



# County of Fresno

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

December 3, 2019

Robert G. Dowds  
Westlands Transmission, LLC  
4700 Wilshire Boulevard  
Los Angeles CA 90010

Dear Mr. Dowds:

Subject: Resolution No. 12803 - Initial Study Application No. 7635 and Unclassified  
Conditional Use Permit Application No. 3650

On November 14, 2019, the Fresno County Planning Commission approved your above-referenced project with Conditions. A copy of the Planning Commission Resolution is enclosed.

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

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

If you have any questions regarding the information in this letter, please contact me at [cmofette@fresnocountyca.gov](mailto:cmofette@fresnocountyca.gov) or 559-600-4245.

Sincerely,

Chrissy Monfette, Planner  
Development Services and Capital Projects Division

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Enclosure



## Inter Office Memo

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DATE: November 14, 2019

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12803 - INITIAL STUDY APPLICATION NO. 7635 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3650

APPLICANT: Westlands Transmission, LLC

OWNER: Doris R. Andrews, Trustee; Melanie Aldridge, Trustee; F&F West; Sageberry I, LLC; Sageberry V, LLC; Harold G. & Florence M. Wall, Trustees; Travis A. & Brandy L. Grigg; Alex Kochergen, Sr.; Saje Farming Company, LP; B.E. Giovannetti & Sons; Christopher R. Woolf, Trustee; Anne A. Delaware, Trustee

REQUEST: Allow a 6.3-mile-long double-circuit 230-kV power generation tie-in line (gen-tie line) running along Jayne Avenue from the Gates Substation (approximately one mile west of the intersection of Lassen Avenue and Jayne Avenue) to the boundary between Kings County and Fresno County. This project is part of the Kings County Westlands Solar Park Master Plan.

LOCATION: This portion is located in 100- to 350-foot-wide private easements and includes a temporary staging area and 44 transmission towers between 110 and 175 feet in height. Each monopole will require the clearing of approximately one acre of land for construction purposes, and approximately 700 square feet around each pole will remain permanently cleared for safety purposes during operation. Including the staging site, it is anticipated that 74.5 acres of land will be impacted by construction on 18 parcels in the Exclusive Agricultural Zone Districts (20- and 40-acre minimum parcel size) (SUP. DIST. 4) (APNs 075-070-13S, 28, 29, 46S, 47S, 51S, 52S, 54S; 078-060-55ST, 68, 69S, 70S, 71S, 73S, 77S, 83S; 078-080-52S, 55).

### PLANNING COMMISSION ACTION:

At its hearing of November 14, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Vallis and seconded by Commissioner Ede to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings of

RESOLUTION # 12803

Fact for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3650, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Vallis, Ede, Abrahamian, Chatha, Delahay, Hill and Lawson
	No:	None
	Absent:	Commissioner Burgess and Eubanks
	Abstain:	None

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

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

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

Attachments

EXHIBIT A

Initial Study Application No. 7635  
Unclassified Conditional Use Permit Application No. 3650

- Staff: The Fresno County Planning Commission considered the Staff Report dated November 14, 2019 and heard a summary presentation by staff.
- Applicant: The Consultant for the Applicant concurred with the Staff Report and the recommended Conditions. He offered the following information to clarify the intended use:
- This is the only portion of the Westlands Solar Park Project that would impact Fresno County.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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**Mitigation Monitoring and Reporting Program  
Supplemental Initial Study Application No. 7635  
Unclassified Conditional Use Permit No. 3650  
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Air Quality	<p>The following dust control measures of SJVAPCD shall be implemented during construction and decommission to reduce construction PM<sub>10</sub> and PM<sub>2.5</sub> to less than 15 tons per year:</p> <ul style="list-style-type: none"> <li>• Effective dust suppression (e.g., watering) for land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities.</li> <li>• Effective stabilization of all disturbed areas of a construction site, including storage piles, not used for seven or more days.</li> <li>• Control of fugitive dust from onsite unpaved roads and offsite unpaved access roads.</li> <li>• Removal of accumulations of mud or dirt at the end of the workday or once every 24 hours from public paved roads, shoulders, and access ways adjacent to the site.</li> <li>• Cease outdoor construction activities that disturb soils during periods with high winds.</li> <li>• Record keeping for each day dust control measures are implemented.</li> <li>• Limit traffic speeds on unpaved roads to 15 mph.</li> <li>• Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</li> <li>• Landscape or replant vegetation in disturbed areas as quickly as possible.</li> </ul>	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)/San Joaquin Valley Air Pollution Control District (SJVAPCD)	During all ground-disturbing activities

		<ul style="list-style-type: none"> <li>Prevent the tracking of mud or dirt on public roadways by limiting access to the construction sites. If necessary, use wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.</li> <li>Suspend trading activity when winds (instantaneous gusts) exceed 25 mph or dust clouds cannot be prevented from extending beyond the site.</li> </ul>			Applicant/PW&P/ SJVAPCD	During all ground-disturbing activities
2.	Air Quality	<p>The following measures shall be implemented during construction to reduce construction emissions of nitrogen oxides to less than 10 tons per year:</p> <ul style="list-style-type: none"> <li>Develop a plan to use construction equipment with low nitrogen oxides emissions. This may include the use of equipment that meets US EPA Tier 3 standards (and equipment that meets Tier 4 standards, if available).</li> <li>Set idling time limit of 5 minutes or less for construction equipment.</li> <li>Evaluate the feasibility of a work shuttle or carpool program to reduce emissions from worker travel.</li> <li>Evaluate the feasibility of methods to reduce truck travel for delivery of equipment by reducing the number of necessary truck trips.</li> <li>For any solar project for which the project-specific air quality analysis shows that the above mitigations will not be sufficient to reduce a project's construction emissions of NO<sub>x</sub> below 10 tons per year, the project Proponent shall execute a Voluntary Emissions Reduction Agreement (VERA) with SJVAPCD, which provides for further reduction of construction NO<sub>x</sub> to reduce the project's NO<sub>x</sub> emissions to less than 10 tons per year.</li> </ul>	Applicant		Applicant/PW&P	Prior to the issuance of building permits
3.	Transportation	<p>Prior to the issuance of building permits, the Applicant shall implement its fair share of agreed-upon roadway improvements or contribute its fair-share of funding to undertake such improvements. The cost of impacts for the gen-tie line is \$179,454.00. Of that amount, approximately 47% of the impacts occur during construction of the Fresno County side of the gen-tie and require payment of impact fees in the amount of \$81,099.00.</p>	Applicant		Applicant/PW&P	Prior to the issuance of building permits

### Conditions of Approval

1.	Development of the property shall be in accordance with the Site Plans, Elevations, and Operational Statement approved by the Planning Commission.
2.	All Mitigation Measures identified as necessary by the Program EIR approved by Westlands Water District on January 18, 2018 (SCH #2013031043) to reduce impacts from the gen-tie portion of the project shall be implemented.
3.	The transmission towers shall be sited such that existing trees provide adequate screening. Narrow profile poles shall be used to further reduce visual impacts from the addition of new industrial features.
4.	All lighting, including temporary installations, shall be hooded and pointed away from adjacent properties and the road right-of-way.
5.	Prior to occupancy, the project proponent shall enter into an agreement with Fresno County incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) for acknowledgement of the inconveniences and discomfort associated with normal farm activities in the surrounding of the proposed development.

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

### Notes

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

1.	Unclassified Conditional Use Permit (CUP) No. 3650 shall become void unless there has been substantial development within two years of the effective date of approval.
2.	Plans, permits, and inspections are required for the proposed improvements. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	All survey monumentation – property corners, section corners, County benchmarks, Federal benchmarks, and triangulation stations, etc. – within the subject area shall be preserved in accordance with Section 8771 of the Professional Land Surveyors Act and Section 6730.2 of the Professional Engineers Act.
4.	An encroachment easement from California Department of Transportation (Caltrans) will be required for the Gen-tie crossing at State Route 269.
5.	Encroachment permits from the Fresno County Department of Public Works and Planning Road Maintenance and Operations Division will be required where overhead facilities cross the County right-of-way.
6.	Setbacks and easements should consider the ultimate right-of-way along Jayne Avenue of 60 feet.