NO IMPACT:

According to a search of the U.S. EPA NEPAAssist mapping application, and report generated on October 13, 2021, the project site is not located on an identified hazardous materials site.

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

FINDING: NO IMPACT:

The project site is not located within an airport land use plan area or within two miles of a public airport.

- G. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT:

The project is not anticipated to interfere with any adopted emergency response plan or emergency evacuation plan.

- H. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

The project site is not located in a wildland fire area.

## X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: NO IMPACT:

The project will not involve any waste discharge that would substantially degrade surface or groundwater.

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

FINDING: NO IMPACT:

The project proposes minimal water use, for dust control during construction and decommissioning, and periodic cleaning of the solar panels. No concerns related to water supply were expressed by any reviewing agencies or County departments. The Fresno County Water and Natural Resources Division reviewed the proposed project and evaluated the water supply, and determined that ground water supplies in the area are adequate to support the project; additionally, the project site is not located in an area of the County designated as being water short.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1. Result in substantial erosion or siltation on or off site?
2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
3. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
4. Impede or redirect flood flows?

FINDING: NO IMPACT:

The proposed solar arrays will not add a substantial amount of new impervious surface to the site that would result in alteration of the drainage pattern of the property or affect the course of any streams. The limited amount of new development of the site is unlikely to result in on or off-site erosion or siltation or create or contribute additional storm water runoff that would exceed the capacity of any existing or planned storm water drainage systems or contribute polluted runoff. An engineered grading and drainage plan may be required for the project unless it can be demonstrated by a licensed engineer, that the project will not substantially increase impervious surface on the site and not change the existing drainage patterns. Any additional runoff water

generated as a result of development of this project cannot be drained across property lines and must be retained on site or disposed of according to County standards.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

According to FEMA, FIRM Panel 2685H, the subject parcel is not subject to flooding from the 100-year storm event, nor is in an area at risk from tsunami, or seiche which are most typically in coastal areas. The subject parcel is also, not located within an area at risk from Dam Failure Flood Inundation according to Figure 9-8 of the Fresno County General Plan Background Report.

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

FINDING: NO IMPACT:

The project proposes minimal water use. There will be water used for dust control during construction and reclamation. According to the applicant's operational statement, regular panel cleaning will utilize a commercially available biodegradable solution, in lieu of water.

## XI. LAND USE AND PLANNING

Would the project:

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

FINDING: NO IMPACT:

The project will not physically divide an established community. The project proposes a PV Solar facility which is not specifically prohibited in agriculturally zoned areas however, it is, as a commercial use not allowed in agricultural area without discretionary approval. The County Board of supervisors adopted the Solar Facility Guidelines in recognition of the need to accommodate new renewable energy technology with the General Plan Goals of protecting the agricultural community and preserving important farmlands. To that end, applicants for renewable energy project such as this proposed solar facility are required to abide by the provision of the Guidelines such that environmental impacts can be minimized.

## XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

The project site is not located in any mineral resource locations identified by Figures 7-7 (Mineral Resource Locations) 7-8 (Principal Mineral Producing Locations [1997-1998]) or 7-9 (Generalized Mineral Resource Zone Classifications) of the Fresno County General Plan Background Report (FCGPBR).

## XIII. NOISE

Would the project result in:

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

FINDING: NO IMPACT:

Project construction will generate a temporary increase in ambient noise levels in the vicinity, however, the project will be subject the requirements of the County Noise Ordinance which specially exempts construction activities provided that they take place during the hours and days allowable in the Ordinance. Operation of the project is not anticipated to generate any noise.

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: NO IMPACT:

The project site is not located within the vicinity of a private airstrip or an airport land use plan, or within two miles of a public airport.

## XIV. POPULATION AND HOUSING

Would the project:

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

FINDING: NO IMPACT:

The project proposes no new housing and is not anticipated to induce any population growth. No existing housing or people will be displaced.

#### XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

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

FINDING: NO IMPACT:

The project does not propose any new

#### XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project is not located near any neighborhood or regional parks or recreational centers and does not propose any new recreational facilities or require the construction of such facilities.

XVII. TRANSPORTATION

Would the project:

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

FINDING: NO IMPACT:

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

FINDING: NO IMPACT:

According to the Construction Trip Generation and VMT analysis provided by EPD Solutions, Inc., dated May 27, 2021, concluded that the project would generate approximately 22 daily trips based on ten (10) panel washers and one (1) maintenance worker, which is below the State OPR guidelines threshold assumption that small projects which generate 110 or fewer trips per day can be presumed to have a less than significant impact on cumulative Vehicle Miles Travelled.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project has no features which would present a hazard to traffic. The proposed access driveway will be required to comply with current fire code and County development standards with regard to vehicle access. However, project construction and eventual decommissioning of the project will necessitate delivery and removal of equipment and materials to and from the site, which could potentially create some temporary hazards to vehicle traffic along Manning Avenue at the point of ingress/egress. To address this potential hazard, the project will be required to submit a Traffic Management Plan for review and approval.

\* **Mitigation Measure(s)**

1. *Construction and reclamation of the proposed Solar Energy Generating facility shall comply with the Traffic Management Plan as approved by the Fresno County department of Public Works and Planning. Prior to the issuance of development permits for the project, a Traffic Management Plan*



*shall be submitted to and approved by the Design Division of the Fresno County Department of Public Works and Planning.*

D. Result in inadequate emergency access?

FINDING: NO IMPACT:

The project proposes a new 30-foot-wide access driveway on to Manning Avenue, which will be the only point of ingress/egress for the project. The design of the proposed access driveway will be subject to the current fire code with regard to emergency access standards.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: Less Than Significant Impact with Mitigation Incorporated:

No tribal cultural resources were identified in the analysis, however, because the possibility exists that previously unknown subsurface tribal cultural resources may be unearthed during ground disturbance, the following Mitigation Measure has been included.

\* **Mitigation Measure(s)**

1. See Mitigation Measure under Section V above.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: NO IMPACT:

The project does not propose the installation, use or expansion of any wastewater treatment system.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: NO IMPACT:

Project operation will not require any water use or maintenance of the panels. A biodegradable solution will be use for this purpose in lieu of water. The only water use associated with the project will be during construction and reclamation of the site. The project was evaluated by the Water and Natural Resources Division of the Fresno County Department of Public Works and Planning, which expressed no concerns related to water supply.

- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: NO IMPACT:

No septic system is proposed with this project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not anticipated to generate quantifies of solid waste in excess of State or local standards, or of local solid waste infrastructure capacity, or impair attainment of solid waste reduction goals. Construction and reclamation of the project site will be subject to the applicable requirements of State law, County Ordinance with regard to solid waste disposal.

## XX. WILDFIRE

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

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

FINDING: NO IMPACT:

The project site is not located in or near a State Responsibility Area or on lands classified as very high fire hazard severity zones.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Potential impacts to Aesthetics, Cultural Resources, Geology and Soils, Transportation, and Tribal Cultural Resources were identified. The included mitigation measures will reduce those impacts to a less than significant level.

\* **Mitigation Measure(s)**

1. See mitigation measures under Sections I, V, XVII and XVIII above.

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

FINDING: NO IMPACT:

No cumulatively considerable environmental impacts were identified in the analysis.

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

FINDING: NO IMPACT:

No environmental impacts were identified which would result in substantial adverse effects on people.

## **CONCLUSION/SUMMARY**

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3705, 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 Air Quality, Energy, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Utilities and Service Systems, Wildfire.

Potential impacts related to Greenhouse Gas Emissions, and Utilities and Service Systems have been determined to be less than significant.

Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, Transportation, and Tribal Cultural Resources. Have determined to be less than significant with compliance with the included Mitigation Measures.

A Mitigated Negative Declaration/Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Street, Fresno, California.

JS

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**EXHIBIT 9**

|  |   |   |                    |
|--|---|---|--------------------|
| File original and one copy with:<br><b>Fresno County Clerk<br/>2221 Kern Street<br/>Fresno, California 93721</b>   |   | Space Below For County Clerk Only.<br><br>CLK-2046.00 E04-73 R00-00 |                    |
| Agency File No:<br><b>IS 8027</b>  | <b>LOCAL AGENCY<br/>DRAFT MITIGATED<br/>NEGATIVE DECLARATION</b>                    | County Clerk File No:<br><b>E-</b>                                  |                    |
| Responsible Agency (Name):<br>Fresno County  | Address (Street and P.O. Box):<br>2220 Tulare St. Sixth Floor                       | City:<br>Fresno   | Zip Code:<br>93721 |
| Agency Contact Person (Name and Title):<br><br>Jeremy Shaw, Planner  | Area Code:<br>559   | Telephone Number:<br>600-4207                                       | Extension:<br>N/A  |
| Project Applicant/Sponsor (Name): Forefront Power, LLC   | Project Title: Initial Study No. 8027/ Unclassified Conditional Use Permit No. 3705 |   |                    |
| Project Description:<br><br>Allow the construction, operation and ultimate decommissioning of a 1.75-Megawatt AC solar photovoltaic energy generation facility, located on an approximately 13-acre portion of a 19.32-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.   |   |   |                    |
| Justification for Negative Declaration:<br><br>Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3705, 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 Agricultural, Air Quality, Energy, Greenhouse Gases, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population and Housing, Public Services and Recreation and Wildfire.<br><br>Potential impacts related Agriculture and Forestry Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, Utilities and Service Systems have been determined to be less than significant.<br><br>Potential impacts relating to Aesthetics, Biological Resources, Cultural Resources, Transportation and Tribal Cultural Resources have been determined to be less than significant with compliance with the identified Mitigation Measures. |   |   |                    |
| FINDING:<br><br>The proposed project will not have a significant impact on the environment.  |   |   |                    |
| Newspaper and Date of Publication:<br>Fresno Business Journal – October 15, 2021   |   | Review Date Deadline:<br>Planning Commission – November 18, 2021    |                    |
| Date:  | Type or Print Signature:<br>David Randall<br>Senior Planner                         | Submitted by (Signature):<br>Jeremy Shaw<br>Planner                 |                    |

State 15083, 15085

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

**LOCAL AGENCY  
DRAFT MITIGATED NEGATIVE DECLARATION**



# **Reclamation Plan**

**Gonzalez Solar Project**

**APN 372-111-72**

**County of Fresno**

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

October 22, 2021

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

The Gonzalez Solar (project) site is located on an 19.32-acre parcel (APN 073-060-12) in unincorporated Fresno County, near the city of Reedley. The project site is located on the south side of Manning Avenue between S. Alta Avenue and Crawford Avenue (Figure 1). The present General Plan land use designation is Westside Rangeland and the zoning is AE-20.

The project site is located at an elevation of about 370 feet and is generally flat. The site consists of fallowed agricultural land, one residence, and a community garden with 30 garden plots. The residence and community garden will not be affected by the project, which will continue in operation concurrently with the solar farm. Active agriculture on the balance of the site ceased in 2010 due to water costs and availability issues. A significant drop in the water table caused the onsite agricultural well to stop functioning; the well and irrigation system were subsequently abandoned. Surrounding land uses are predominantly agricultural to the north, west and south, with a single residence to the east, and a substation to the northeast.

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

ForeFront Power, LLC is proposing to develop and operate a 1.75-MWac solar photovoltaic energy generation facility on a 13-acre portion of the 19.32-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 substation northeast of 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 20 years, contingent on the power off-take agreement and the operational date, currently targeted as 2023. Under the current site control agreement, the project could remain in operation until 2043.

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

The subject property is subject to a 20-year lease between ForeFront Power, LLC (lessee) and David and Alice Gonzalez (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) Existing irrigation systems on the site have not been used or maintained since 2010, and are therefore non-functional without significant repairs and maintenance. An agricultural water well was previously present but was removed after it ceased to function. The water pump assembly for this well is shown on the topographical survey of the site. A significant decline in the water

table is one of the major reasons the well ceased to function and the irrigation system was abandoned. Retention of these systems is not proposed. No irrigation will be required during operations. The solar field is prohibited by lease terms from accessing any onsite water via well or other means. Should the property owner seek to establish agricultural uses at the site at the conclusion of the solar farm's life, a new irrigation system would be installed.

**6. Site Plan**

See Figure 3.

**7. Engineering cost estimate**

| Civil Demolition               | Quantity | Unit | Labor        | TOTAL        |
|--------------------------------|----------|------|--------------|--------------|
| Panel Removal                  | 6,873    | EA   | \$ 1.75      | \$ 12,027.75 |
| Steel Structure Disassembly    | 1        | LS   | \$ 8,000.00  | \$ 8,000.00  |
| Driven Pile Foundation Removal | 1,112    | EA   | \$ 5.00      | \$ 5,560.00  |
| Fencing Demolition             | 3,300    | LF   | \$ 2.50      | \$ 8,250.00  |
| Access Road Demolition         | 79,000   | SF   | \$ 0.25      | \$ 19,750.00 |
|                                |          |      | <b>Total</b> | \$ 53,587.75 |

| Electrical Demolition   | Quantity | Unit | Labor        | TOTAL        |
|---|----------|------|--------------|--------------|
| Removal of Wire & Grounding Rods (including dismantle & load)                     | 1        | LS   | \$ 10,000.00 | \$ 10,000.00 |
| Inverters / Parallel Gear / Combiner Boxes (including dismantle, load & disposal) | 1        | LS   | \$ 10,000.00 | \$ 10,000.00 |
|   |          |      | <b>Total</b> | \$ 20,000.00 |

| Hauling                                 | Quantity | Unit | Unit Weight (lbs) | Total Weight (tons) | \$/Ton       | TOTAL         |
|---|----------|------|-------------------|---------------------|--------------|---------------|
| Panel                                   | 6,873    | EA   | 61.7              | 212.03              | \$ 320.00    | \$ 67,850.26  |
| Driven Pile Foundations                 | 1,112    | EA   | 100               | 55.60               | \$ 250.00    | \$ 25,000.00  |
| Tracker Structure Supports              | 1,112    | EA   | 200               | 111.20              | \$ 250.00    | \$ 50,000.00  |
| Copper (wire, inverter & parallel gear) | 1        | LS   |                   |                     | \$ 1,000.00  | \$ 1,000.00   |
|   |          |      |                   |                     | <b>Total</b> | \$ 143,850.26 |

| Disposal Fees        | Quantity | Unit | Unit Price   | TOTAL       |
|----------------------|----------|------|--------------|-------------|
| Dump Fees (Panels)   | 212.0    | ton  | \$ 35.00     | \$ 7,421.12 |
| Dump Fees (Concrete) | 5.0      | ton  | \$ 25.00     | \$ 125.00   |
|                      |          |      | <b>Total</b> | \$ 7,546.12 |

*\*PRICES ARE SUBJECT TO CHANGE\**

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

|                                |                      |
|--------------------------------|----------------------|
| Civil Demolition               | \$ 53,587.75         |
| Electrical Demolition          | \$ 20,000.00         |
| Hauling                        | \$ 143,850.26        |
| Disposal Fees                  | \$ 7,546.12          |
| <b>Total Decommission Cost</b> | <b>\$ 224,984.13</b> |

**8. Financial assurances**

ForeFront Power, LLC will provide the County of Fresno with a cash deposit or other means of financial assurance acceptable to the County in the amount of \$224,984.13. The cash deposit 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 with the property owners, David and Alice Gonzalez, is in place. The lease 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**

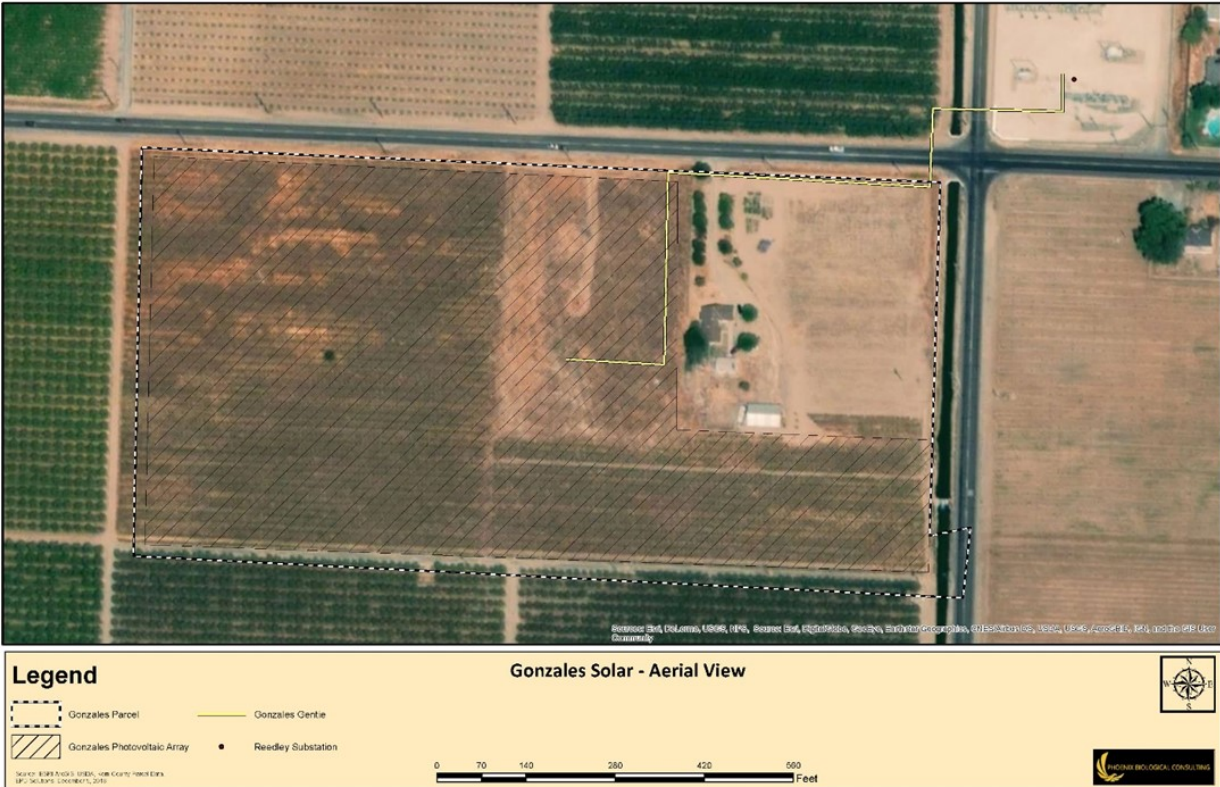
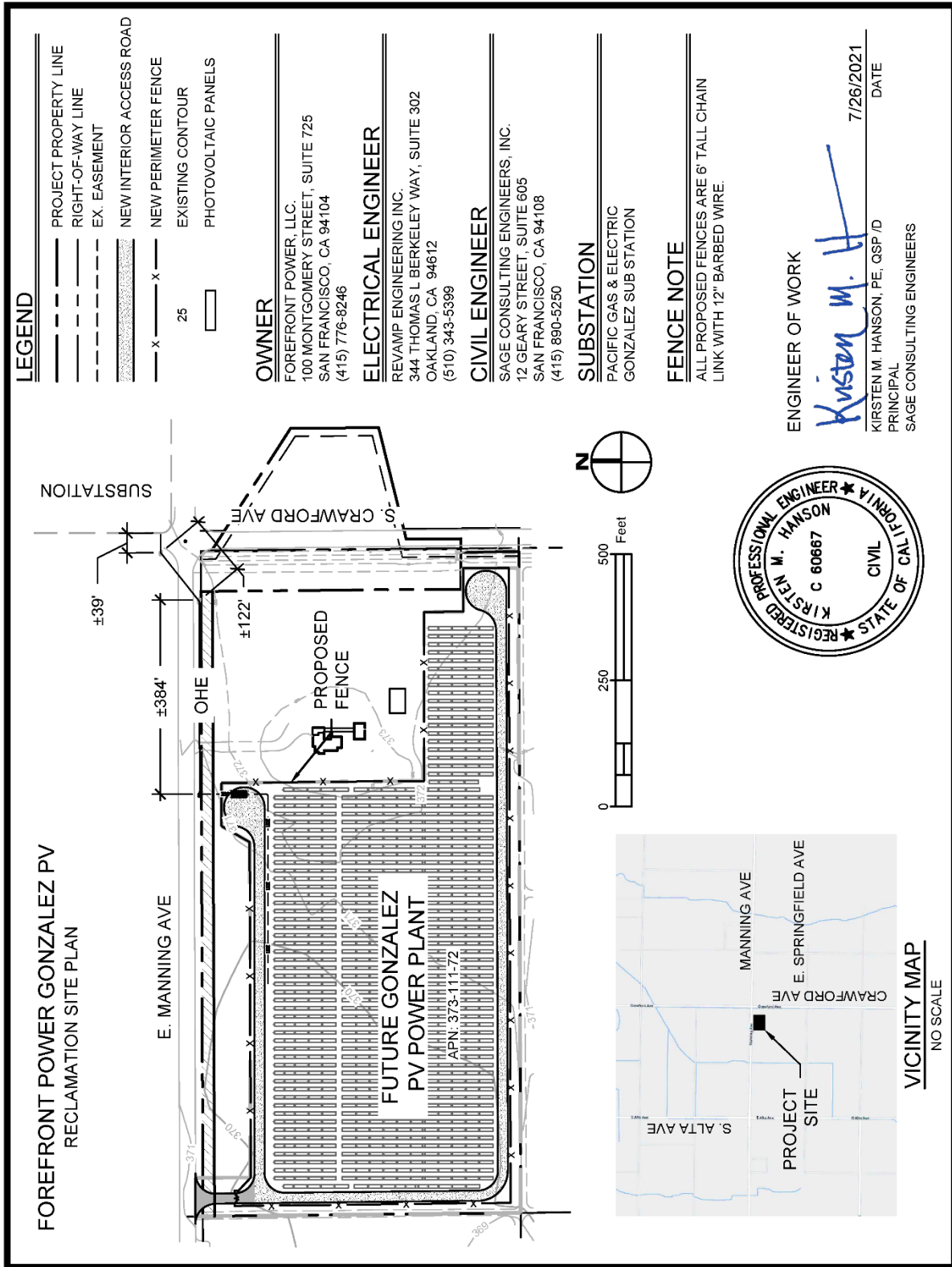




Figure 3. Reclamation Site Plan



**LEGEND**

- PROJECT PROPERTY LINE
- RIGHT-OF-WAY LINE
- - - EX. EASEMENT
- NEW INTERIOR ACCESS ROAD
- X --- NEW PERIMETER FENCE
- 25 --- EXISTING CONTOUR
- PHOTOVOLTAIC PANELS

**OWNER**

FOREFRONT POWER, LLC.  
100 MONTGOMERY STREET, SUITE 725  
SAN FRANCISCO, CA 94104  
(415) 776-8246

**ELECTRICAL ENGINEER**

REVAMP ENGINEERING INC.  
344 THOMAS L BERKELEY WAY, SUITE 302  
OAKLAND, CA 94612  
(510) 343-5399

**CIVIL ENGINEER**

SAGE CONSULTING ENGINEERS, INC.  
12 GEARY STREET, SUITE 605  
SAN FRANCISCO, CA 94108  
(415) 890-5250

**SUBSTATION**

PACIFIC GAS & ELECTRIC  
GONZALEZ SUB STATION

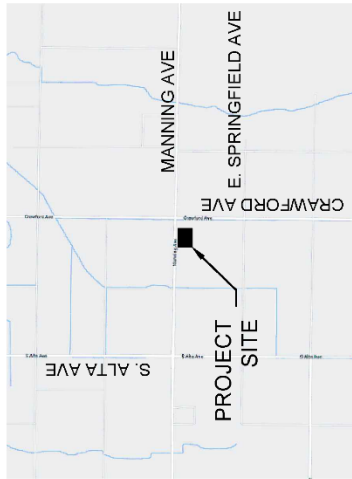
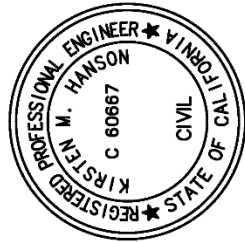
**FENCE NOTE**

ALL PROPOSED FENCES ARE 6' TALL CHAIN LINK WITH 12" BARBED WIRE.

**ENGINEER OF WORK**

*Kirsten M. Hanson*

KIRSTEN M. HANSON, PE, QSP/ID  
PRINCIPAL  
SAGE CONSULTING ENGINEERS  
7/26/2021  
DATE



**VICINITY MAP**  
NO SCALE

S:\3-Projects\0091 FFP Gonzalez (Frame)\3-Production\Drawings\3-Exhibit\Final\Decom Site Plan.dwg  
PLOT: Jul 26, 2021 - 9:13 am





# **Pest Management Plan**

**Gonzalez Solar Project  
APN 373-111-72**

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

October 22, 2021

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## **1.0 Project and Objectives**

ForeFront Power, LLC is proposing to develop and operate a 1.755 MWac solar photovoltaic energy generation facility on a 13-acre portion of an 19.32-acre parcel (APN 373-111-72) in unincorporated Fresno County, near the city of Reedley. The project site is located on the south side of Manning Avenue, west side of Crawford Avenue (Figure 1). The project site is located at an elevation of about 370 feet and is generally flat agricultural land. Surrounding land uses are predominantly agricultural to the north, west and south, with a single residence to the east, and a substation to the northeast.

General site investigations of the 15-acre study area were conducted on December 12, 2018, during which the site and the surrounding area were evaluated for the presence of various plant and animal species, including rodents. The results of the site visit and a literature review are contained in Phoenix Biological Consulting (2018).

The purpose of this Pest Management Plan is to discuss potential pest problems that may occur within the boundaries of the project site during the life of the solar project. In addition, the Plan outlines the various methods for preventing and/or controlling potential pest problems that may arise during operation of the solar facility.

This Plan provides information on the various pests known to occur in the region that could potentially cause an infestation on the property. Available resources and various control measures are discussed below which will help to control any future pest problems, if they occur. As necessary, various measures will be implemented to control any rodent populations present on the site in such a manner as to ensure minimal impact to the environment.

## **2.0 Existing Site Conditions**

### **2.1 Vegetation**

The 15-acre study area consists of highly disturbed agricultural lands used for active vineyard. There is no evidence of recent disking within or adjacent the site, per the site visit or aerial photo review. Grapes are the dominant vegetation throughout the site. The soils consist of Atwater sandy loam, Greenfield sandy loam, and Hanford sandy loam. Existing vegetation is non-native annuals and ornamental trees near the residential unit and grapes. Plants identified on site during the site visit are listed in Table 1.

**Table 1. Vascular Plants Detected during Site Visit**

| FAMILY<br>Species                     | Common Name   | Habit                      |
|---------------------------------------|---------------|----------------------------|
| <b>VITACEAE</b>                       |               |                            |
| <i>Vitis sp.</i>                      | Grapes        | Non-native shrub           |
| <b>POACEAE</b>                        |               |                            |
| <i>Bromus madritensis ssp. Rubens</i> | compact brome | non-native perennial grass |
| <i>Cynodon dactylon</i>               | Bermuda grass | non-native perennial grass |

## 2.2 Wildlife

Table 2 lists wildlife identified on the site during the site visit.

**Table 2. Vertebrates Detected during Site Visit**

| Birds  |
|--|
| Common raven ( <i>Corvus corax</i> )                                   |
| House finch ( <i>Haemorhous mexicanus</i> )                            |
| Red-tailed hawk ( <i>Buteo jamacensis</i> )-Pair in flight above area. |

Although not seen during the site visit, various small rodents are also known to inhabit the general region. These include:

**Voles, Moles, and Pocket Gophers:** There are six vole species that occur throughout California; the California vole (*Microtus californicus*) is the most common. California voles are typically found in grassland communities and wet meadows (CDFW, 1990). Voles frequently cause damage to a wide range of ornamental plants and may also damage other landscape plantings (University of California, 2010).

Moles (*Scapanus sp.*) are small mammals that are widely distributed throughout the dry regions of the Central Valley. The species lives entirely underground and normally has an extensive system of interconnecting tunnels. The greatest damage from mole activities is primarily from their burrowing activities that can create mounds and ridges throughout an area and undermine support structures.

Pocket gophers (*Thomomys* sp.) are one of the more common mammals throughout California and population density can sometimes reach very high levels (60+ gophers per acre) (CDFW, 1990). Botta's gophers are the most common gopher species in the area and are most likely to occur on the project site. Gophers are prolific diggers and can do considerable damage within a relatively short time (University of California, 2009). The first sign of the species is usually numerous mounds of dirt scattered throughout the area.

**Rats:** Norway rats (*Rattus norvegicus*) and roof rats (*Rattus rattus*), which are species which were introduced to North America, have been observed throughout California, and create a significant amount of damage wherever they are present. They typically consume large amounts of food (i.e., grain, etc.) and are responsible for contaminating food that has been stored (University of California, 2003). In addition to the damage they can cause, they are the carriers of various diseases.

**Mice:** The common house mouse (*Mus musculus*) also occurs throughout California and is most commonly seen in association with structures (i.e., houses, sheds, barns, etc.). The house mouse is one of the more damaging rodents in the country and typically consumes and contaminates food wherever it is found (University of California, 2010). They thrive under a variety of conditions such as in and around houses and commercial structures as well as in open fields and on agricultural land. House mice consume and contaminate food meant for humans, pets, livestock, and other animals. In addition, they cause considerable damage to structures and property, and they can transmit pathogens and cause disease such as salmonellosis, a form of food poisoning.

**California Ground Squirrels:** This species of ground squirrel (*Spermophilus beecheyi*) is one of the more common ground squirrels and is associated with grassland habitats, particularly in disturbed areas and along roadsides (CDFW, 1990). Damage done by the species consists primarily due to excavation of burrows that could potentially undermine structures such as support poles and pilings.

### **3.0 Control Options and Removal Methods**

#### **3.1 Preventive Controls**

Preventive controls are used to minimize rodent infestations in areas of concern and involve numerous approaches. As noted in Section 2.0, the main rodents likely to occur on the site include voles, rats, mice, gophers, and California ground squirrels. Preventive measures for each of these species are somewhat different; however, there are several measures common to all that can be implemented for the project as needed. These measures are summarized below:

**Managing Vegetation:** Rodents typically occur in areas where vegetation is allowed to grow; therefore, the vegetative cover throughout the site should be controlled. This can be achieved through periodic mowing. Mowing will also be required to ensure plant growth does not create a fire hazard by interfering with solar panels.

**Tilling:** Plowing can be an effective measure in controlling rodents. Tilling must be performed on a regular basis to ensure control of rodent populations.

**Fencing:** Specialized fencing designed to exclude small mammals can sometimes be an effective measure in controlling animals, particularly in dealing with larger mammals such as California ground squirrels. However, fencing is most effective when utilized for relatively small projects. Installing specialized fencing would not be a cost-effective means in controlling small rodents for the proposed project.

**Other Options:** Various other measures are available for control of rodents such as commercial repellents, electromagnetic, and burrow fumigants; however, these measures have a very low success rate and may also be cost prohibitive for large sites such as this project.

**Natural Control:** Natural predators such as hawks and falcons do occur in the area and prey on voles, rats, and ground squirrels on a regular basis. Raptors are expected to utilize the site during hunting activities; however, it would be difficult to ensure frequent or constant “patrol” of the site by hawks and falcon.

The specific preventive methods proposed at the site are fencing and mowing. Fencing would be installed per approved plans, and would limit site access for larger ground-based animals. Mowing would occur approximately four times per year, primarily in the late winter and spring seasons. Mowing would not involve vegetation removal or disturbance of the soil layer, so no dust control would be required.

### **3.2 Removal Methods**

In the event a rodent infestation occurs on the site or in certain portions of the property, various removal methods may need to be used to remove or at least lower the number of pests present on the site. Construction of the proposed solar project will have the benefit of reducing the number of rodents which may presently occur on the site due to modification and removal of the existing vegetation present on the site. As part of the construction process, the site will be graded and all current vegetation will be removed. Some natural re-vegetation will occur over time and rodents will naturally be reintroduced; consequently, pests may need to be controlled through removal and/or extermination practices.

Examination of the site for pests would occur during regular maintenance and security visits. Removal activities would occur on an as-needed basis, with no regular schedule foreseen; up to two such events are expected per year. Removal activities would require use of a light truck.

**Trapping:** Removal of various rodent species through trapping measures is an effective way to control populations of pests; however, trapping is labor intensive and can be relatively expensive. Trapping is most effective when dealing with small projects and on those projects where the rodents are confined to a relatively small portion of the site.

Trapping may be an effective measure for the project if the rodent infestation problem is confined to a small area but if the rodents are evenly dispersed throughout the site, baiting (see below) may be a more effective measure. In the event an infestation problem does arise, the site operations manager should consult with a pest control expert to determine if trapping is suitable.

**Baiting:** The use of toxic bait is an effective means of controlling rodents when the infestation occurs over a large area of a project site. Baits are the quickest and most cost-effective means in controlling pest infestation; however, toxic substances can create a safety problem for children, pets, and other animals (livestock). Anticoagulants are the most common baits used to control rats and mice and are available as over-the-counter substances.

Anticoagulants are normally the safest bait around structures where children and pets may be present given the fact these substances are slow acting, and there are antidotes commonly available in the event humans or pets ingest the bait. The bait normally must be available to the rodent that is being targeted for several days and placement is also an important issue. Placing the bait near rodent runways or near their burrows is the most effective approach; however, when dealing with large areas, such as the proposed project, “broadcasting” the bait in the area where the infestation is occurring may be the most cost-effective approach. When broadcasting the bait over a large area, the bait should be evenly spread over the area. Three to four applications are normally the most effective in eliminating the rodent infestation. Normal application should be every other day for a total of three applications.

#### **4.0 Conclusion**

Pests are not expected to be an issue of significant concern for the solar project, as the project will not produce any crops or other plant materials that might attract the various rodents known to occur in the area. Vegetation management will be required to avoid interference of grasses with solar panels and electrical equipment; this will reduce the amount of useful habitat for pests on the site. In addition, mowing activities will keep the vegetation cover at a low level which will expose rodents to potential prey species such as hawks, falcons, and coyotes.

Managing the vegetation is the first line of defense against rodent infestation. However, if an infestation does occur during the operational phase of the project, a professional exterminator should be consulted to determine the rodents which are causing the problem, and to determine the best approach for dealing with the specific rodents present. The consultant will also be able to determine which baits can be used in accordance with local, State, and federal laws.

## **5.0 References**

California Department of Fish and Game

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January 2003. Agriculture and Natural Resources: Statewide Integrated Pest Management Program. Pest Notes Publication 74106 (Rats).

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June 2010. Agriculture and Natural Resources: Statewide Integrated Pest Management Program. Pest Notes Publication 7439 Voles (Meadow Mice).

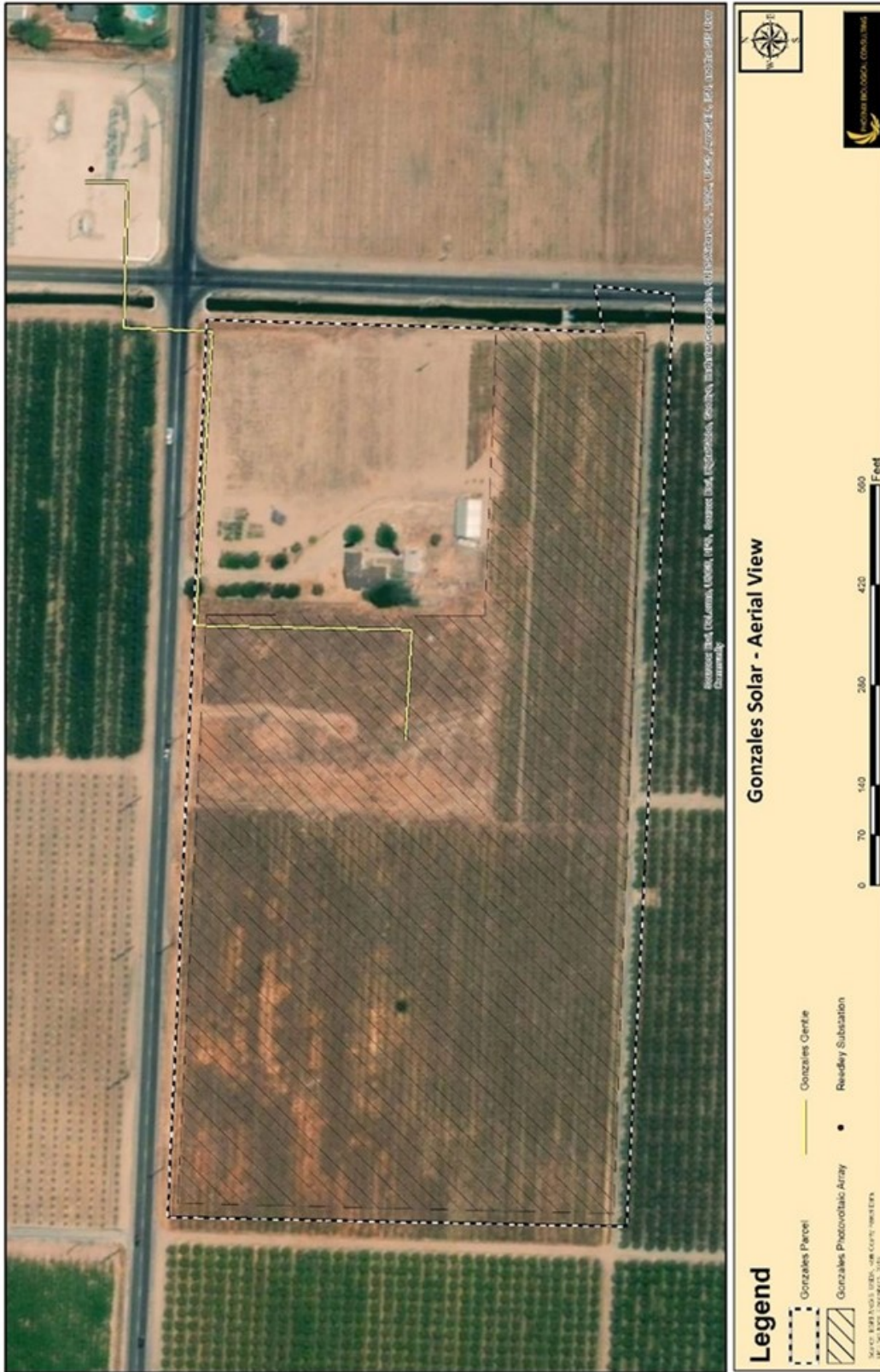
December 2012. Agricultural and Natural Resources: Statewide Integrated Pest Management Program. Pest Notes Publication 74115 (Moles).



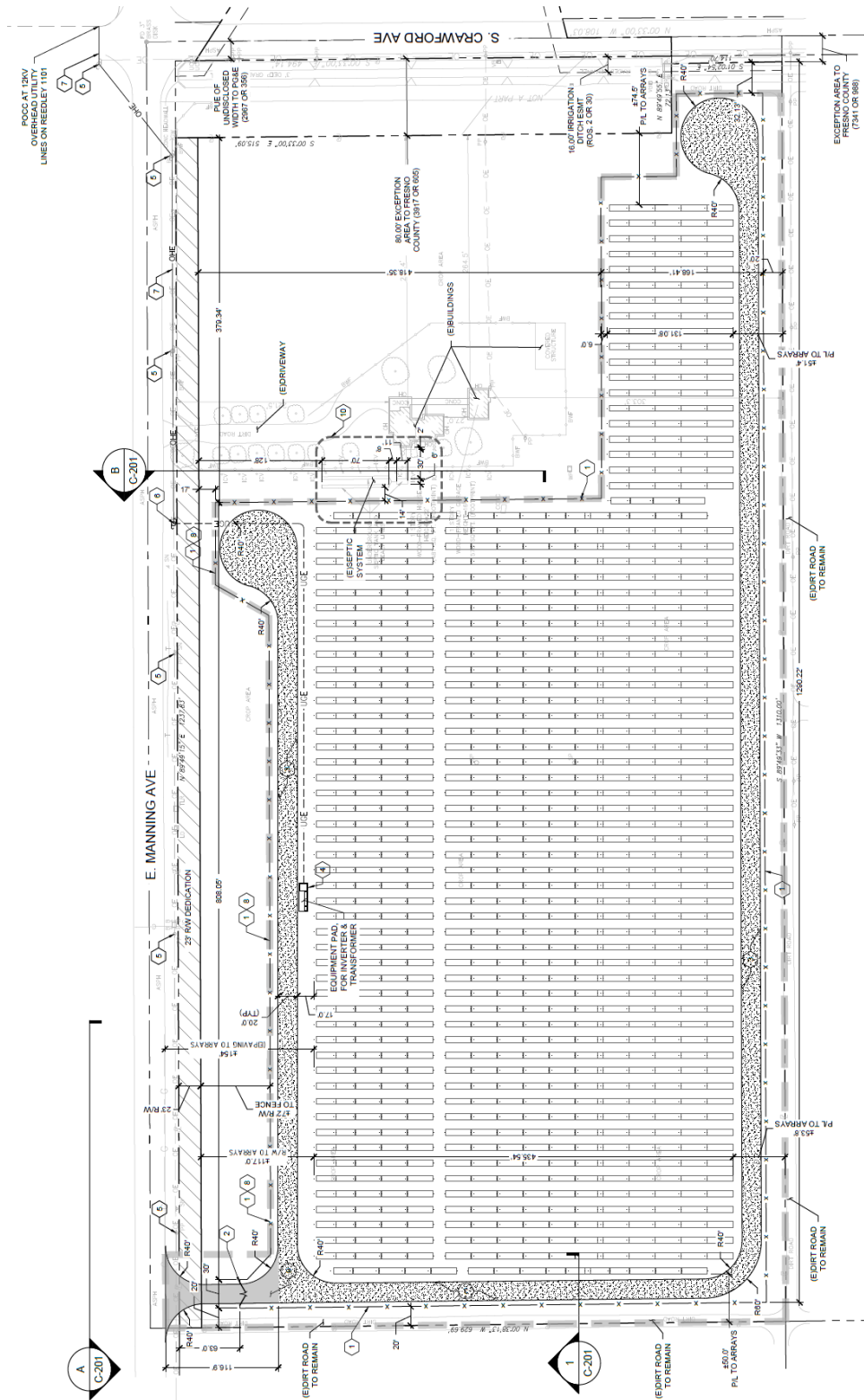
Figure 1. Project Location



Figure 2. Site Aerial



**Figure 3. Site Plan**









NOVEMBER 5, 2021

VIA EMAIL: [JSHAW@FRESNOCOUNTYCA.GOV](mailto:JSHAW@FRESNOCOUNTYCA.GOV)

Fresno County Department of Public Works and Planning  
Development Services and Capital Projects Division  
Attn: Jeremy Shaw  
2220 Tulare Street, Suite A  
Fresno, CA 93721

Dear Mr. Shaw:

MITIGATED NEGATIVE DECLARATION FOR CONDITIONAL USE PERMIT 3705 AND INITIAL STUDY NO. 8027, SCH#2021100273

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Mitigated Negative Declaration for Conditional Use Permit (CUP) 3705 and Initial Study No. 8027 (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

#### Project Description

The project would allow the construction, operation and ultimate decommissioning of a 1.75-Megawatt AC solar photovoltaic energy generation facility, located on an approximately 13-acre portion of a 19.32-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

The project site contains Prime Farmland and Farmland of Statewide Importance as designated by the Department of Conservation's Farmland Mapping and Monitoring Program.<sup>1</sup>

#### Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead

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<sup>1</sup> California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, <https://maps.conservation.ca.gov/DLRP/CIFF/>

agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."])

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

<https://www.calandtrusts.org/resources/conserving-californias-harvest/>

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. Indeed, the recent judicial opinion in *King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814 ("KG Farms") holds that agricultural conservation easements on a 1 to 1 ratio are not alone sufficient to adequately mitigate a project's conversion of agricultural land. KG Farms does not stand for the proposition that agricultural conservation easements are irrelevant as mitigation. Rather, the holding suggests that to the extent they are considered, they may need to be applied at a greater than 1 to 1 ratio, or combined with other forms of mitigation (such as restoration of some land not currently used as farmland).

### Conclusion

The Department recommends further discussion of the following issues:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.

- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for all impacted agricultural lands within the proposed project area.
- The Projects compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.
- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

Thank you for giving us the opportunity to comment on the Mitigated Negative Declaration for Conditional Use Permit (CUP) 3705 and Initial Study No. 8027. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at [Farl.Grundy@conservation.ca.gov](mailto:Farl.Grundy@conservation.ca.gov).

Sincerely,

*Monique Wilber*

Monique Wilber

Conservation Program Support Supervisor