



# County of Fresno

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

## Planning Commission Staff Report Consent Agenda Item No. 2 December 8, 2016

**SUBJECT:** Initial Study No. 6261, Unclassified Conditional Use Permit No. 3291 – Time Extension

Grant a fourth one-year time extension to exercise Unclassified Conditional Use Permit No. 3291, which authorizes a photovoltaic solar power generation facility with related improvements, including three 1,180 square-foot control center buildings, fourteen 84 square-foot inverter buildings, a 49,500 square-foot substation, and a six-foot-high chain-link fence on an approximately 179.1-acre portion of a 318.18-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project is located on the south side of W. Kamm Avenue approximately 2.51 miles west of the intersection of W. Kamm and S. Lessen Avenues and five miles south of the nearest city limits of the City of San Joaquin (SUP. DIST. 1) (APN 040-080-15S).

**OWNER:** Jeanne Gagnani Lloyd  
**APPLICANT:** GASNA 6P, LLC

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

Chris Motta, Senior Planner  
(559) 600-4227

### RECOMMENDATION:

- Approve a fourth one-year time extension for Unclassified Conditional Use Permit No. 3291; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**EXHIBITS:**

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Planning Commission Resolution and Staff Report dated November 3, 2011
5. Applicant's letter requesting a third one-year time extension

**ENVIRONMENTAL DETERMINATION:**

A Mitigated Negative Declaration prepared for Initial Study Application No. 6261 was approved by the Planning Commission on November 3, 2011 in accordance with the California Environmental Quality Act (CEQA), with approval of Unclassified Conditional Use Permit No. 3291.

Section 15162(b) of the CEQA Guidelines states that once a Negative Declaration has been adopted for a project, no subsequent Environmental Impact Report (EIR) or Mitigated Negative Declaration shall be prepared unless: 1) substantial changes are proposed to the project, 2) substantial changes occur with respect to the circumstances under which the project is undertaken, or 3) new information of substantial importance is presented which was not known and could not have been known at the time the previous Mitigated Negative Declaration was adopted. This time extension request does not propose changes to the approved project, nor is there evidence of the circumstances noted in conditions 1, 2 or 3 above. Therefore, a subsequent/supplemental environmental document is not required.

**PUBLIC NOTICE:**

Notices were sent to eleven (11) property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

The Fresno County Zoning Ordinance requires that an Unclassified Conditional Use Permit (CUP) shall become void when substantial development has not occurred within two years after approval of the permit. On August 2016, the County amended Zoning Ordinance Section 873.I to authorize the Planning Commission to grant up to a maximum of four (4) one (1)-year time extensions when it can be demonstrated that circumstances beyond the control of the Applicant has caused the delay, provided that the request for extension is filed prior to the expiration of the permit.

**BACKGROUND INFORMATION:**

Unclassified Conditional Use Permit No. 3291 was approved by the Planning Commission on November 3, 2011. The subject application to allow a fourth and last one-year time extension was filed by the Applicant on October 28, 2016. If the time extension is granted, the Applicant will have an additional year (until November 3, 2017) to achieve substantial development of the subject photovoltaic solar power generation facility.

## **ANALYSIS/DISCUSSION:**

Unclassified CUP No. 3291 was originally approved on November 3, 2011 concurrently with Initial Study No. 6261 based on a determination that the required findings could be made. Attached is a copy of the Staff Report and Planning Commission's Resolution (Exhibit 4) documenting conditions imposed on the project.

The Planning Commission's jurisdiction in evaluating this request is limited to determining whether or not the Applicant should be granted an additional year to exercise the CUP as originally approved. In a letter dated October 21, 2016, the Applicant states that the project has been delayed due to in-process efforts to acquire the necessary contracts and agreements from required agencies. The subject Time Extension will allow the Applicant additional time until November 3, 2017 to complete the project.

The current Time Extension was routed to the same agencies that reviewed this project in May 2010. None of those agencies identified any change in circumstances or the need for additional conditions, and did not express concern with the proposed extension of time. However, the California Department of Fish and Wildlife (CDFW) stated that protocol surveys shall be conducted for Swainson's hawk and general bird species prior to starting project-related activities. The CDFW comments have been provided to the Applicant.

## **PUBLIC COMMENT:**

None

## **CONCLUSION:**

Staff believes the fourth one-year Time Extension for Unclassified Conditional Use Permit No. 3291 should be approved, based on factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to November 3, 2017.

## **PLANNING COMMISSION MOTIONS:**

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

- Move to approve the fourth one-year time extension for Unclassified Conditional Use Permit No. 3291; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

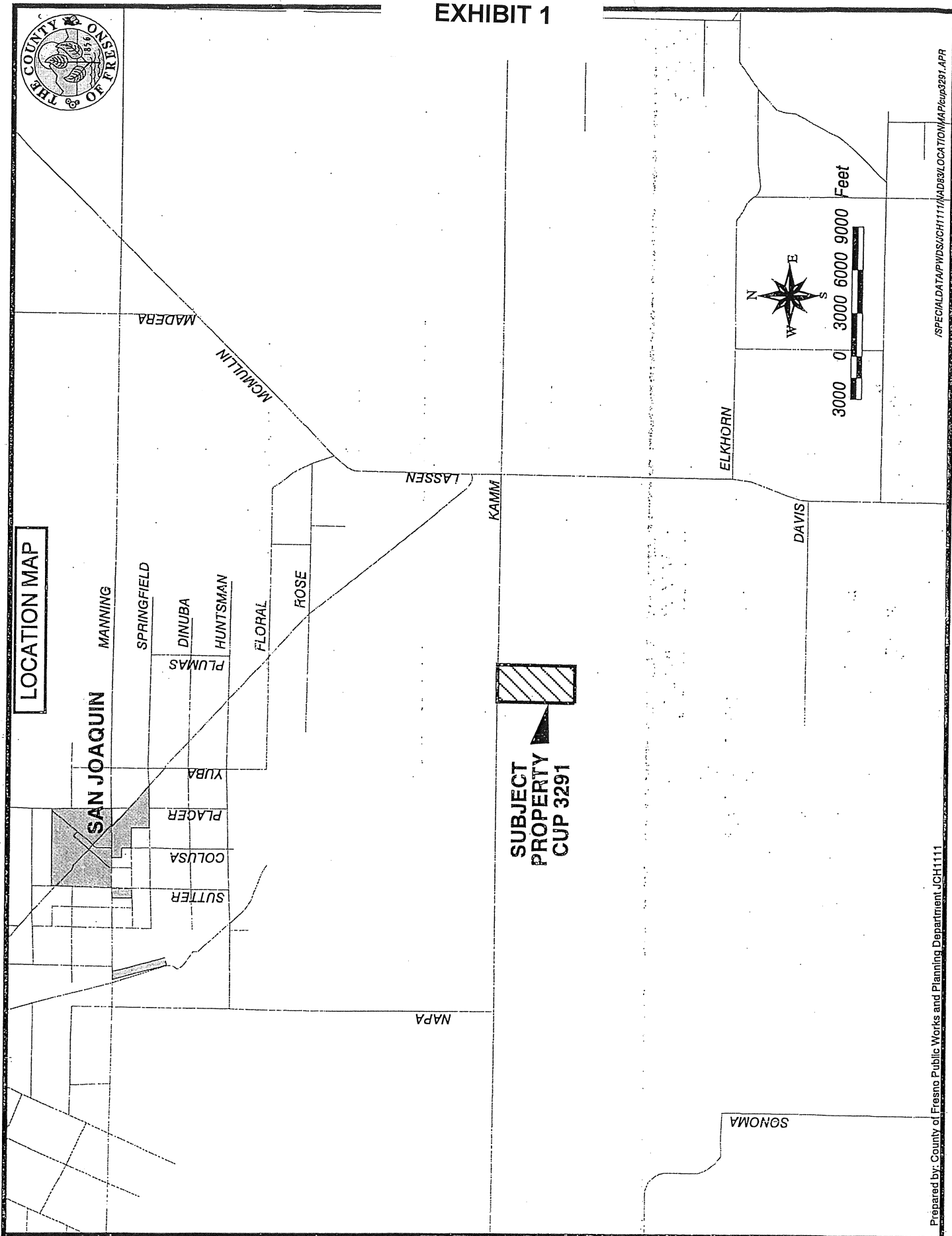
### **Alternative Motion** (Denial Action)

- Move to deny the fourth one-year Time Extension request for Unclassified Conditional Use Permit No. 3291 (state reasons for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EJ:ksn

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3200-3299\3291\EXT 4\SR\CUP3291 Ext 4 SR.doc

# EXHIBIT 1



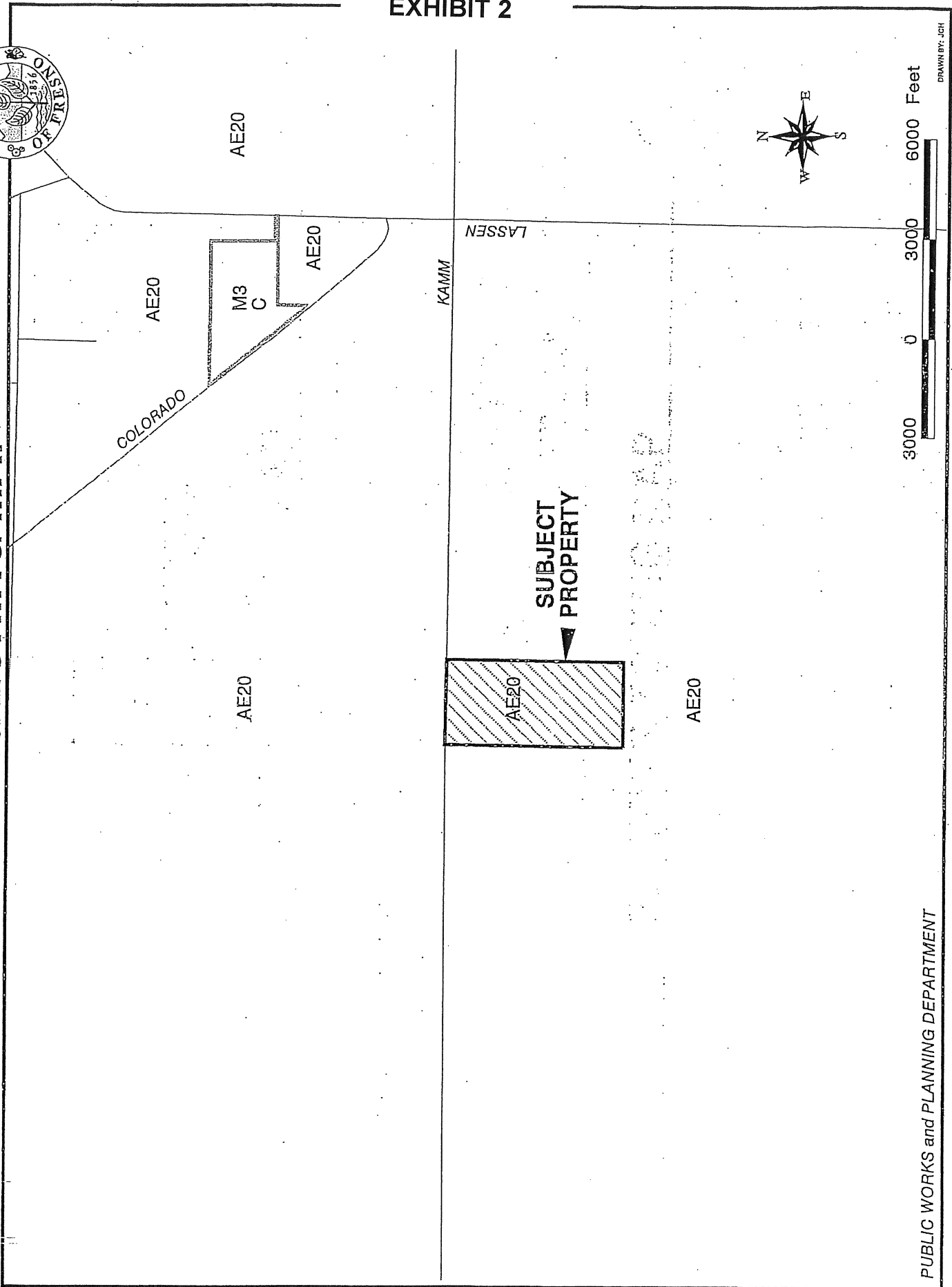


CUP 3291  
STR 20 - 16/17

# EXISTING ZONING MAP



## EXHIBIT 2





# EXHIBIT 3

## EXISTING LAND USE MAP

CUP 3291

Legend	
	FC - FIELD CROP
	I - INDUSTRIAL
	ORC - ORCHARD
	SF# - SINGLE FAMILY RESIDENCE
	V - VACANT

**Subject Property**

**Ag Contract Land**

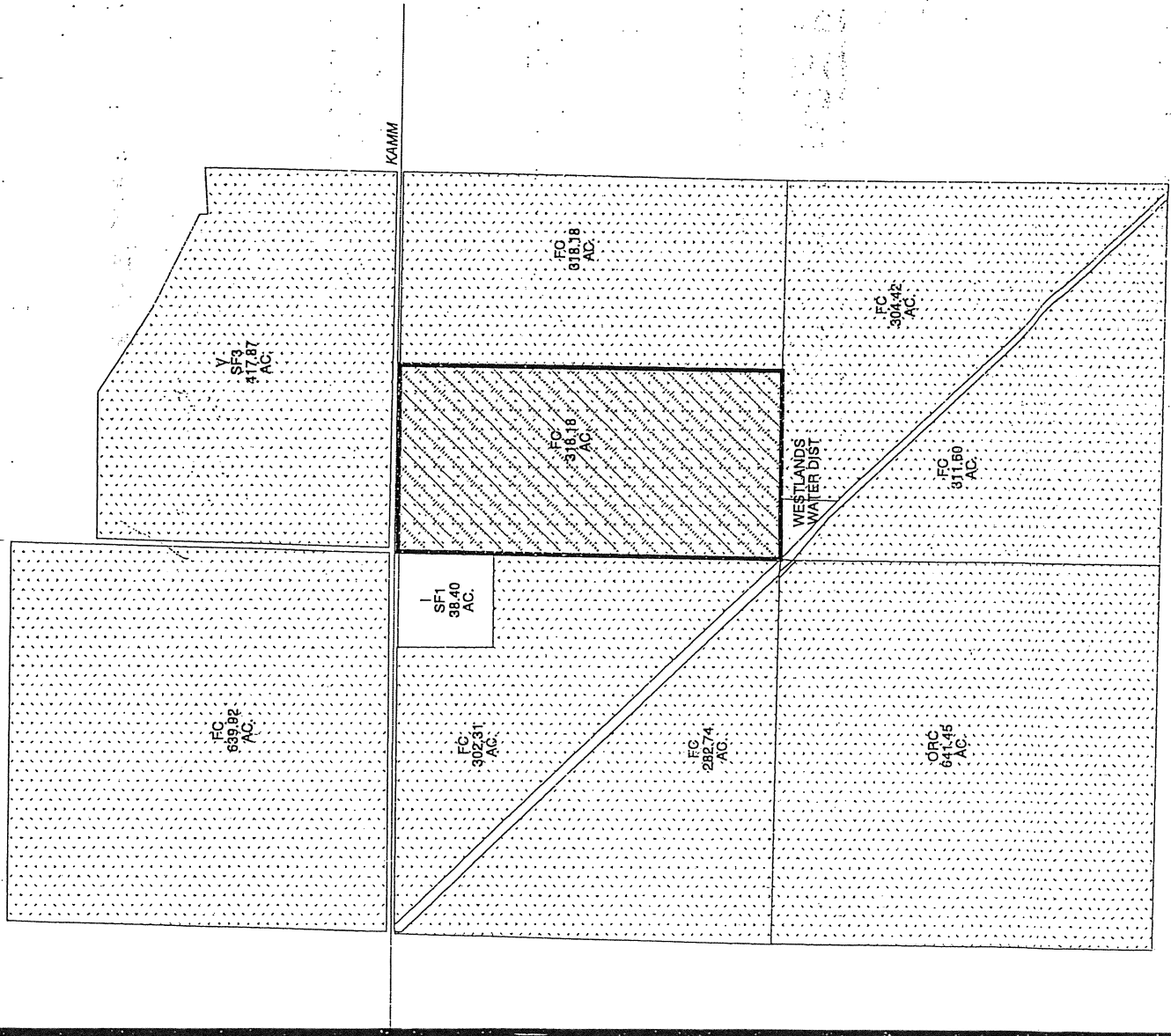
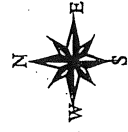


EXHIBIT 4

Inter Office Memo

---



DATE: November 3, 2011  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12270 - INITIAL STUDY APPLICATION NO. 6261,  
UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO.  
3291

REPRESENTATIVE: Joe Contreras  
APPLICANT: GSNA 6P, LLC  
OWNER: Jeanne Lloyd Gagnani

REQUEST: Allow a photovoltaic solar power generation facility with related improvements including three 1,180 square-foot control center buildings, fourteen 84 square-foot inverter buildings, a 49,500 square-foot sub-station and a six-foot high chain-link fence on an approximately 179.1-acre portion of a 318.18-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located on the south side of W. Kamm Avenue approximately 2.51 miles west of the intersection of W. Kamm and S. Lassen Avenues and five miles south of the nearest city limit of the City of San Joaquin (SUP. DIST.: 1) (APN: 040-080-15S).

PLANNING COMMISSION ACTION:

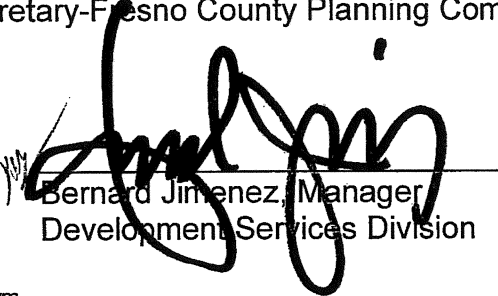
At its hearing of November 3, 2011, the Commission considered the Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Goodman and seconded by Commissioner Ferguson to adopt the Mitigated Negative Declaration prepared for the project; adopt the recommended Findings of Fact in the Staff Report, including additional Conditions voluntary offered by the Applicant; and approve Unclassified Conditional Use Permit Application No. 3291, subject to the Conditions listed in Exhibit "B".

This motion passed on the following vote:

VOTING:     Yes:         Commissioners Goodman, Ferguson, Bath, Borba, Mendes, Niswander  
                No:          None  
                Absent:     Commissioner Rocca  
                Abstain:    Yates

ALAN WEAVER, DIRECTOR  
Department of Public Works and Planning  
Secretary-Fresno County Planning Commission

By:   
Bernard Jimenez, Manager  
Development Services Division

EJ:cwm  
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3200-3299\3291\UCUP 3291 Resolution.doc

- NOTES:
1.     The Planning Commission action is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.
  
  2.     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 Conditional Use Permit.

Attachments

EXHIBIT "A"

Initial Study Application No. 6261  
Unclassified Conditional Use Permit Application No. 3291

- Staff: The Fresno County Planning Commission considered the Staff Report dated November 3, 2011, and heard a summary presentation by staff.
- Representative: The Applicant's representative concurred with the Staff Report and the Conditions recommended by staff. He described the project and offered the following information to clarify the intended use:
- The lawsuit recently filed by the State Farm Bureau regarding the cancellation of a Williamson Act Contract for a photovoltaic facility is for a totally different project.
  - We do not consider the adjacent True Organics operation to be a nuisance to our proposal.
  - Regarding the letter sent from the Defenders of Wildlife, a habitat study was completed for this project and mitigation was incorporated based on this study.
  - The Applicant is willing to add additional conditions regarding recordation of a 'Right-To-Farm Notice' on the property and additional biological survey and avoidance conditions similar to those added to a photovoltaic project approved by the Commission at its October 20, 2011 Hearing.
- Others: Four other individuals presented information in support of the application including the property owner who stated that the property to the north of the project site has been set aside for habitat; one speaker representing True Organics who indicated his client was comfortable with the project as long as a condition requiring a Right-To-Farm Notice was included with the project and that the project applicant stated True Organics was not a nuisance to their operation; and two speakers who described the economic and employment benefits of the project to the County.
- There were no speakers in opposition to the project.
- Correspondence: Two letters dated October 27, 2011 and October 31, 2011 were presented to the Planning Commission critical of the environmental document prepared for the project per the requirements of the

California Environmental Quality Act and specifically expressing concerns with biological mitigation for the project.

EXHIBIT "B"

Conditions of Approval

Initial Study Application No. 6261

Unclassified Conditional Use Permit Application No. 3291

1. Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission.
2. A Site Plan Review Application shall be submitted for approval by the Director of the Department of Public Works and Planning, in accordance with Section 874 of the Fresno County Zoning Ordinance. The Site Plan Review shall be applicable to those portions of the project site(s) to be improved with a sub-station, inverters, perimeter fire access road, control center buildings, parking, and driveway access excluding the solar panel fields. Items to be addressed under the Site Plan Review may include, but are not limited to, design of parking and circulation, driveway, access, grading and drainage, fire protection, and lighting.
3. The project shall comply with the "Reclamation Plan for the San Joaquin Solar Project – Phase 2," dated June 6, 2011 attached as Exhibit 7 to the Staff Report and as approved and/or modified by the Commission.
4. As part of the Site Plan Review submittal process, an agreement incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) shall be entered into with Fresno County acknowledging the presence of surrounding agricultural operations and their related activities and said agreement shall be recorded as a document to run with the land.
- \*5. All lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets or roadways.
- \*6. The project shall adhere to the procedures listed in the "Reclamation Plan for the San Joaquin Solar Project – Phase 2," dated June 6, 2011 prepared for the operation, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any permits, the required bond amount, based on an Engineer's estimate, shall be deposited (or evidence of a Bank Guarantee or Irrevocable Letter of Credit) and a covenant shall be signed between the property owner and the County of Fresno and shall run with the land requiring the site to be restored to an agricultural use at the cessation of operation.
- \*7. Prior to the issuance of any permits, a Pest Management Plan shall be submitted to the Department of Public Works and Planning and approved by the Fresno County Agricultural Commissioner's Office. The Pest Management Plan shall

identify methods and frequency to manage weeds, insects, and disease and vertebrate pests that may impact adjacent properties.

- \*8. The project operator shall utilize pest control professionals to keep the project site free of rodents at all times.
- \*9. The project operator shall at all times keep the project site free of weeds and other vegetation that could harbor pests or become a fire hazard.
- \*10. A Burrowing Owl (*Athene Cunicularia*) habitat is present on-site in the form of rodent burrows located along the western border of the site and near irrigation piping along the western portion of the site. Prior to ground disturbance, a qualified Ornithologist shall survey the site for Burrowing Owls using established protocol procedures. If Burrowing Owls are detected within the project site, procedures to avoid or compensate for the loss of nest sites shall be developed in coordination with California Department of Fish and Game.
- \*11. Should modification to the existing irrigation ditch on the property's western border be proposed, the U.S. Army Corp of Engineers shall be contacted to determine if a wetland delineation will be required.
- \*12. During project development and maintenance stages, the Applicant shall adhere to guidelines as established by the U.S. Fish and Wildlife Service (USFWS) to avoid impacts to the San Joaquin Kit Fox. This includes following the provisions established in "Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance." It shall be the Applicant's responsibility to contact USFWS to ensure that avoidance procedures are the most current as required by that Agency.
- \*13. In the event cultural resources are unearthed during grading or construction, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Commission within 24 hours.
- 14. Prior to and during any ground-disturbing activities occurring within the project area, the applicant will implement the following measures for the protection of the San Joaquin kit fox:
  - a. Project-related vehicles will observe a 20-mile-per-hour speed limit in all project areas, except on county roads and state and federal highways; this is particularly important at night, when San Joaquin kit foxes are most active. To the greatest extent practicable, nighttime construction will be minimized. Off-road traffic outside of designated project areas will be prohibited.



- b. To prevent inadvertent entrapment of San Joaquin kit foxes during the construction phase of the project, all excavated, steep-walled holes or trenches more than 2 feet deep will be covered at the close of each working day by plywood or similar materials or provided with 1 or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If at any time a trapped or injured San Joaquin kit fox is discovered, the procedures under numbers h, k, l and m of this section will be followed.
- c. San Joaquin Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at the construction site for 1 or more overnight periods will be thoroughly inspected for San Joaquin kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a San Joaquin kit fox is discovered inside a pipe, then that section of pipe will not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity until the fox has escaped.
- d. All food-related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed at least once a week from the construction site.
- e. No firearms will be allowed on the site, except for onsite security purposes.
- f. To prevent harassment or mortality of San Joaquin kit foxes or destruction of dens by dogs or cats, no pets will be permitted on the site.
- g. The use of rodenticides and herbicides in the project area will be minimized to meet Fresno County's pest control objectives within an actively farmed landscape. All uses of such compounds will observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation.
- h. The applicant will appoint a representative who will be the contact source for any employee or contractor who might inadvertently kill or injure a San Joaquin kit fox or who finds a dead, injured, or entrapped individual. This representative will be identified during the employee education program. The representative's name and telephone number will be provided to the USFWS.
- i. An employee education program will be conducted for the project. The program will consist of a brief presentation by persons knowledgeable in

San Joaquin kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and agency personnel involved in the project. The program will include the following: a description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of San Joaquin kit fox in the project area; an explanation of the status of the species and its protection under the ESA; and a list of measures being taken to reduce impacts on the species during construction and implementation. A fact sheet conveying this information will be prepared for distribution to the above-mentioned people and anyone else who may enter the site.

- j. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, electrical collection corridors, etc., will be re-contoured, if necessary, and the site will be kept mowed and weed free in accordance with the Pest Management Plan required by Fresno County.
  - k. In the case of trapped animals, escape ramps or structures will be installed immediately to allow the animal(s) to escape, or the USFWS will be contacted for advice.
  - l. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox will immediately report the incident to their representative. This representative will contact the CDFG immediately in the case of a dead, injured, or entrapped San Joaquin kit fox. The CDFG contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or biologist.
  - m. The Sacramento Fish and Wildlife Office and CDFG will be notified in writing within three working days of the accidental death of or injury to a San Joaquin kit fox during project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at (916) 414-6630. The CDFG contact is Mr. Craig Bailey at 1234 E. Shaw Avenue, Fresno, California 93710, at (559) 243-4014.
  - n. To enable kit foxes and other wildlife to pass through the project site after construction, the security fence shall be raised 5 - 7 inches above the ground. The bottom of the fence fabric shall be knuckled (wrapped back to form a smooth edge) to protect wildlife that passes under the fence.
15. To avoid impacts on western burrowing owl, the following guidelines, adapted from the DFG Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game 1995), will be implemented:
- a. A qualified wildlife biologist (i.e., a wildlife biologist with previous burrowing owl survey experience) will conduct a preconstruction survey to locate any

breeding or wintering burrowing owls no more than 30 days prior to the start of construction.

- b. If no burrowing owls are detected, no further mitigation is necessary. If burrowing owls are detected, no ground-disturbing activities, such as road construction or installation of photovoltaic panels or ancillary facilities, will be permitted within 250 feet of an active burrow during the breeding season (February 1–August 31) unless otherwise authorized by DFG. Occupied burrows should not be disturbed during the nesting season unless a qualified biologist approved by DFG verifies through noninvasive methods that either (1) the birds have not begun egg-laying and incubation, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- c. During the nonbreeding (winter) season (September 1–January 31), ground-disturbing work can proceed near active burrows as long as the work occurs no closer than 160 feet from the burrow and the site is not directly affected by the project activity. If active winter burrows are found that would be directly affected by ground-disturbing activities, owls can be displaced from winter burrows. A qualified wildlife biologist will install one-way doors at the entrance to the active burrow and other potentially active burrows within 150 feet of the active burrow. Forty-eight hours after the installation of the one-way doors, the doors can be removed, and ground-disturbing activities can proceed.

\* MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
ALAN WEAVER  
DIRECTOR

## Planning Commission Staff Report Agenda Item No. 3 November 3, 2011

**SUBJECT:** Initial Study Application No. 6261  
Unclassified Conditional Use Permit Application No. 3291

Allow a photovoltaic solar power generation facility with related improvements including three 1,180 square-foot control center buildings, fourteen 84 square-foot inverter buildings, a 49,500 square-foot sub-station and a six-foot high chain-link fence on an approximately 179.1-acre portion of a 318.18-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The subject property is located on the south side of W. Kamm Avenue approximately 2.51 miles west of the intersection of W. Kamm and S. Lessen Avenues and five miles south of the nearest city limit of the City of San Joaquin (SUP. DIST.: 1) (APN: 040-080-15S).

Representative: Joe Contreras  
Applicant: GSNA 6P, LLC  
Owner: Jeanne Lloyd Gragnani

**STAFF CONTACT:** Ejaz Ahmad, Planner  
(559) 600-4205

Chris Motta, Senior Planner  
(559) 600-4227

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6261; and
- Approve Unclassified Conditional Use Permit (CUP) Application No. 3291 with recommended Findings and Conditions; and

- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**IMPACTS ON JOB CREATION:**

The Commission's action will not have any substantial effect on job creation.

**EXHIBITS:**

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Site Plans:
5. Floor Plans/Elevations/Details
6. Applicant's Submitted Operational Statement
7. Information in Response to Solar Facilities Guidelines
8. Summary of Initial Study Application No. 6261
9. Required Findings Necessary for the Granting of a Conditional Use Permit Application as Specified in Zoning Ordinance Section 873

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

Criteria	Existing	Proposed
General Plan Designation	Agriculture	N/A
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	N/A
Parcel Size	318.18 acres	N/A
Project Site	Farmland	A photovoltaic (PV) solar power generation facility with supportive appurtenance structures
Structural Improvements	None	105,840 ground-mounted PV panels; three 1,180 square-foot control center buildings, fourteen 84 square-foot inverter buildings, 49,500 square-foot sub-station, and a

Criteria	Existing	Proposed
		six-foot high chain-link fence
Nearest Residence	None	No change
Surrounding Development	Parcels adjoining to the north, south, east and west of the project site are farmland	No change
Operational Features	N/A	See above "Project Site"
Employees	N/A	Three - dedicated to operation and maintenance of the facility
Customers	N/A	None
Traffic Trips	N/A	Up to five - includes maintenance vehicles and a truck for washing of panels  Up to 25 trips per day during construction of the facility
Lighting	N/A	Emergency lighting for security purposes
Hours of Operation	N/A	Up to 12 hours per day, seven days a week, 365 days a year

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

**ENVIRONMENTAL ANALYSIS:**

An IS was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is below and included as Exhibit 8.

Notice of Intent of Negative Declaration publication date: October 7, 2011.

**PUBLIC NOTICE:**

Notices were sent to five property owners within 300 feet of the subject property satisfying the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

A CUP Application may be approved only if four Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission (Exhibit 9).

The decision of the Planning Commission on a CUP Application is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**ANALYSIS / DISCUSSION:**

*Finding 1: Adequacy of the Site*

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (north property line): 547 feet Side (east property line): 57 feet Side (west property line): 502 feet Rear (south property line): 1,282 feet	Yes
Parking	N/A	Seven – staff parking	Yes
Lot Coverage	No requirement	No requirement	N/A
Separation Between Buildings	Six feet minimum	N/A	N/A
Wall Requirements	No requirement	No requirement	N/A
Septic Replacement Area	100 percent	None required	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	None required	N/A

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

Zoning Section of the Development Services Division: Proposed improvements meet the setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

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

**Analysis:**

Staff review of the Site Plan demonstrates that the proposed improvements exceed the minimum building setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The proposed development will set back approximately 547 feet from the northern property line (35 feet required), 1,282 feet from southern property line (20 feet required), 57 feet from eastern property line (20 feet required) and 502 feet from the western property line (20 feet required). The surrounding properties are active farmland with little or no single-family residential development.

Based on the above information, staff believes the site is adequate in size and shape to accommodate the proposed use, vehicle circulation, and ingress/egress.

**Recommended Conditions of Approval:**

None.

**Conclusion:**

Finding 1 can be made.

*Finding 2: Adequacy of Streets and Highways*

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Paved	N/A
Direct Access to Public Road	Yes	Excellent	No Change
Road ADT		400	No Change
Road Classification		Arterial	No Change
Road Width		30-foot right-of-way south of Kamm Avenue center line	No Change
Road Surface		Paved (excellent condition). Pavement width 21.5 feet; structural section of 0.25-foot asphalt concrete	No change
Traffic Trips		N/A	Up to five - includes maintenance vehicles and a truck for washing of panels  Up to 25 trips per day during construction of



		Existing Conditions	Proposed Operation the facility
Traffic Impact Study (TIS) Prepared	No	Insignificant increase	Not required by County Design Division or the California Department of Transportation
Road Improvements Required		None – Excellent Condition	None required

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

Design Division: No concern with the proposal related to vehicular traffic; preparation of a TIS was not required.

California Department of Transportation (Caltrans): No concern with the proposal related to vehicular traffic.

Road Maintenance and Operations Division: The Applicant shall apply for and obtain an Encroachment Permit to construct the fire access roads connecting to Kamm Avenue. This requirement has been included as a project Note.

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

**Analysis:**

Staff notes that vehicular traffic in the area will be increased during the time of construction, but this increase will be temporary. During construction of the facility, up to 25 traffic trips per day is anticipated. After construction, only three traffic trips per day is anticipated from full-time staff members responsible for maintaining the equipment and monitoring the operations on a regular basis. No concerns were expressed by the County Design Division or Caltrans regarding project's impact on County and State roadways.

Based on the above information and with adherence to the project Notes regarding mandatory requirements, staff believes that Kamm Avenue, which provides access to the site, will remain adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*None.*

**Conclusion:**

Finding 2 can be made.

*Finding 3: Adverse Effects Upon Surrounding Properties*

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	161 acres	Farmland	AE-20	None
South	336 acres	Farmland	AE-20	None
East	80 acres	Farmland	AE-20	None
West	362 acres	Farmland	AE-20	None

**Reviewing Agency/Department Comments:**

U.S. Fish and Wildlife Service (USFWS): During project development and maintenance stages, the Applicant shall adhere to guidelines as established by the USFWS to avoid impacts to the San Joaquin Kit Fox. This includes following the provisions established in "Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance." This has been included as a Mitigation Measure.

Fresno County Agricultural Commissioner's Office (Ag Commissioner): An agreement incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) shall also be entered into with Fresno County. This has been included as a Condition of Approval.

Project development should include a plan to control weeds and rodents within the project area to prevent the site from becoming a nuisance to neighboring properties or surrounding agricultural operations. Any weed or rodent infestation that is of a nature and magnitude as to constitute a "public nuisance" (Section 5551 of the California Food and Agricultural Code; Sections 3479 and 3480 of the Civil Code; and Section 372 of the Penal Code) and is not addressed by the property owner/operator is unlawful under California Food and Agricultural Code Section 5553 and Penal Code Section 372. This has been included as a project Note.

Development Engineering Section of the Development Services Division: Any additional storm water run-off generated by the project shall be retained on-site per County Standards. An Engineered Grading and Drainage Plan may be required to show how additional storm water run-off generated by the proposal development will be handled without adversely impacting adjacent properties. A Grading Permit or Voucher is required for any grading proposed with this application. Kamm Avenue is classified as an arterial road with an existing 30-foot right-of-way south of the center line. The minimum width for an arterial road right-of-way south of the center line is 53 feet. According to FEMA FIRM Panel 2550H, the westerly and southerly portions of the property are in Flood Zone A subject to flooding from the 100-year storm. Any work within the designated Flood Zones would conform to the provisions in the Chapter 15.48 of Fresno County Ordinance. These requirements will be included as project Notes.

The U.S.G.S. Quad Map shows intermittent streams may be present within the subject property. Also, Crescent Ditch is located at the southwest corner of the subject property. Any development within or near a stream will require a clearance from the California Department of Fish and Game (CDFG) and any development near the Ditch shall be coordinated with the

owners of the Ditch. Arterial classification of Kamm Avenue would require that on-site turnarounds shall be provided for vehicles leaving the site to enter Kamm Avenue in a forward motion. Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. A 30 foot by 30-foot corner cut-off shall be required at the intersection of Kamm and Butte Avenues. A ten-foot by ten-foot corner cut-off shall be improved for sight distance purposes at any existing or proposed driveway accessing Kamm and Butte Avenues. Any existing or proposed entrance gate shall setback a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site, and shall not swing outward.

Fresno County Fire Protection District: The project shall comply with the 2007 California Code of Regulations, Title 24, and that subsequent to County approval; copies of the approved Site Plan shall be submitted for the District's review and approval.

Westlands Water District: The District has an easement and delivery point (14-9.5-2.0) on the southwest corner of Section 20 located approximately 1,050 feet from the proposed solar project. During construction and operations of the facility, the District property shall not be disturbed and prior to any excavation Underground Service Alert (USA) shall be contacted.

Fresno County Department of Public Health, Environmental Health Division (Health Department): Prior to occupancy, the Applicant shall complete and submit either a Hazardous Materials Business Plan or a Business Plan Exemption form to the Fresno County Department of Public Health, Environmental Health Division. All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. Should a water well be drilled, the water well contractor selected shall be required to apply for and obtain a Permit to Construct a Water Well from the Health Department.

San Joaquin Valley Air Pollution Control District (Air District): The project is subject to District Rule 9510 (Indirect Source Review) and shall submit an Air Impact Assessment (AIA) Application no later than applying for the final discretionary approval (the Applicant filed an AIA Application with the District on September 30, 2011) and pay applicable Off-Site Mitigation Fees before issuance of the first Grading/Building Permit. The project is also subject to District Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10, Rule 4102 (Nuisance), to address any source operation that emits air contaminants or other materials, Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow, Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

Site Plan Review Section of the Development Services Division: One parking space for each permanent employee, each company sales person and each company vehicle is required. The driveway shall be concrete or asphalt concrete paved a minimum of 24 feet for the first 100 feet off of the edge of the road right-of-way. The driveway approach at the public road providing access to the site shall be 24 to 35 feet in width and asphalt concrete paved. Dust palliative shall be required on all unpaved parking and circulation areas.

Zoning Section of the Development Services Division: Building Permits are required for fences more than six feet in height.

Building Permit and Safety Section of the Development Services Division: Construction Plans are required to be submitted and Building Permits shall be obtained for all improvements on the project site. Construction Plans must be prepared by a licensed Design professional. Plans

and permits for the construction of control center buildings will be required and construction of the buildings must meet all the requirements of the California Building Code of accessibility and occupancy requirements.

Pacific Gas and Electric Company (PG & E): Any proposed development plans shall provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG & E. facilities. This includes construction of structures within or adjacent to PG & E easements and permanent/temporary changes in grade and planting of certain types of vegetations under PG & E electric facilities.

The aforementioned requirements have been included as project Notes.

Water/Geology/Natural Resources Section of the Development Services Division: No water quantity related concerns in regard to the proposal.

California Department of Fish and Game, California Public Utility Commission, Regional Water Quality Control Board: No concerns with the proposal.

#### **Analysis:**

The proposed facility will consist of 105,840 PV panels, fourteen 84 square-foot inverter buildings, two 59-foot by 20-foot control center buildings, an 150-foot by 330-foot sub-station and chain-link fencing. The facility will produce an estimated 27 megawatts (MW) of electricity which will be delivered to the PG & E power grid for use in California. The project is located on land intermittently farmed within an area designated for agricultural land uses. Parcels adjoining the site to the north, south, east and west are also farmland and range from 38 acres to 417 acres in size. No single-family dwelling exists near the site.

All the improvements on the property will maintain low height. The project will have relatively low visibility from the surrounding lands due to ten-foot high PV modules, 15-foot high control center buildings, and eight-foot high inverter sheds. All improvements on the property will set back from the adjoining active farmland at distances more than required by the Zone District and will be fenced with a six-foot high chain-link fence to separate the proposed facility from adjoining farmland. Since the facility operates only in the day time, no outdoor lighting is required for the project except for emergency lights. Given these considerations and considering compliance with: 1) rodent and weed control requirements from the Agricultural Commissioner's Office; 2) the County's Grading and Drainage Ordinance; 3) fire protection measures from the Fresno County Fire Protection District; 5) Air District requirements related to Indirect Source Review and other mandatory requirements; and 6) handling of any hazardous waste on the property, the project will not have an adverse effect upon surrounding properties.

No concerns regarding impacts on biological resources were expressed by the CDFG and no issues with Mitigation Measures included in the project and noted in the Habitat Assessment Report, dated August 15, 2011 were raised by that Agency.

Based on the above information and with adherence to a Mitigation Measure addressing on-site lighting, recommended Conditions of Approval requiring a Site Plan Review (SPR) for implementation of the proposed structural improvements relating to support buildings, and

mandatory project Notes, staff believes that the proposal will not have an adverse effect upon surrounding properties.

**Recommended Conditions of Approval:**

- *All lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets or roadways.*
- *A Site Plan Review Application shall be submitted for approval by the Director of the Department of Public Works and Planning, in accordance with Section 874 of the Fresno County Zoning Ordinance. The Site Plan Review shall be applicable to those portions of the project site(s) to be improved with a sub-station, inverters, perimeter fire access road, control center buildings, parking, and driveway access excluding the solar panel fields. Items to be addressed under the Site Plan Review may include, but are not limited to, design of parking and circulation, driveway, access, grading and drainage, fire protection, and lighting.*

**Conclusion:**

Finding 3 can be made.

Finding 4:                      *General Plan Consistency*

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>General Plan Policy LU-A.3: County may allow by discretionary permit in areas designated Agriculture, certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to following Criteria: a) Use shall provide a needed service to surrounding agricultural area, which cannot be provided within urban areas; b) Use shall not be sited on productive agricultural lands if less productive lands available; c) Use shall not have a detrimental impact on water resources or the use or management of surrounding properties within a ¼-mile radius; d) Probable workforce located nearby or readily available.</p>	<p>With regard to Criteria “a”, the proposal entails installation of solar panels and related facilities for electricity generation and to supply electricity to both the surrounding agricultural land and other non-agricultural uses through PG &amp; E transmission lines. Given the nature of the use large, undeveloped area is required to cover the panel arrays, thus this proposal cannot be accommodated in urban areas. With regard to Criteria “b”, the subject parcel has been selected based on several factors cited in the Exhibit 7 (Solar Facility Guidelines, Item No. 7). The project will be located on intermittently farmed land in an area where no non-contracted less productive agricultural land is available or suitable for the proposed use. With regard to Criteria “c”, the Water/Geology/Natural Resources Section of the Development Services Division expressed no water-related concerns with the proposal. Water needed for washing of PV modules will come from either a municipal and industrial water allocation from Westlands Water District or a local construction firm. As discussed in Finding 3 and in the IS write-up attached to this Staff Report, staff does not believe the</p>

Relevant Policies:	Consistency/Considerations:
	<p>project will have a detrimental impact to surrounding properties. With regard to Criteria "d", the unincorporated community of San Joaquin at five miles north of the property can provide adequate workforce.</p>
<p>General Plan Policy LU-A.12: County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: County shall require buffers between proposed non-agricultural uses and adjacent agricultural operations.</p>	<p>The proposed use is temporary in nature. A Reclamation Plan will be implemented to return property to farmland once the operation ceases. Also, as noted in the Solar Facility Guidelines (Exhibit 7), during the life of the use, the project will implement a Weed and Rodent Control Plan to prevent impacts to adjacent farmland.</p> <p>A six-foot high chain-link fence will be installed around the entire 179.1-acre portion of the 318.18-acre project site to protect both the on-site facility and surrounding farmland. The Zoning Ordinance would allow the proposed improvements to maintain setbacks no more than minimum required by the Zone District. However, in this case the improvements on the property will be provided with setback three times or more than required by the AE-20 Zone District.</p> <p>The project is consistent with these Policies.</p>
<p>General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.</p>	<p>The Water/Geology/Natural Resources Section of the Development Services Division expressed no water-related concerns with the proposal. Water for periodic cleaning of solar panels will come from either a municipal and industrial water allocation from Westlands Water District or a local construction firm. The proposal is consistent with this Policy.</p>

**Reviewing Agency Comments:**

Policy Planning Section of the Development Services Division: The property is designated Agriculture in the General Plan. According to General Policy LU-A.3, non-agricultural uses such as electrical power generation facilities may be allowed by means of a discretionary use permit. Policy LU-A.12 of the General Plan requires that agricultural activities be protected from encroachment of incompatible uses, Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations, and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation is required where appropriate. The site is under a Williamson Act Contract. The Agricultural Land

Conservation Committee (ALCC) approved cancellation of the project site's Agricultural Land Conservation Contract (ALCC No. 1387) on September 23, 2011, and the cancellation is scheduled before the Board of Supervisors on November 15, 2011.

**Analysis:**

As discussed above in General Plan Consistency, the subject Use Permit Application meets the intent of General Plan Policies related to this proposal. The proposed development will: 1) be chain-link fenced to provide a buffer between the subject solar facility and adjoining farmland; 2) protect adjoining farmland through implementation of Weed and Rodent Control Plan; 3) not impact the groundwater resources as all water to the project will come from off-site sources; and 4) result only in a temporary conversion of productive agricultural land and the land will be restored to prior farming state upon cessation of the use.

The project site is classified as Farmland of Statewide Importance on the Fresno County Important Farmland Map 2008. On May 3, 2011, the Fresno County Board of Supervisors took action to require that supplemental application information based on the Nine-Point Solar Facilities Guidelines be provided by solar utility applicants as part of their project submittal packages. Required material includes historical information on the agricultural use of the property, the source of water, current status of the parcel including any Agricultural Land Conservation Contracts, the soil type, information on improvements and site buffering, the submittal of a Reclamation Plan, pest management information, and acknowledgement of the County's Right-to-Farm Ordinance. The Applicant has provided this information (Exhibit 7) which has been reviewed and approved by the County Ag Commissioner's Office and the Policy Planning Division.

As noted in the "Reclamation Plan for the San Joaquin Solar Project – Phase 2," dated June 6, 2011 submitted by the Applicant in compliance of Item 6 of the Nine-Point Solar Facilities Guidelines, the site will be restored to agricultural uses within nine months after the facility operations cease by removing all equipment, structures, and building improvements at and above-grade and restoring the site to its previous condition at a cost of approximately \$2,457,461.32. The site reclamation requirement and the requirement that the project shall: 1) provide with and adhere to the a Pest Management Plan for managing weeds, insects, and disease and vertebrate pests that may impact adjacent properties; and 2) utilize pest control professionals to keep the project site free of rodents, weeds and other vegetation all the time has been included as Mitigation Measures.

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

**Recommended Conditions of Approval:**

- *See Mitigation Measures listed on Pages 14 and 15 of this Report*

**Conclusion:**

Finding 4 can be made.

**PUBLIC COMMENT:**

No letters were received from any Agencies or organizations in support of the project. Staff notes that the County had pre-engaged with reviewing Agencies, as is standard procedure, prior to drafting the environmental document and that project details including Site Plans and Elevations were provided to those Agencies as part of the project review packet. Staff believes the environmental document prepared for the subject application adequately addresses the requirements of CEQA.

**CONCLUSION:**

Staff believes the required Findings for granting the Unclassified Conditional Use Permit Application can be made based on the factors cited in the analysis, the recommended Conditions of Approval and project Notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Unclassified Conditional Use Permit Application No. 3291 subject to the recommended Conditions.

**PLANNING COMMISSION MOTIONS:**

**Recommended Motion** (approval action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 6261; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit Application No. 3291, subject to the Conditions and Notes listed below; 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. 3291; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

**Recommended Conditions of Approval:**

1. Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission.
2. A Site Plan Review Application shall be submitted for approval by the Director of the Department of Public Works and Planning, in accordance with Section 874 of the Fresno County Zoning Ordinance. The Site Plan Review shall be applicable to those portions of the project site(s) to be improved with a sub-station, inverters, perimeter fire access road, control center buildings, parking, and driveway access excluding the solar panel fields. Items to be addressed under the Site Plan Review may include, but are not



limited to, design of parking and circulation, driveway, access, grading and drainage, fire protection, and lighting.

3. The project shall comply with the "Reclamation Plan for the San Joaquin Solar Project – Phase 2," dated June 6, 2011 "attached as Exhibit 7 to the Staff Report and as approved and/or modified by the Commission.
4. As part of the Site Plan Review submittal process, an agreement incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) shall be entered into with Fresno County acknowledging the presence of surrounding agricultural operations and their related activities.
- \*5. All lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets or roadways.
- \*6. The project shall adhere to the procedures listed in the "Reclamation Plan for the San Joaquin Solar Project – Phase 2," dated June 6, 2011 prepared for the operation, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any permits, the required bond amount, based on an Engineer's estimate, shall be deposited (or evidence of a Bank Guarantee or Irrevocable Letter of Credit) and a covenant shall be signed between the property owner and the County of Fresno and shall run with the land requiring the site to be restored to an agricultural use at the cessation of operation.
- \*7. Prior to the issuance of any permits, a Pest Management Plan shall be submitted to the Department of Public Works and Planning and approved by the Fresno County Agricultural Commissioner's Office. The Pest Management Plan shall identify methods and frequency to manage weeds, insects, and disease and vertebrate pests that may impact adjacent properties.
- \*8. The project operator shall utilize pest control professionals to keep the project site free of rodents at all times.
- \*9. The project operator shall at all times keep the project site free of weeds and other vegetation that could harbor pests or become a fire hazard.
- \*10. A Burrowing Owl (*Athene Cunicularia*) habitat is present on-site in the form of rodent burrows located along the western border of the site and near irrigation piping along the western portion of the site. Prior to ground disturbance, a qualified Ornithologist shall survey the site for Burrowing Owls using established protocol procedures. If Burrowing Owls are detected within the project site, procedures to avoid or compensate for the loss of nest sites shall be developed in coordination with California Department of Fish and Game.
- \*11. Should modification to the existing irrigation ditch on the property's western border be proposed, the U.S. Army Corp of Engineers shall be contacted to determine if a wetland delineation will be required.
- \*12. During project development and maintenance stages, the Applicant shall adhere to guidelines as established by the U.S. Fish and Wildlife Service (USFWS) to avoid

impacts to the San Joaquin Kit Fox. This includes following the provisions established in "Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance." It shall be the Applicant's responsibility to contact USFWS to ensure that avoidance procedures are the most current as required by that Agency.

- \*13. In the event cultural resources are unearthed during grading or construction, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Commission within 24 hours.
- MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.

**NOTES:**

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

1. Construction Plans are required to be submitted and Building Permits shall be obtained for all improvements on the project site. Construction Plans must be prepared by a licensed Design professional. Plans and permits for the construction of control center buildings will be required and construction of the buildings must meet all the requirements of the California Building Code of accessibility and occupancy requirements. Building Permits are also required for fences more than six feet in height. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for construction.
2. Any additional storm water run-off generated by the project cannot drain across property lines and shall be retained on-site per County Standards.
3. An Engineered Grading and Drainage Plan shall be required to show how additional storm water run-off generated by the proposal development will be handled without adversely impacting adjacent properties. A Grading Permit or Voucher is required for any grading proposed with this application.

Note: These requirements will be addressed through Site Plan Review recommended as a Condition of Approval.

4. According to FEMA FIRM Panel 2550H, the westerly and southerly portions of the property are in Flood Zone A subject to flooding from the 100-year storm. Any work within the designated Flood Zones would conform to the provisions in the Chapter 15.48 of Fresno County Ordinance.

5. The U.S.G.S. Quad Map shows intermittent streams may be present within the subject property. Also, Crescent Ditch is located at the southwest corner of the subject property. Any development within or near a stream will require a clearance from the California Department of Fish and Game and any development near the Ditch shall be coordinated with the owners of the Ditch.
6. Arterial classification of Kamm Avenue would require that on-site turnarounds shall be provided for vehicles leaving the site to enter Kamm Avenue in a forward motion.
7. Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
8. A 30-foot by 30-foot corner cut-off shall be required at the intersection of Kamm and Butte Avenues, and a ten-foot by ten-foot corner cut-off shall be improved for sight distance purposes at any existing or proposed driveway accessing Kamm and Butte Avenues.
9. Any existing or proposed entrance gate shall setback a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site, and shall not swing outward.
10. The proposal shall comply with the 2007 California Code of Regulations Title 24 Fire Code. The Applicant shall submit three Site Plans, stamped "reviewed" or "approved" from the Fresno County Department of Works and Planning, to the Fresno County Fire Department for their review and approval. The Applicant shall submit evidence that their Plan was approved by the Fire Department, and all fire protection improvements shall be installed prior to occupancy granted to the use.
11. The Westlands Water District has an easement and delivery point (14-9.5-2.0) on the southwest corner of Section 20 located approximately 1,050 feet from the proposed solar project. During construction and operations of the facility, the District property shall not be disturbed and prior to any excavation Underground Service Alert shall be contacted.
11. Project development should include a plan to control weeds and rodents within the project area to prevent the site from becoming a nuisance to neighboring properties or surrounding agricultural operations. 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.
12. Prior to occupancy, the Applicant shall complete and submit either a Hazardous Materials Business Plan or a Business Plan Exemption form to the Fresno County Department of Public Health, Environmental Health Division (Health Department) and all hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. Also, should a water well be drilled, the water well contractor selected shall be required to apply for and obtain a Permit to Construct a Water Well from the Health Department.

13. According to the Site Plan Review Section of the Development Services Division, one parking space for each permanent employee, each company sales person and each company vehicle is required. The driveway shall be concrete or asphalt concrete paved a minimum of 24 feet for the first 100 feet off of the edge of the road right-of-way, and dust palliative shall be required on all unpaved parking and circulation areas.

Note: These requirements will be addressed through Site Plan Review recommended as a Condition of Approval.

14. According to the Pacific Gas and Electric Company (PG & E), any proposed development plans shall provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG & E facilities. This includes construction of structures within or adjacent to PG & E easements and permanent/temporary changes in grade and planting of certain types of vegetations under PG & E electric facilities.

15. The Applicant shall adhere to the following Rules and Regulations set by the San Joaquin Air Pollution District:

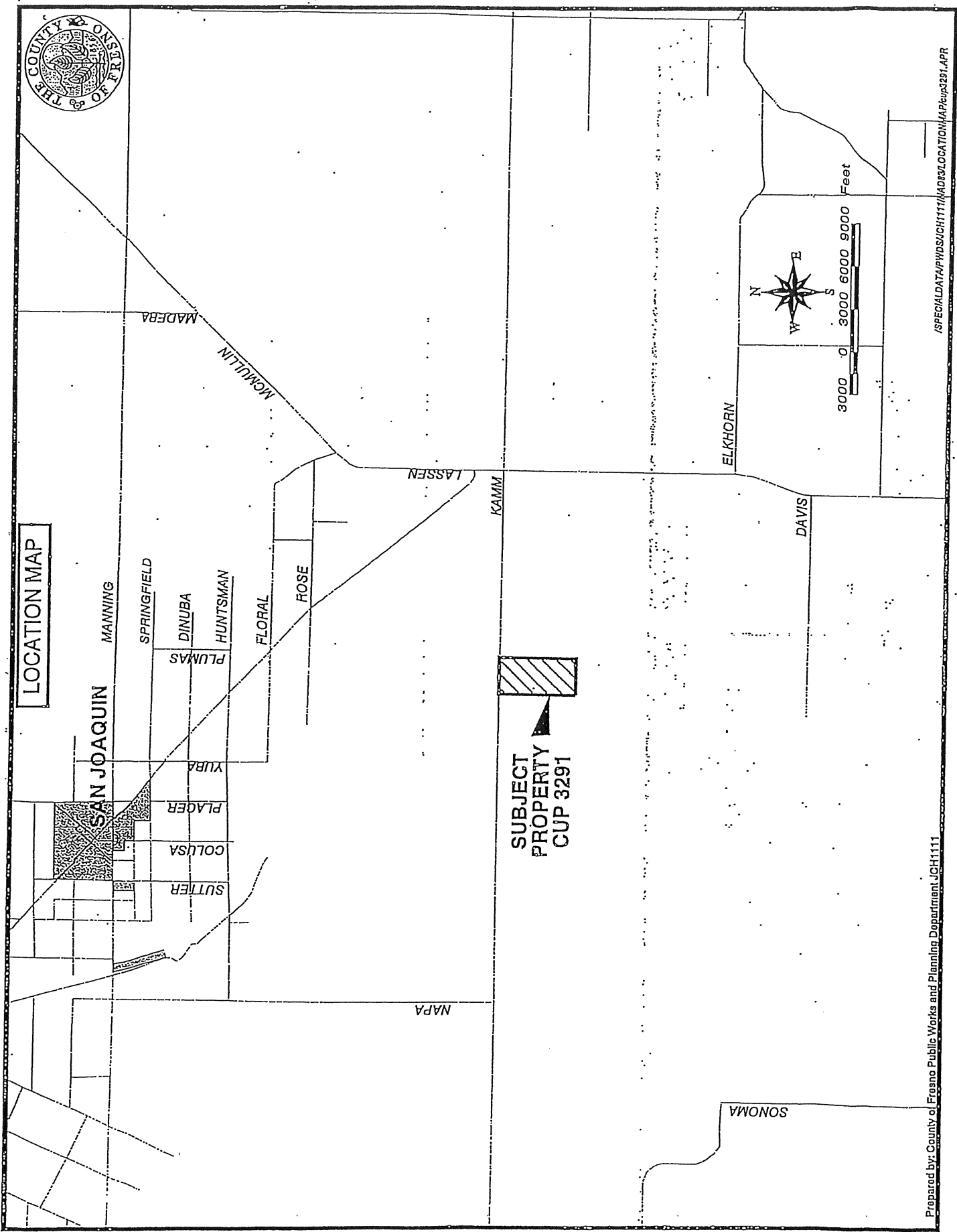
- A. District Rule 9510 (Indirect Source Review).
- B. District Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10.
- C. Rule 4102 (Nuisance), to address any source operation that emits air contaminants or other materials.
- D. Rule 4601 (Architectural coatings).
- C. Rule 4641 (Cutback, Slow, Cure, and emulsified Asphalt, Paving and Maintenance Operations).

The project, pursuant to Rule 9510, shall pay all applicable fees to the Air District prior to issuance of Building Permits for all improvements on the property by the County Building Permit and Safety Section.

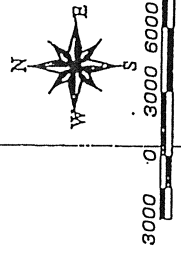
EJ:mac  
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3200-3299\3291\sr\_CUP3291 (102111).doc



LOCATION MAP



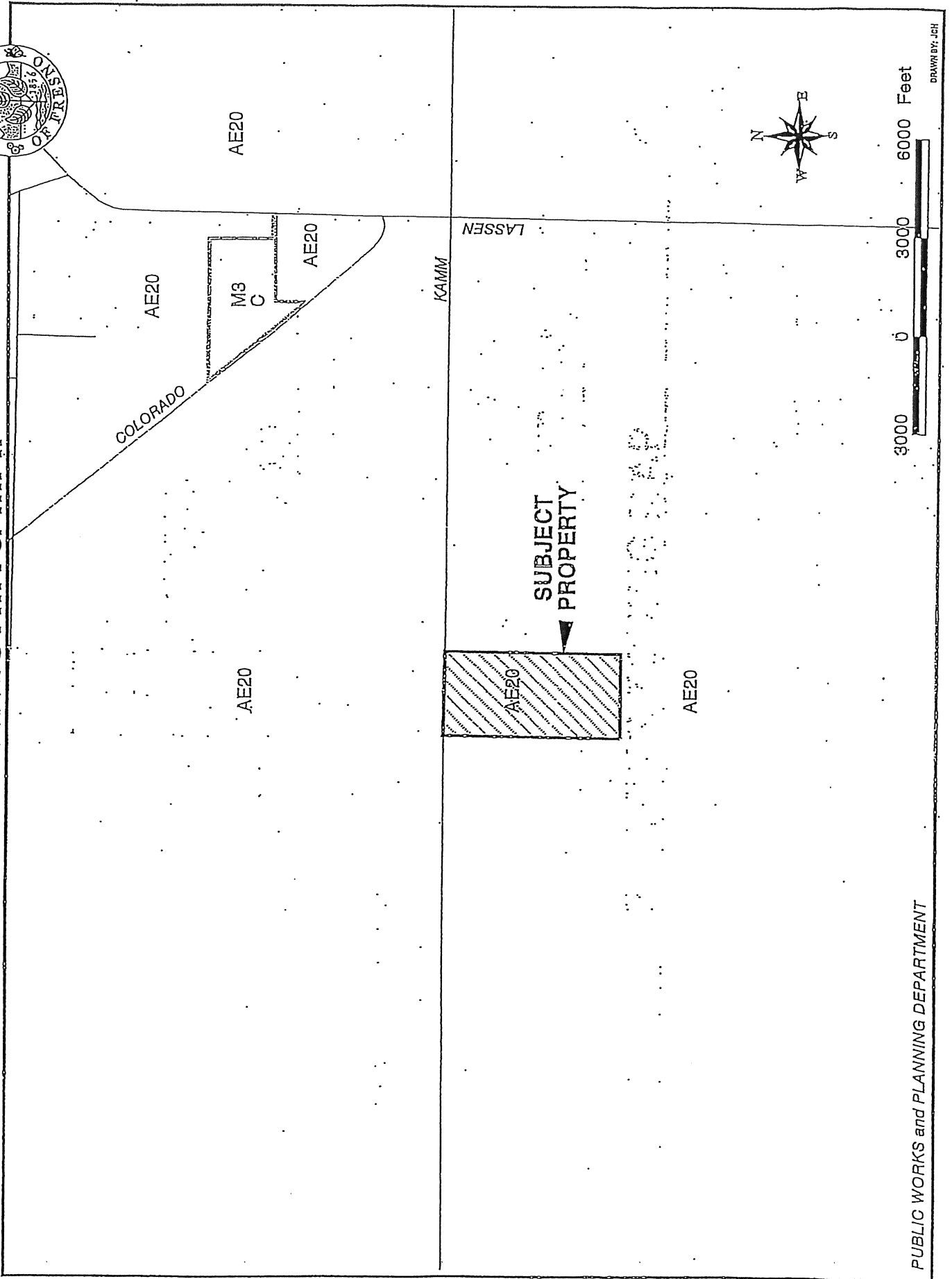
SUBJECT PROPERTY CUP 3291



Prepared by: County of Fresno Public Works and Planning Department JCH1111 /SPECIALDATA\FWS\JCH1111\MADS\LOCATION\MAP\CUP3291.APR

CUP 3291  
STR 20 - 16/17

# EXISTING ZONING MAP



PUBLIC WORKS and PLANNING DEPARTMENT

DRAWN BY: JCH

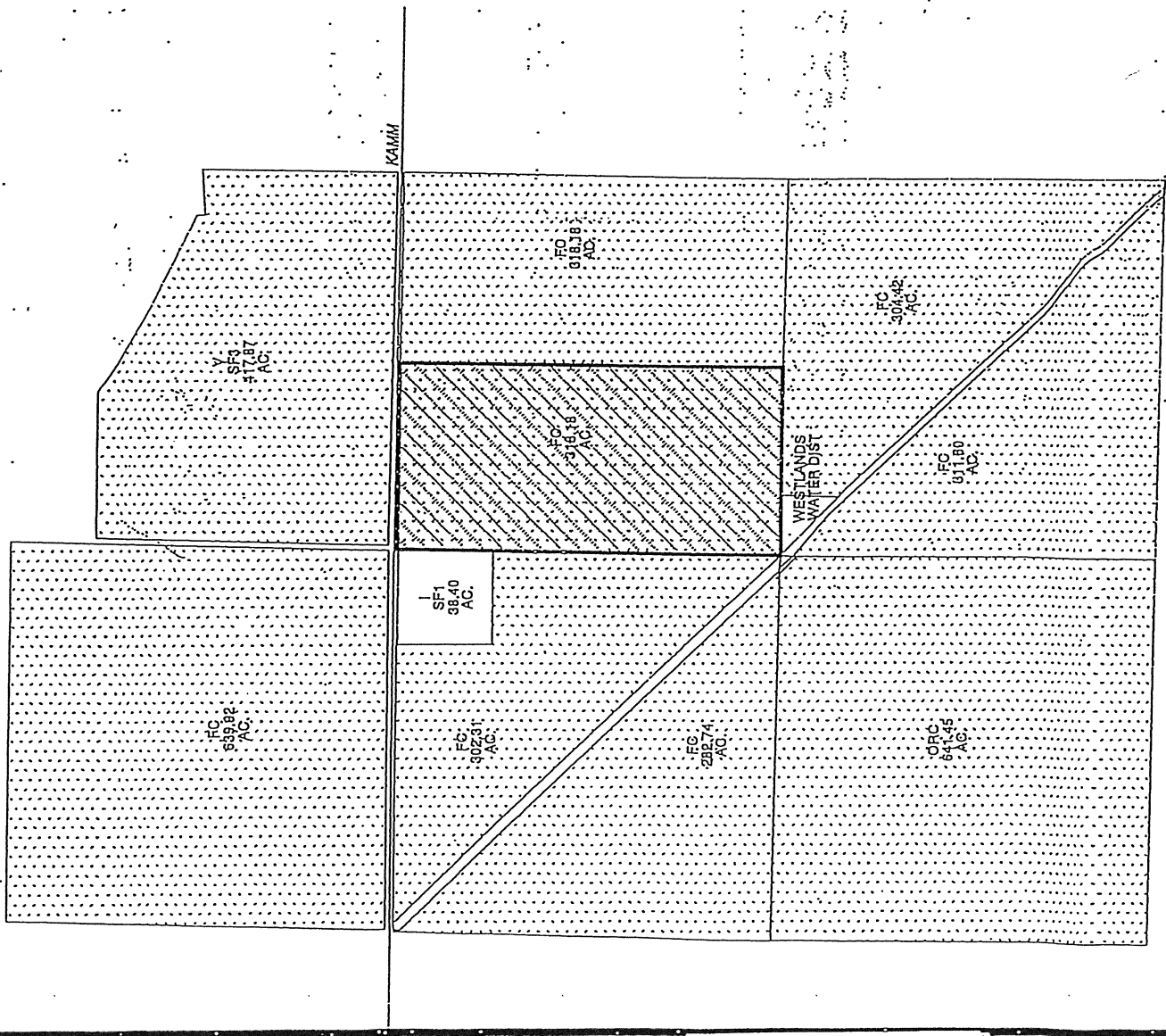


# EXISTING LAND USE MAP

CUP 3291

	FC - FIELD CROP
	I - INDUSTRIAL
	ORC - ORCHARD
	SF# - SINGLE FAMILY RESIDENCE
	V - VACANT

Subject Property  
 Ag Contract Land



Prepared by: County of Fresno The Department of Public Works and Planning JCH/j111



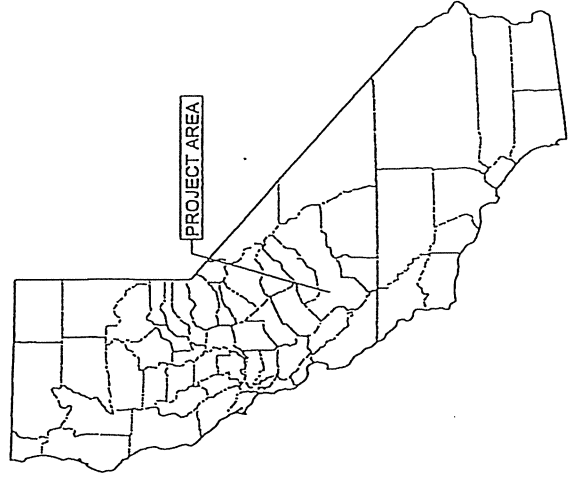
APN: 040-080-155	DATE: 11/11/17
PROJECT: SAN JOAQUIN 1 - SINGLE AXIS TRACKER	SCALE: 1" = 3,000'
DESIGNED BY: [Redacted]	CHECKED BY: [Redacted]
DRAWN BY: [Redacted]	DATE: 11/11/17

COVER SHEET

DATE	BY	REVISION

**SHEET LIST TABLE**

SHEET NUMBER	SHEET TITLE
E1.0	COVER SHEET
E1.1	APN & USGS MAPS
E2.0	GENERAL LAYOUT
E2.1	SITE DETAILS
E3.0	1,159 MWp PLANT SINGLE LINE DIAGRAM
E3.1	1,239 MWp FIT SINGLE LINE DIAGRAM
E3.2	PLANT & SUBSTATION SINGLE LINE DIAGRAM
A1.0	CONTROL CENTER FLOOR PLAN & EXTERIOR ELEVATION



**Call before you dig!**

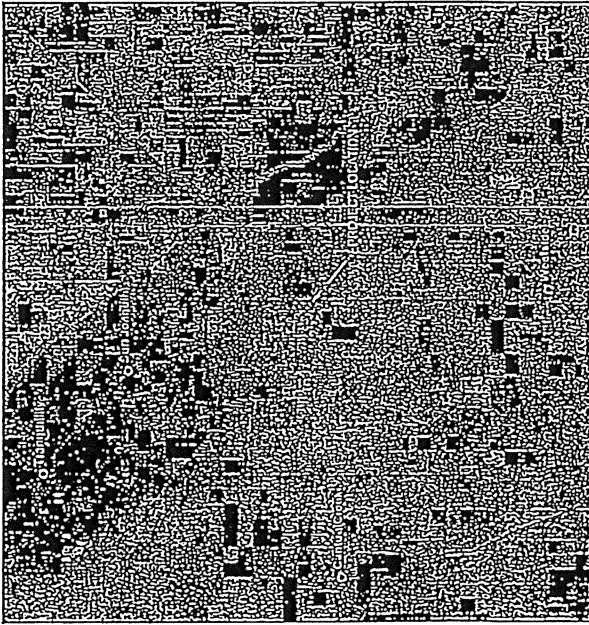
Know what's below.

THE LOCATION OF EXISTING UNDERGROUND AND OVERHEAD UTILITIES ARE SHOWN IN AN APPROXIMATE MANNER ONLY. THE EPC CONTRACTOR SHALL DETERMINE THE EXACT LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR SHALL AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS OR HER FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND AND OVERHEAD UTILITIES.

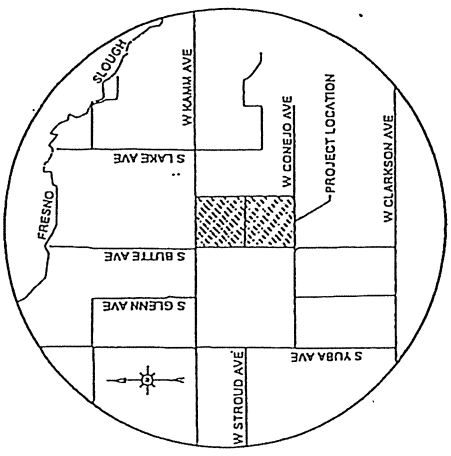
**PHOTOVOLTAIC SOLAR  
POWER PLANT  
FOR  
SAN JOAQUIN 1 -  
SINGLE AXIS TRACKER**

APN: 040-080-15S

SAN JOAQUIN, CALIFORNIA  
(FRESNO COUNTY)



AERIAL MAP  
SCALE: 1" = 10,000'



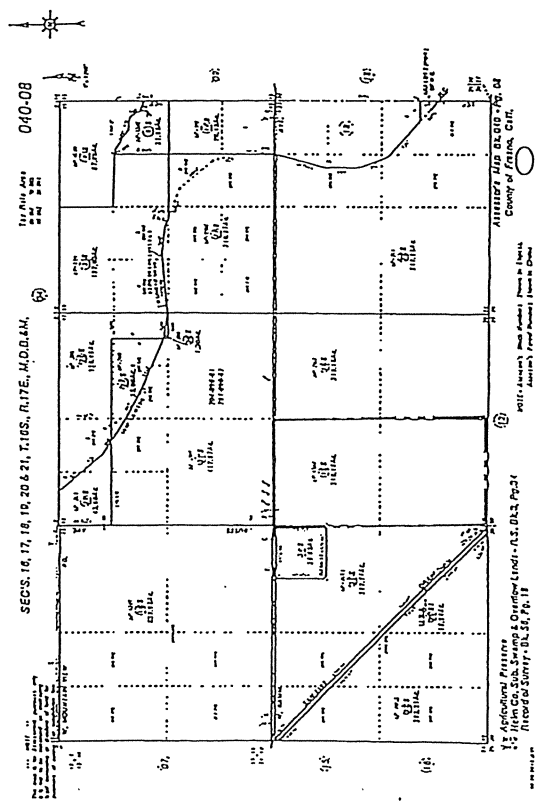
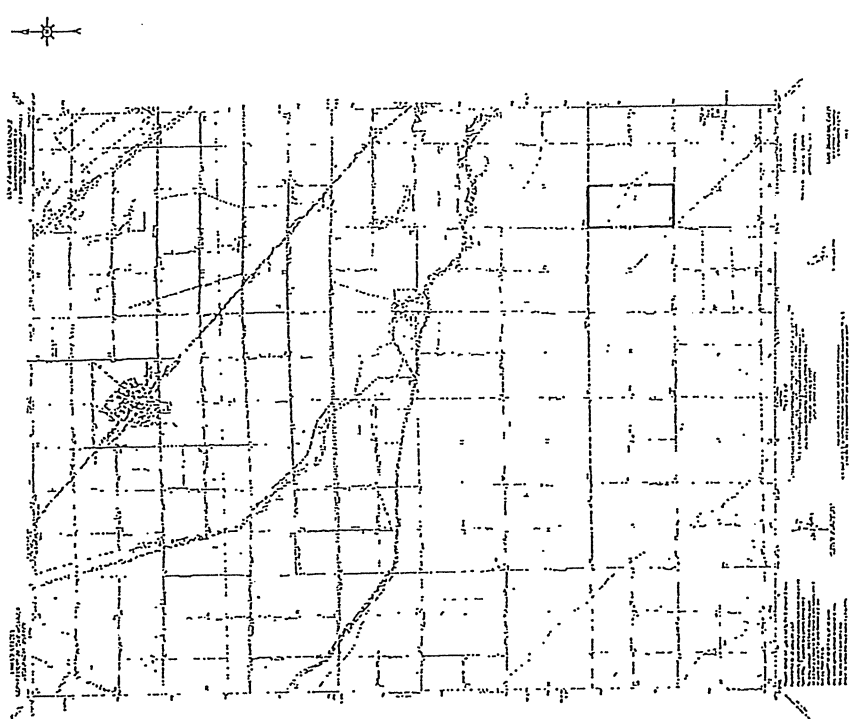
VICINITY MAP  
SCALE: 1" = 3,000'

**DEVELOPER:** GESTAMP SOLAR NORTH AMERICA  
 MAIN OFFICE:  
 30 CALIFORNIA STREET, SUITE 820  
 SAN FRANCISCO, CA 94111  
 PHONE: (415) 230-5805  
 DEVELOPMENT OFFICE:  
 1401 FULTON STREET, SUITE 900  
 FRESNO, CA 93721  
 PHONE: (559) 430-8431  
 ENGINEERING OFFICE:  
 875 W. MOANA LANE, SUITE 100  
 RENO, NV 89523  
 PHONE: (775) 582-4105

**FLOODPLAIN INFORMATION:**  
 APPROXIMATELY 978 ACRES OF THE SITE IS LOCATED WITHIN A FLOOD PLAIN (BASE FLOOD ELEVATION DETERMINED). THE FLOOD PLAIN IS SHOWN IN THE USGS FLOOD ZONE MAPS. UNSHADDED AREAS DETERMINE THE FLOOD ZONE. ANNUAL CHANCE FLOODPLAIN (AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 06019C350H DATED 02/16/2008 FOR FRESNO COUNTY AND INCORPORATED AREAS.

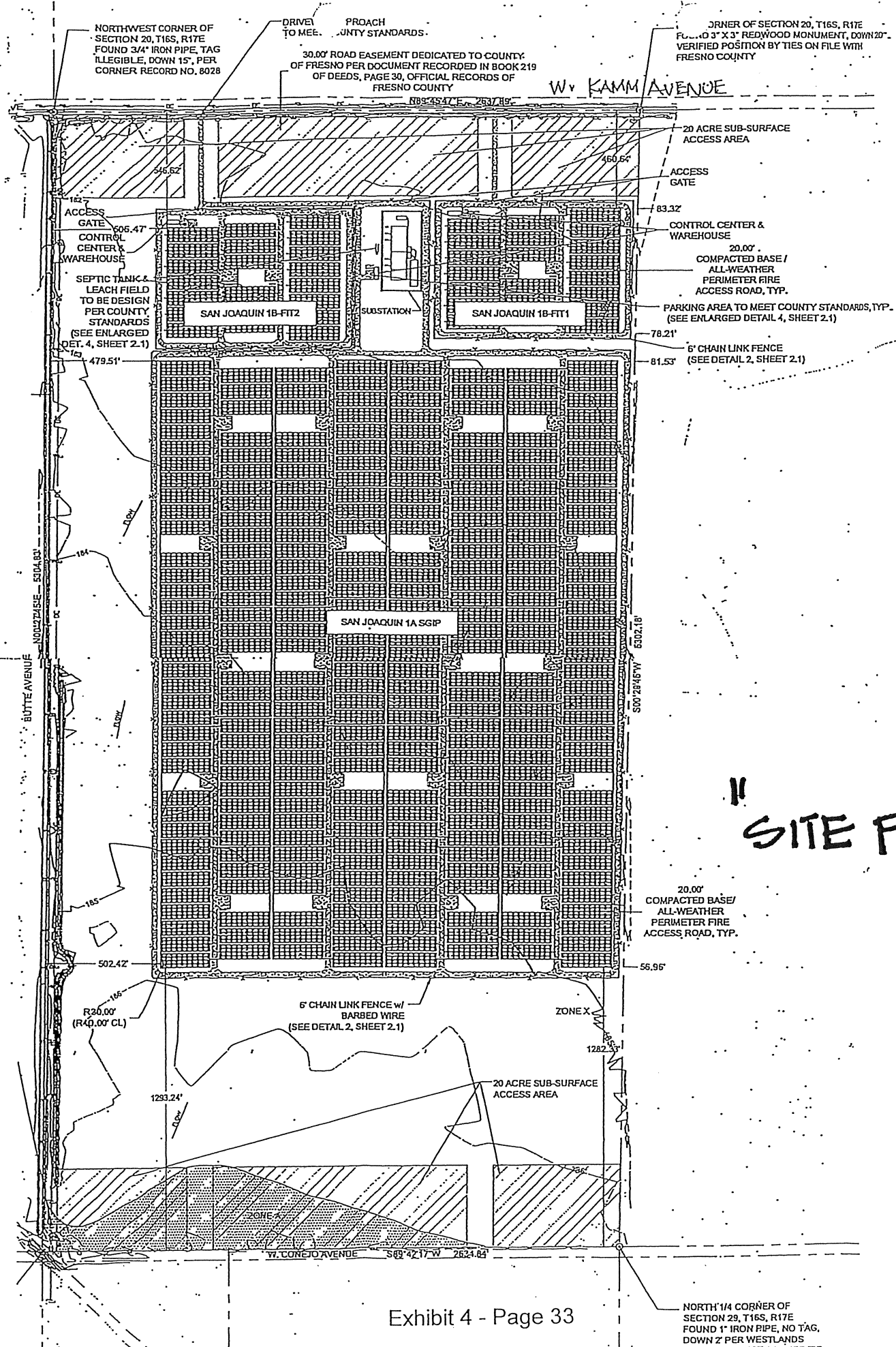
**NOTE TO CONTRACTOR:**  
 BY THE ACT OF SUBMITTING A BID FOR THIS PROPOSED CONTRACT, THE BIDDER WARRANTS THAT THE BIDDER, AND ALL SUBCONTRACTORS AND MATERIAL SUPPLIERS HE INTENDS TO USE HAVE CAREFULLY AND THOROUGHLY REVIEWED THE DRAWINGS, SPECIFICATIONS AND ALL OTHER CONTRACT DOCUMENTS AND ARE SUFFICIENT FOR THE PURPOSE INTENDED. THE BIDDER FURTHER WARRANTS THAT TO THE BEST OF HIS OR HER KNOWLEDGE, ALL PRODUCTS SPECIFIED OR INDICATED HEREIN ARE ACCEPTABLE FOR ALL CODES AND AUTHORITIES.





**ASSESSOR PARCEL MAP**  
 APN: 040-080-155





NORTHWEST CORNER OF SECTION 20, T16S, R17E FOUND 3/4" IRON PIPE, TAG ILLEGIBLE, DOWN 15", PER CORNER RECORD NO. 8028

DRIVE TO MEET COUNTY STANDARDS.

30.00' ROAD EASEMENT DEDICATED TO COUNTY OF FRESNO PER DOCUMENT RECORDED IN BOOK 219 OF DEEDS, PAGE 30, OFFICIAL RECORDS OF FRESNO COUNTY

CORNER OF SECTION 20, T16S, R17E FOUND 3" X 3" REDWOOD MONUMENT, DOWN 20", VERIFIED POSITION BY TIES ON FILE WITH FRESNO COUNTY

W. KAMM AVENUE

20 ACRE SUB-SURFACE ACCESS AREA

ACCESS GATE

ACCESS GATE CONTROL CENTER & WAREHOUSE

CONTROL CENTER & WAREHOUSE

SEPTIC TANK & LEACH FIELD TO BE DESIGN PER COUNTY STANDARDS (SEE ENLARGED DET. 4, SHEET 2.1)

SAN JOAQUIN 1B-FIT2

SUBSTATION

SAN JOAQUIN 1B-FIT1

20.00' COMPACTED BASE / ALL-WEATHER PERIMETER FIRE ACCESS ROAD, TYP.

PARKING AREA TO MEET COUNTY STANDARDS, TYP. (SEE ENLARGED DETAIL 4, SHEET 2.1)

6' CHAIN LINK FENCE (SEE DETAIL 2, SHEET 2.1)

SAN JOAQUIN 1A SGIP

20.00' COMPACTED BASE / ALL-WEATHER PERIMETER FIRE ACCESS ROAD, TYP.

6' CHAIN LINK FENCE w/ BARBED WIRE (SEE DETAIL 2, SHEET 2.1)

ZONE X

20 ACRE SUB-SURFACE ACCESS AREA

W. CONCORD AVENUE

NORTH 1/4 CORNER OF SECTION 29, T16S, R17E FOUND 1" IRON PIPE, NO TAG, DOWN 2" PER WESTLANDS

" SITE PLAN "

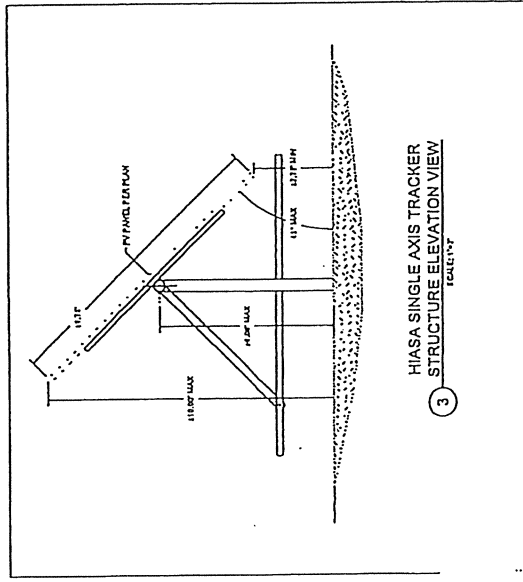
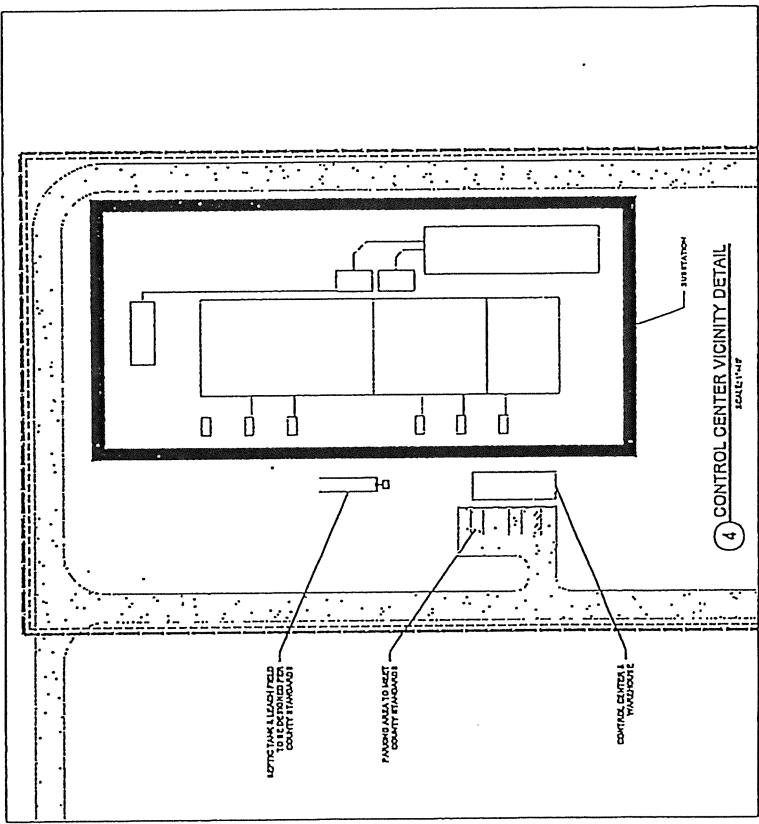
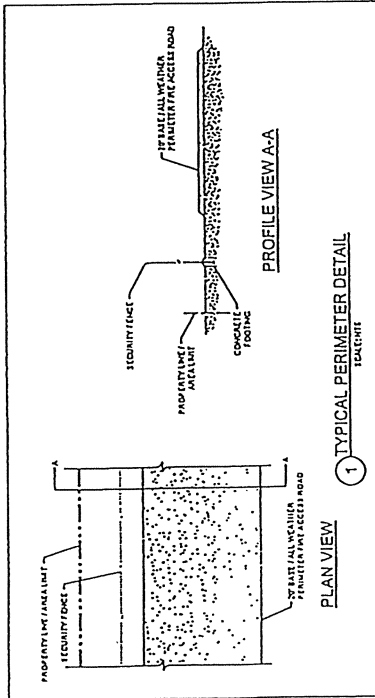
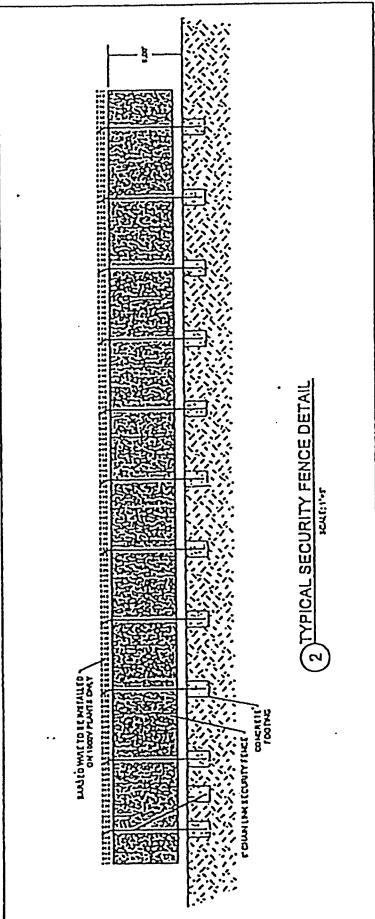


NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITTING	05/20/19
2	ISSUED FOR PERMITTING	05/20/19
3	ISSUED FOR PERMITTING	05/20/19
4	ISSUED FOR PERMITTING	05/20/19

**SAN JOAQUIN 1 - SINGLE AXIS TRACKER  
PROPOSED PHOTOVOLTAC  
SOLAR POWER PLANT**  
APN: 040-080-155

**SITE DETAILS**

SHEET	
SHEET NO.	E2.1
TOTAL SHEETS	10
DATE: 05/20/19	
SCALE: AS SHOWN	
DRAWN BY: J. GARCIA	
CHECKED BY: J. GARCIA	
DATE: 05/20/19	
PROJECT: SAN JOAQUIN 1 - SINGLE AXIS TRACKER	

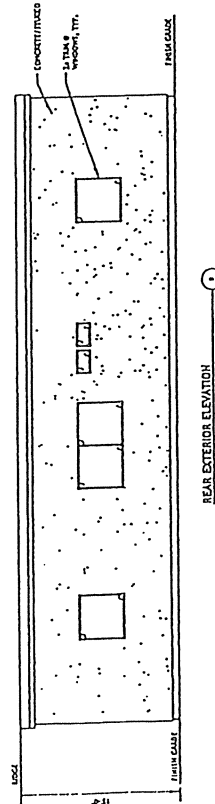
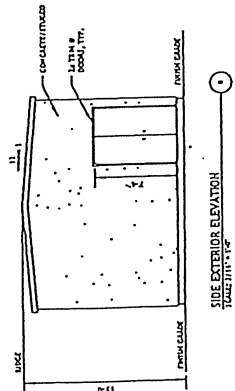
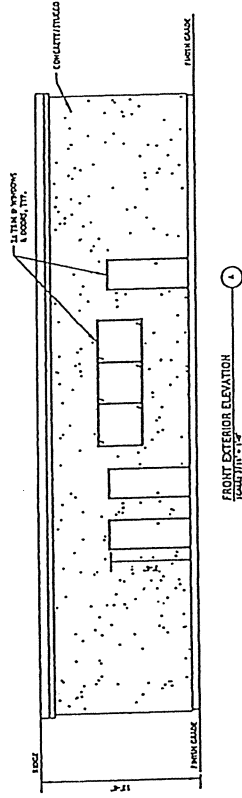
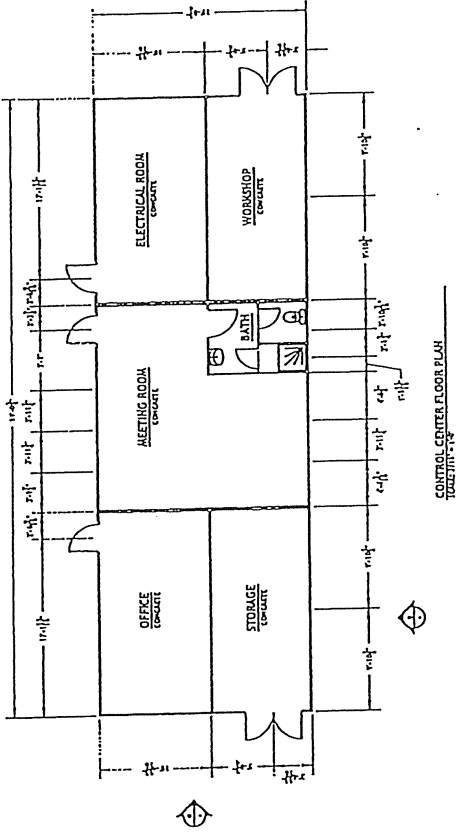


Project Name	SAN JOAQUIN POWER PLANT
Project Number	040-080-155
Client	SAN JOAQUIN POWER PLANT
Architect	ART + ARCH
Engineer	P. (111) DOLORE
City	San Francisco, CA 94111

## CONTROL CENTER FLOOR PLAN & EXTERIOR ELEVATION

SAN JOAQUIN POWER PLANT  
040-080-155

Gestamp Solar



CUP 3291  
RECEIVED  
COUNTY OF FRESNO

SEP 27 2011

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION



Gestamp  
Solar

## Operational Statement (REVISED)

CUP #3291/A.P.N. 040-080-15S

1. This solar facility will consist of a two phase photovoltaic solar system that will produce electrical energy using polycrystalline solar panels that will generate direct current electrical energy (D.C.). A series of inverters will convert the direct current to an alternating current that can then be distributed to a power line adjacent to the property. Alternating current is what is used to power homes and businesses. All energy produced from this site will be distributed to the local energy grid which is owned and maintained by Pacific Gas and & Electric Company.

2. The installation of the first phase will consist of 2 solar array blocks of 1.159 MWdc and solar array blocks of 580 kWp. Each 1.159 MWp block will contain 2 inverters of 500 kW that receive 580 kWp of power from a group of 4,872 photovoltaic modules at 230 Wp per module. Similarly, each 580 kWp block will contain 1 inverter of 500 kW that receives 580 kWp of power from a group of 2,436 photovoltaic modules at 230 Wp per module.

The second phase will consist will consist of 20 solar array blocks generating 1.159MW each. The total acreage for the first phase is approximately 28 acres and acreage for the second phase is approximately 154 acres totaling 182 acres. Traffic during the construction of the facility will be approximately 50 trips per day.

The AC outputs of each group of inverters will be joined to an AC parallel switchboard and then connected by a single line to a 1000 kVA transformer. The transformer converts the output voltage of the inverter from 480 V to 24.9 kV for subsequent connection to the substation and then ultimately to the grid.

2. The plant shall be fully operational every day, from sunrise to sunset. Typically, the plant will produce energy from 6:00 AM to 6:00 PM, but these hours will vary by one or two hours from month to month.

3-5. This facility will be a private facility and for safety reasons will not be open to the public. Only authorized personnel will be permitted on site and will generally be the employees who will be monitoring and maintaining the facility. There will be three full time employees who will responsible for the operation and maintenance of the facility. The only expected vehicles on site during operation will be maintenance vehicles and water trucks during panel cleaning when needed. Water use for panel cleaning will come from either a municipal and industrial water allocation from Westlands Water District or will come from a local construction firm. Total water consumption will be less than .25 acre feet per year which includes panel cleaning and water supply for the maintenance building.

6-8. The property fronts Kamm Avenue and access can be obtained through Kamm Avenue or through S. Butte Ave which parallels the western property line. There will be 6 paved parking spaces in front the of the control center building with access for handicap accessibility.

9,10. Equipment to be used will consist of the following:

#### Photovoltaic modules

Average energy values available from a number of photovoltaic modules facing south and with a specific inclination, together with their performance and nominal power are the determining factors in the electricity generation of the panels.

The panels are the electricity generation element and can be in series and/or parallel to obtain the required nominal voltage in each case. These panels consist of a certain number of cells protected by glass, encapsulated in a plastic material, all framed with a metal profile.

The panels are arranged with interconnecting modules to increase their reliability. These modules consist of square silicon photovoltaic cells. The use of these cells precludes the need for series/parallel circuits with their inherent problems, as used by other manufacturers in the construction of high power modules. This kind of cell ensures electrical generation from dawn until dusk, taking advantage of all the possible energy provided by the Sun.

The special non-reflective layer included in the treatment of the cells ensures consistency of color, preventing discoloring within the module and noticeable aesthetic improvement. There will be a minimal amount of glare radiating from the panels; however, the panels are angled in such a way that no glare shall interfere with traffic or pedestrians outside the installation.

As a result of the robust mechanical construction with solid anodized aluminum side frames capable of supporting the weight and dimensions of these modules and the toughened glass anti-reflective front with low iron content, these systems comply with all quality standards to which they are submitted. They can withstand the most inclement weather conditions and operate efficiently without interruption during their long useful life.

The outdoor connection box with positive and negative terminals includes two shunt diodes whose purpose is to reduce the possibility of energy loss due to partial shadows on one or more modules within the system, as well as preventing breaks in the electrical circuit caused by this fault.

They have been robustly built to guarantee a useful life of more than 20 years in adverse weather conditions.

Panels are electrically connected to the grounding system of the plant in accordance with current local codes and regulations.

The **230 Wp** (or a similar owner-approved equivalent) Trina TSM-PA05 model, which includes the features listed on the next page, shall be installed.





**TRINA TSM-PA05, 220W to 240W**

**TYPICAL ELECTRICAL CHARACTERISTICS**

Type	TSM-PA05	220	230	240
Max Power	P <sub>m</sub> (W)	220	230	240
Power Tolerance	(%)	±3	±3	±3
Max Power Voltage	V <sub>m</sub> (V)	30.8	30.0	30.6
Max Power Current	I <sub>m</sub> (A)	7.39	7.66	7.84
Open-Circuit Voltage	V <sub>oc</sub> (V)	36.3	37.0	37.5
Short-Circuit Current	I <sub>sc</sub> (A)	8.00	8.18	8.38
Max System Voltage	(VDC)	600		
Cell Efficiency	η <sub>c</sub> (%)	15.1	15.8	16.4
Module Efficiency	η <sub>m</sub> (%)	15.4	14.1	14.7
Number, type and arrangement of cells	60 pcs. Multi-Crystalline Silicon (6x10)			
Cell Size	6x6"   156mm X 156mm			
No. of Bypass Diodes	(pcs.)	3		
Max Series Fuse	(A)	14		
P <sub>m</sub> Temperature Coefficient	(%/°C)	-0.45		
I <sub>sc</sub> Temperature Coefficient	(%/°C)	0.05		
V <sub>oc</sub> Temperature Coefficient	(%/°C)	-0.35		
NOCT-Nominal Operating Cell Temperature	(°C)	47±2		

**MECHANICAL CHARACTERISTICS**

Cable type, Diameter and Length	3.31mm <sup>2</sup> (12AWG), UL Certified
Type of Connector	Tyco
Dimension A*B*C	1650*992*46 (mm)   64.96*39.05*1.81 (in.)
Weight	19.5 Kg   43 lb
No. of Draining Holes In Frame	8
Glass, Type and Thickness	High Transmission, Low Iron, Tempered Glass 3.2 mm   0.12"

**PACKAGING CONFIGURATION**

Packing Configuration	20 pcs./box
Quantity/Pallet	1 box / pallet
Loading Capacity	520 pcs/40ft or 120 pcs/20ft

**ABSOLUTE RATINGS**

Dielectric Insulation Voltage	(VDC)	3000 max.
Operating Temperature	(°C)	-40~+85
Storage Temperature	(°C)	-40~+85

\*STC Conditions (1000W/m<sup>2</sup>, 1.5 AM and 25°C Cell temperature)

**High Efficiency  
Multicrystalline Solar Modules**

**STRENGTHS**

- Tolerance ± 3%
- 3 Bus Bar Configuration
- Plug & Play Connectors
- High Transmission, Low Iron Tempered Glass
- Can bear loads up to 5400 Pascals (IEC 61215 2nd)

**WARRANTY**

- Manufacturing: 5 years
- Power production: 90% : 10 years
- 20% : 25 years

**CERTIFICATIONS**

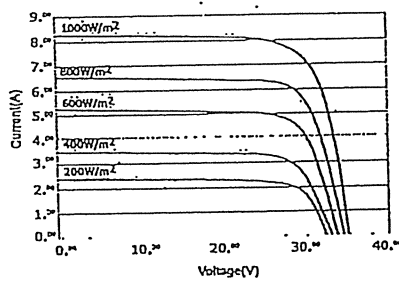




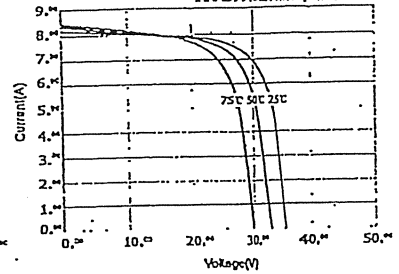
**TRINA TSM-PA05, 220W to 240W**

**I-V CURVES**

I-V Curves of PV module TSM-230PA05

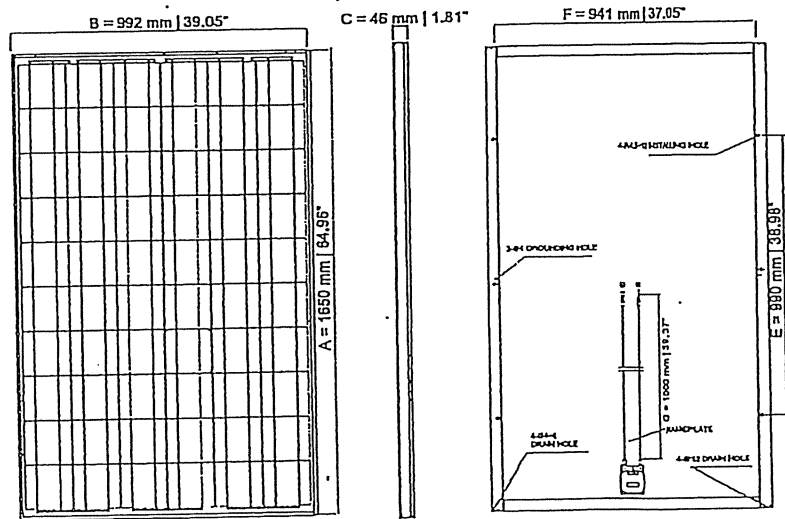


I-V Curves of module TSM-230PA05 at various cell temperature  
IRRADIANCE AM1.5, 1kW/m²



High Efficiency  
Multicrystalline Solar Modules

**DIMENSIONS**



Dimensions A\*B\*C

1650\*992\*46 (mm) | 64.96\*39.05\*1.81 (in.)

Installation Hole E\*F

941\*990 (mm) | 37.05\*38.98 (in.)

Cable Length G

1000 (mm) | 39.37 (in.)

\*The company is not responsible for potential typing errors.

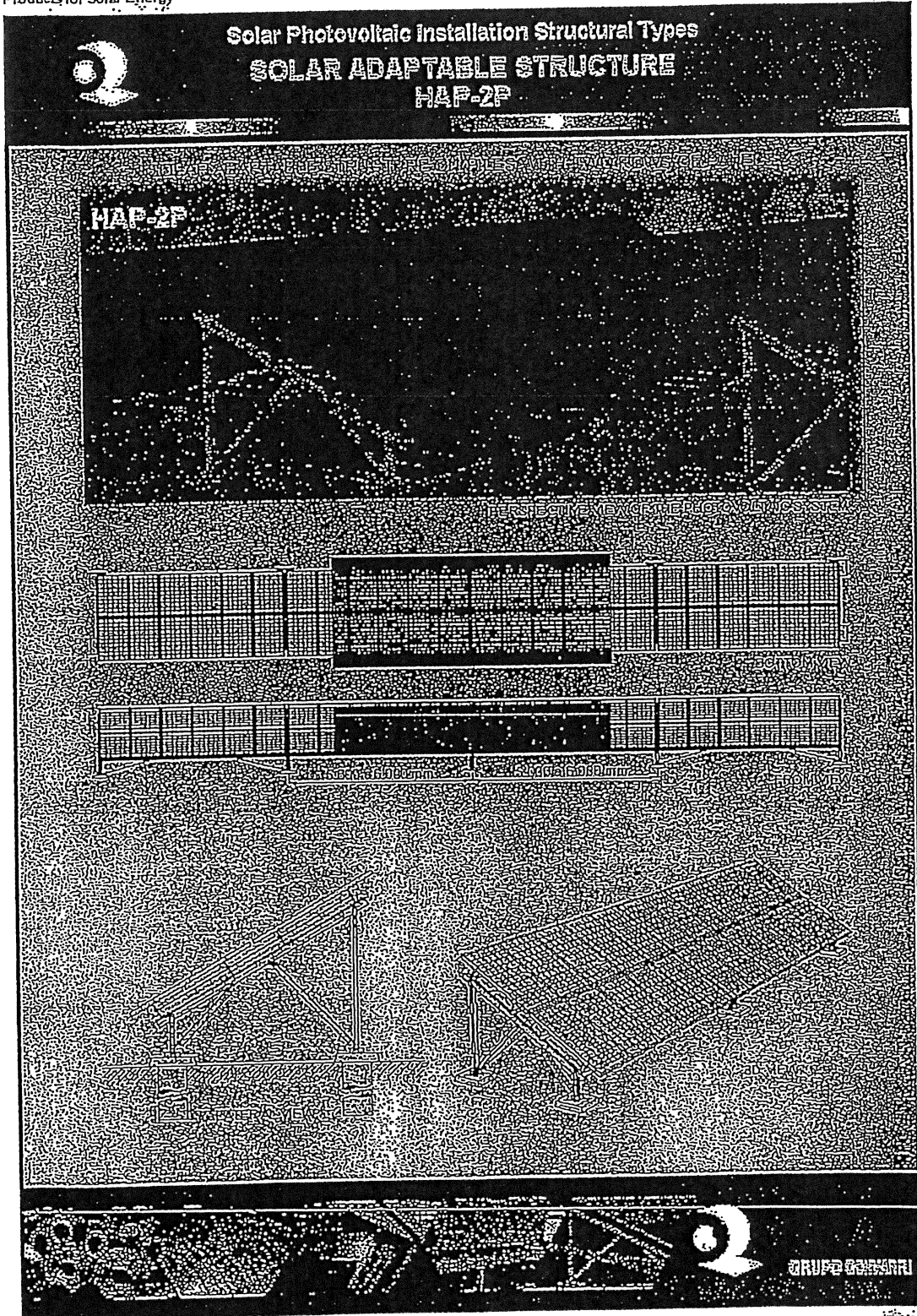
### Support structures

Structures are responsible for supporting the solar modules and providing them with the appropriate inclination. They will be installed on the ground on suitable foundations. The assembled structure will be fixed at a tilt angle of 25°. The structure to be installed will be HIASA HAP-2P or similar type. Each module structure will support 2 rows of 6 vertically positioned modules.

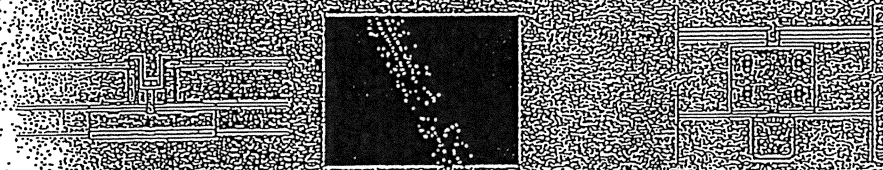
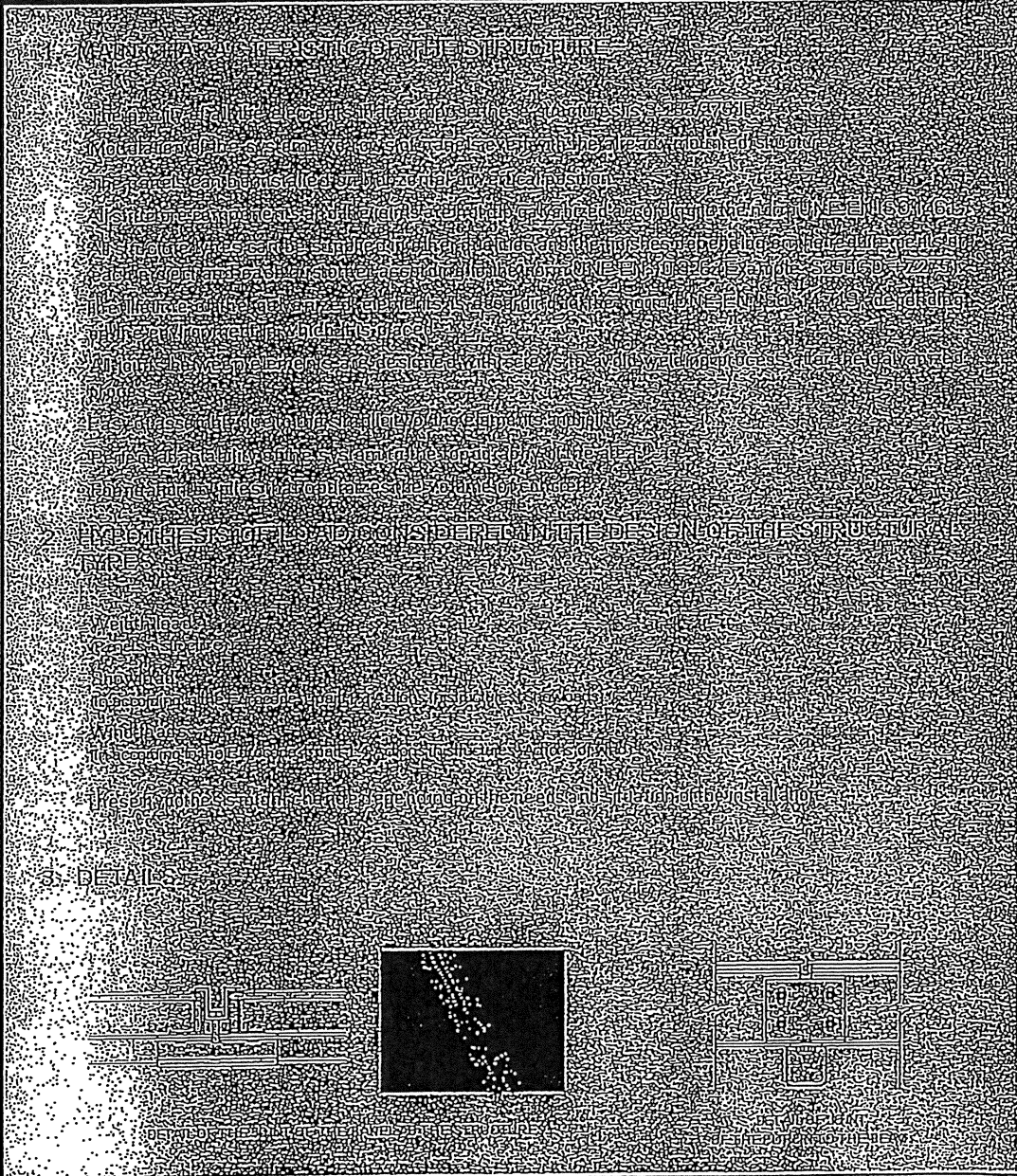
The structure's main features are:

- Ease of assembly due to the simplicity of its elements and joints
- All structural elements are hot-dip galvanized and powder coated.
- Excellent adaptability of the system to the topography of the terrain (slopes up to 15%)
- Anchoring ground through strong foundation.

The perimeter structures will be painted in beige.



Solar Photovoltaic Installations Structures Types  
**SOLAR ADAPTABLE STRUCTURE**  
**HAP-2P**



**HIERROS Y APLANACIONES, S.A.**  
 Polígono Industrial de Cancienes, s/n. 33370 - Corvera, Asturias ESPAÑA (SPAIN)  
 Tel: + (34) 985 126 200, Fax: + (34) 985 605 361  
 comercial\_hiasa@yonivari.com - energiasolar\_hiasa@yonivari.com  
 www.hiasa.com





## Inverters

The inverter is an essential element of the photovoltaic installation, as it facilitates conversion of energy from direct current generated by the panels to alternating current. **Three-phase 500 kW outdoor inverters model POWERGATE PLUS 500 kW by SATCON** (or similar owner-approved model) will be installed.

Inverters will be located optimally within the module field to reduce voltage losses caused by excessively long direct current runs and to minimize cross-sectional area of the associated conductors.

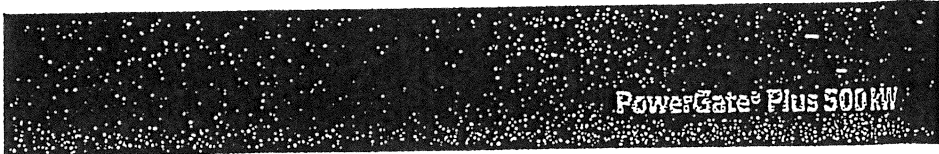
Inverter ventilation is a fundamental aspect of performance, and therefore natural convection cooling systems and forced ventilation with a proportional electronic thermostat controlling the speed of the fans are installed.

In the event of an excessive increase in ambient temperature or accidental covering of ventilation outlets, the system will continue operating albeit at a reduced work rate in order to maintain an internal temperature below 75 °C. If it reaches 80 °C, it will shut down.

The SATCON network-connected inverter, POWERGATE PLUS 500 kW, has a control system that enables complete automatic operation. At night, the inverter shuts down but continues monitoring network voltage levels supplying the building and the photovoltaic generator. At daybreak, photovoltaic generator voltage increases and starts up the inverter, which begins supplying energy to the system.

Synchronism with the system is essential for inverter operation with the main control carried out through highly sensitive tracking of any change in the system. Depending on the state of synchronism, system parameters and peak power monitoring, the main control communicates to the waveform generator the measures that need to be taken.

The modulation system used by the inverter assigns a microprocessor exclusively for the operation of this function, maintaining constant and rapid control over voltage parameters and the sinusoidal waveform frequency of the output. This control allows constant tracking of system parameters making necessary corrections every 10 minutes.



PVS-500 (MVT)  
 PVS-500 (480 V)  
 PVS-500 (265 V) CE

**Unparalleled Performance**  
 With their advanced system intelligence, next-generation Edge™ MPPT technology, and industrial-grade engineering, PowerGate Plus inverters maximize system uptime and power production, even in cloudy conditions.

**Power Efficiency**

Power Level	Output Power <sup>1</sup>	Efficiency <sup>2</sup>
10%	50 kW	92.2%
20%	100 kW	95.6%
30%	150 kW	96.2%
50%	250 kW	96.5%
75%	375 kW	96.4%
100%	500 kW	96.0%

<sup>1</sup> 320V maxdc-link <sup>2</sup> 480V model

**Power Efficiency without Transformer**

Power Level	Output Power <sup>1</sup>	Efficiency
10%	50 kW	97.08%
20%	100 kW	97.52%
30%	150 kW	97.58%
50%	250 kW	97.46%
75%	375 kW	97.09%
100%	500 kW	96.52%

<sup>1</sup> 310V maxdc-link

**Edge MPPT**

Provides rapid and accurate control that boosts PV plant kilowatt yield

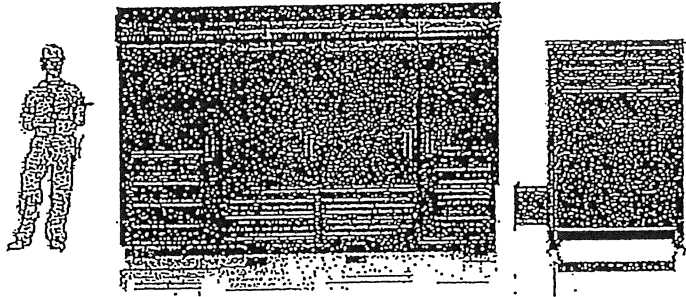
Provides a wide range of operation across all photovoltaic cell technologies

**Printed Circuit Board Durability**

Wide thermal operating range: -60° C (-40° F) to 85° C (185° F)

Conformal coated to withstand extreme humidity and air-pollution levels

**PV Inverters | PowerGate Plus 500 kW**



**Profitable PV Power**

The Satcon® PowerGate Plus 500 kW PV inverter has a significant impact on the profitability dynamic of large-scale solar PV systems. With its unparalleled system intelligence, next-generation Edge™ MPPT technology, and industrial-grade engineering, the PowerGate Plus 500 kW inverter maximizes system uptime and power production, even in the harshest environments.

**Commercial and Utility Scale**

The world's largest solar power installations depend on Satcon PowerGate Plus PV inverters to provide efficient and stable power—even in the harshest climates.

**Advanced, Rugged, and Reliable**

Engineered from the ground up to meet the demands of large-scale installations, Satcon PV inverters feature an outdoor-rated enclosure, advanced monitoring and control capabilities, and Edge™ Satcon's next-generation MPPT solution.

**Proven Performance**

The proven leader in solar PV inverter solutions for commercial installations, Satcon sets the standards for efficient large-scale power conversion.

**Increased PV Plant Yield**

At the heart of PowerGate Plus is Edge, Satcon's next-generation power optimization solution. With rapid and accurate MPPT control, Edge increases PV plant kilowatt yield by extending the production window of arrays, enabling them to operate at optimal voltage and current levels for longer periods of time—even in varied sun conditions. To maximize efficiency, Edge improves the performance of all PV technologies, including fixed and tracking solar arrays, enabling you to get the most from your investment.

11. The solar farm will not cause an unsightly appearance as the solar farm will be constructed in an array with consistent spacing in between each row of panels. There will also be a 20' wide access road for emergency and maintenance vehicles on the perimeter and interior of the facility. The perimeter will be enclosed with a chain link fence and access within the facility will consist of an all weather crushed aggregate. The solar panels will generate a negligible amount of glare and will be angled so that the glare will not interfere with traffic or pedestrians.

12-13. The facility will only generate electrical energy and because of the nature of the photovoltaic panel, there will not be any solid or liquid waste produced as a result of the electrical energy being produced. Water will be needed for cleaning the solar panels as well as for use in the control center building. The quantity of water required for cleaning will be .25 acre feet every year for cleaning and 330 per month for use within the building. The water source will come from either a municipal & industrial water allocation from Westlands Water District or will be brought in via water truck from a private company as mentioned above.

14. There will not be any advertising for this facility other than a nameplate on the perimeter fence or a cornerstone that will identify the facility. For safety reasons, we do not want to place any large identifiers that will generate lots of public interest to the facility.

15,16. The facility will have a control center building that will house a monitoring and surveillance control room, a warehouse as well as an equipment room. Elevations and floor plans are provided on sheet A1.0 in the drawing set. Lighting will not be required as the solar facility will only be in operation when the panels can receive solar energy. Emergency lighting will be installed for the security system and will activate once an intruder is detected.

17-19. As mentioned above, the site will be secured by a chain link fence along the perimeter of the property. There will be minimal landscaping. All access roads will either be crushed aggregate to prevent permanent damage to existing soils. The area that the solar array will be built in will be cleared of any existing vegetation and graded per the grading and drainage plan that will be submitted for site plan review.

For any other additional information, please see the construction manual.



June 6, 2011

# SOLAR ELECTRICAL GENERATION FACILITY SUPPLEMENTAL INFORMATION

1. Information shall be submitted regarding the historical agricultural operational/usage of the parcel, including, specific crop type, for the last 10 years (if no agricultural operation in the last 10 years, specify when land was last in agricultural use).

10 Year Crop Data for APN: 040-080-155						
Field 85				Field 86		
YEAR	CROP	YIELD	Unit	CROP	YIELD	Unit
2000	Sugar Beets	29.97	Ton	Cotton	1.39	Bail
2001	Cotton	1.58	Bail	Wheat	2.48	Ton
2002	Cotton	1.23	Bail	Sugar Beets	36.2	Ton
2003	Sugar Beets	31.51	Ton	Wheat	3.22	Ton
2004	Laid Out	N/A	N/A	Laid Out	N/A	N/A
2005	Laid Out	N/A	N/A	Sugar Beets	44.76	Ton
2006	Sugar Beets	19.45	Ton	Laid Out	N/A	N/A
2007	Laid Out	N/A	N/A	Cotton	1.46	Bail
2008	Laid Out	N/A	N/A	Laid Out	N/A	N/A
2009	Laid Out	N/A	N/A	Laid Out	N/A	N/A
2010	Laid Out	N/A	N/A	Laid Out	N/A	N/A

Source: Don Gragnani Farms/Property Owner

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 10 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 subject property is within the Westlands Water District and is categorized as priority III (low priority). Property owner has stated that there currently is no water allocation. There are no active wells located on the subject property (Source: Property Owner). The water table currently sits approximately 220 ft. below the subject property but the degree of salinity causes a reduction in water quality and its usage can cause degradation to vegetation and/or limit crop yields. (Source: Property Owner) A*

CUP 329 /  
RECEIVED  
COUNTY OF FRESNO

SEP 02 2011

June 6, 2011

*telephone contact with local water expert with Ken Schmidt on March 11, 2011 verified this depth as a valid number. See Appendix A*

3. Identify the current status of the parcel (Williamson Act Contract, Conservation Easement, Retired land, etc.), submittal of documentation of contracts, purpose of any easement limitations and retired land designations and submittal of title report and any deed restrictions on those properties.

*The subject property is under Williamson Act Contract # 1387. See Appendix B*

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.

The property's soil composition contains a relatively even concentration of sand, silt, and clay and is classified as Clay Loam (CL). Furthermore, the soil composition of the property contains high levels of soil salinity and boron, both of which can cause plant degradation and/or limit crop yields. Very few crops can survive in this type of soil. (Source: Technicron Engineering Services report. "Preliminary Geotechnical Investigation", dated May 10, 2010)

The document "Soils of Western Fresno County, CA" by Frank F. Harradine classifies the soils on this parcel (sheet 13) as follows: The southern  $\frac{3}{4}$  of the parcel is Lethant Silty Clay with strong alkali and a band on the northern  $\frac{1}{4}$  as Merced Clay and Merced Silty Clay Loam, both of which are classified as moderately alkaline. See Appendix C

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.

*All construction activities will occur within the subject property boundaries. The proposed facility will be enclosed by a chain link fence along its perimeter, which will be one of the first construction activities. Inside the perimeter fence, a 20' wide all weather access road will be provided/installed that will increase the distance of the proposed construction activities from the neighboring farming activities. See map in Section B*

June 6, 2011

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. See Appendix D for a sample 1.5 mw facility.

*See Appendix B*

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.

*See attached findings for cancellation highlighting site sourcing criteria for solar development and the available land in the general vicinity of a power substation of interest. See Appendix B*

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.

*The first construction grading activity is to clear the site of existing weeds and vegetation; clearing and grubbing. Prior to final compaction of the top soil, the contractor will install an herbicide to prevent the future growth of weeds. On a regular basis, as deemed necessary by the operations & maintenance personnel, a weed control specialist will be hired to spray the facility to keep it free of weeds. Likewise for pests, a pest control specialist will be hired to maintain the facility as to not affect the neighboring farming operations. This can be done by using various pesticides and rodent traps. The frequency will be based on the amount of pests found onsite once the facility is constructed.*

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.

*Gestamp acknowledges the requirement and will record the notice as requested.*

# APPENDIX A

**Deep  
Groundwater  
Conditions  
Report**

**December 2010**

**Westlands Water District  
16 March 2011**

## Introduction

Westlands Water District (District) located on the west side of the San Joaquin Valley in Fresno and Kings Counties. The District receives water for irrigation from surface sources delivered through the Delta-Mendota Canal and the San Luis Canal (SLC) and from groundwater.

Agricultural production in the District area was originally developed and sustained with groundwater for irrigation. Surface water deliveries from the San Luis Unit of the Central Valley Project (CVP) began in 1968 with the goal to reduce historical groundwater pumping. However, the District's contractual entitlements for CVP water were and are not sufficient to irrigate the entire District thus some groundwater pumping is still required. Since 1990, CVP water supplies have been severely reduced due to drought and/or regulatory actions resulting from the Central Valley Project Improvement Act (CVPIA), the Endangered Species Act (ESA), Bay/Delta water quality requirements and Court orders. As a result, groundwater pumping has increased together with other conjunctive use programs to increase water users' flexibility in efficiently managing their groundwater and surface water supplies to meet crop water demands.

This increased reliance on groundwater resources to supplement surface water resulted in the development of the District's Groundwater Management Plan in 1996, which includes continuation of this groundwater monitoring and reporting program.

## Geology

The San Joaquin Valley is a wide bedrock basin filled with thousands of feet of alluvial sediment deposited by streams and rivers flowing out of the adjacent mountains on both the east and the west. Westlands is located near the centerline of this basin, bordered on the east by the Fresno Slough and on the west by the Diablo Range of the California Coast Ranges.

The Diablo Range consists of complex, folded, and uplifted mountains, which are composed predominantly of sandstone and shale of marine origin. Eroded by creeks flowing from the Diablo Range, sediments form gentle sloping alluvial fans. The texture of the Diablo Range deposits depends on the relative position on the alluvial fan and ranges from coarse sand and gravel to fine silt and clay. Generally, those portions of Westlands lying high on the alluvial fans have permeable, medium-textured soils. With decreasing elevation from the west to east, soil textures become finer. These fine textured soils are characterized by low permeability and increased concentrations of water-soluble solids, primarily salts and trace elements.

The Sierra Nevada on the east side of the Valley is predominately comprised of uplifted

granite rock overlaid in areas by sedimentary and metamorphic rock. Sierran alluvial deposits in the District consist primarily of well-sorted sands, with minor amounts of clay. The Sierran alluvium decreases in thickness and increases in depth below the surface toward the west. These coarse-textured sediments are characterized by high permeability and a low concentration of water-soluble solids.

One of the principal subsurface geological features of the San Joaquin Valley is the Corcoran Clay formation. Formed as a lakebed about 600,000 years ago, this clay layer ranges in thickness from 20 to 200 feet and underlies most of the District. Varying depths from 200 to 500 feet in the Valley through to 850 feet along the Diablo Range, the Corcoran Clay divides the groundwater system into two major aquifers—a confined aquifer below and a semi-confined system above.

#### Westside Groundwater Basin

The groundwater basin underlying the District is comprised generally of two water-bearing zones: (1) an upper zone above a nearly impervious Corcoran Clay layer containing the Coastal and Sierran aquifers and (2) a lower zone below the Corcoran Clay containing the Sub-Corcoran aquifer. These water-bearing zones recharged by subsurface inflow from the west, east, and northeast, and by percolation of applied surface water. A generalized cross section of the District showing the Corcoran Clay and these water-bearing zones is shown in Figure 1.

The Corcoran Clay separates the upper and lower water bearing zones in the majority of the District; however, it is not continuous and diminishes near the San Luis Canal. The United States Geological Survey (USGS) lines of equal elevation for the base of the Corcoran Clay shown in Figure 2.

Groundwater quality, measured as electrical conductivity, in the lower water-bearing zone varies throughout the District in Figure 3. Typically, water quality varies with depth with poorer quality existing at the upper and lower limits of the aquifer and with the optimum quality somewhere between. The upper limit of the aquifer is the base of the Corcoran Clay with the USGS identifying the lower limit as the base of the fresh groundwater. The quality of the groundwater below the base of fresh water exceeds 2,000 parts per million total dissolved solids (TDS) which is too high for irrigating crops. The elevation of the base of the fresh groundwater is shown in Figure 4.

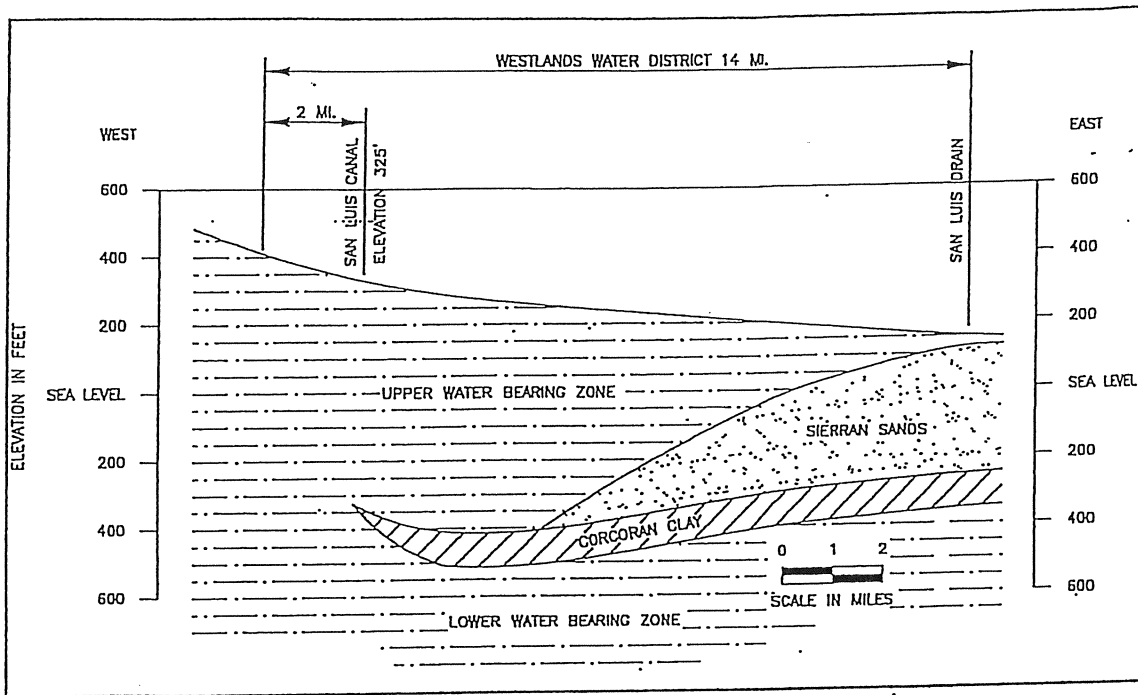


Figure 1: A generalized Hydro-geological Cross Section of the District.



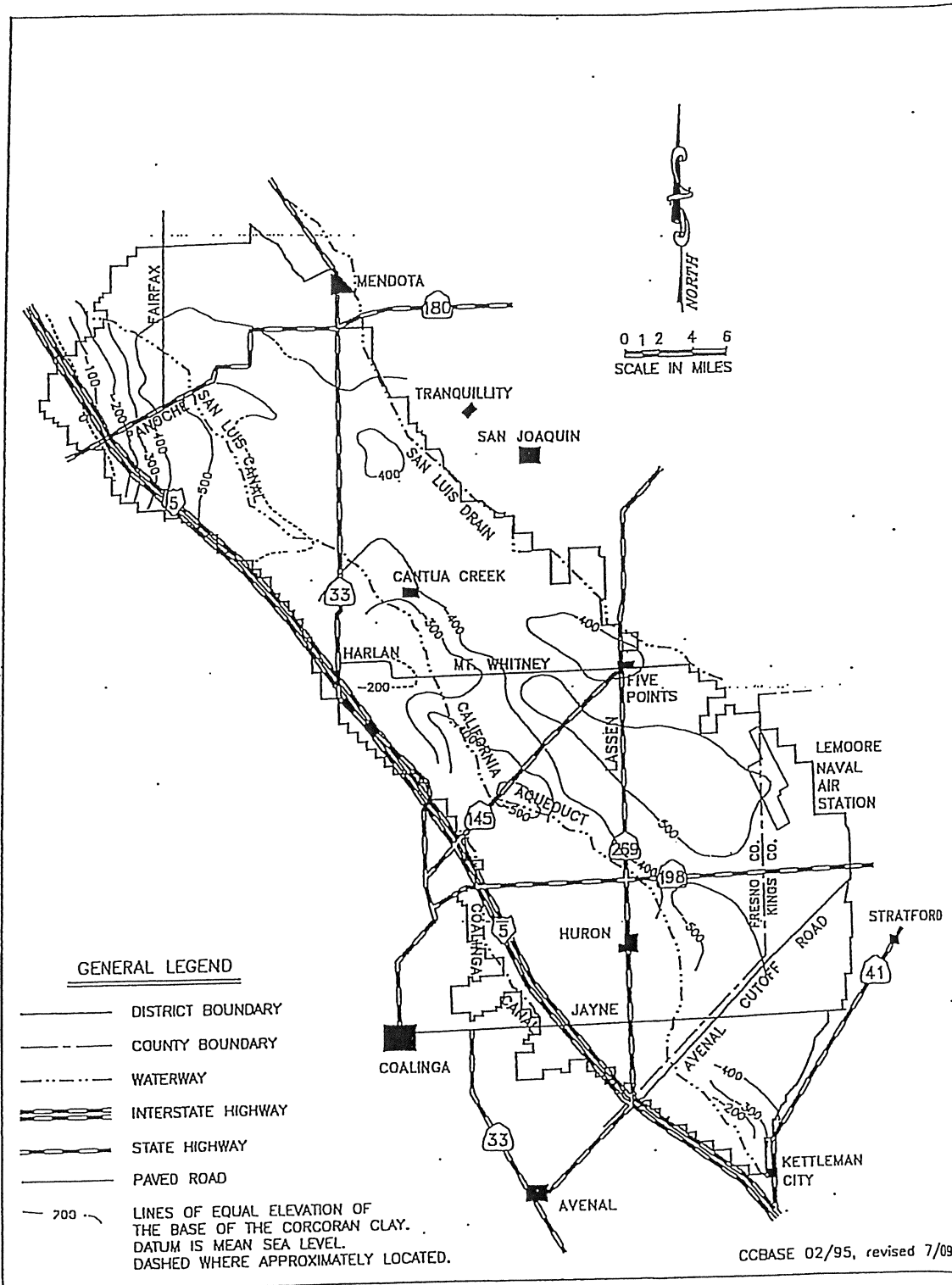


Figure 2: Elevation of the Base of the Corcoran Clay (USGS Lines of Equal Elevation)

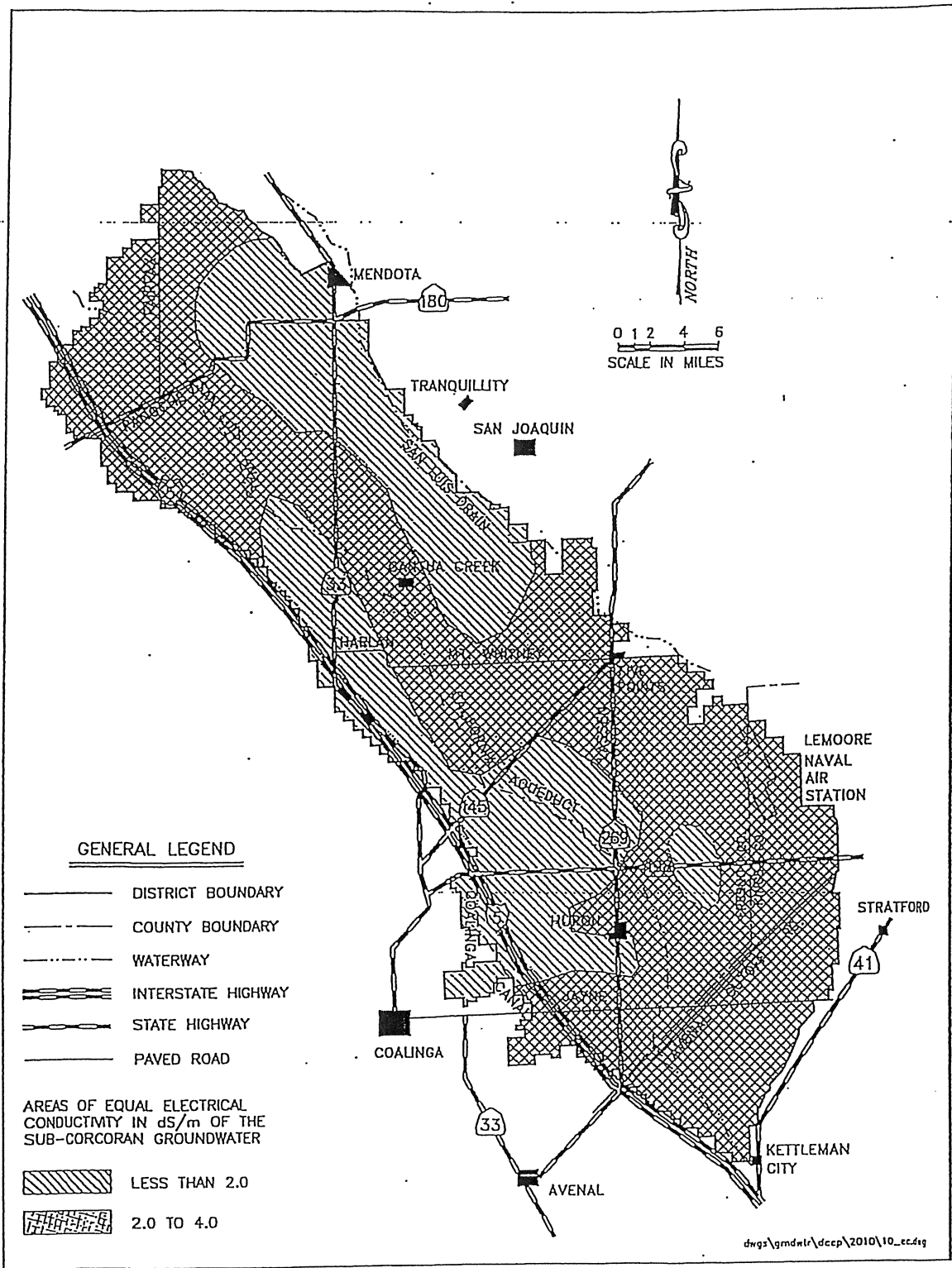


Figure 3: The Sub-Corcoran Groundwater, Electrical Conductivity (dS/m), December 2010.

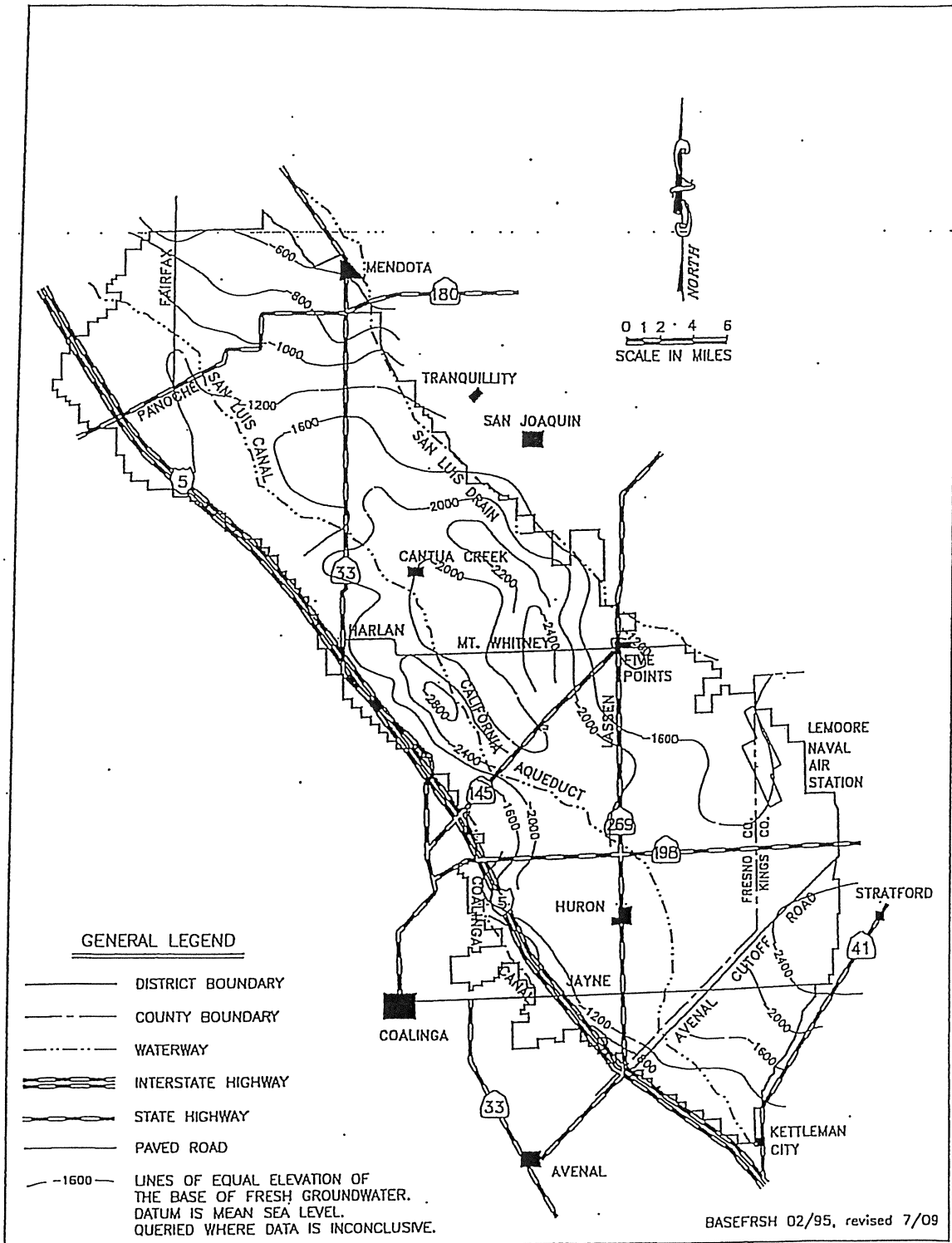


Figure 4: The elevation of the Base of Fresh Groundwater (USGS Lines of Equal Elevation).

## Groundwater Monitoring Program

CVP Project water and other surface water supplies are carefully allocated and all deliveries are metered resulting in accurate water use data to manage the supplies and determine water delivery costs. Surface water quality is monitored by state and federal agencies.

Groundwater measurements and quality testing have proved useful to water users in helping them manage water supplies, facilitate accurate irrigation scheduling, monitor pump efficiency and participate in District groundwater programs. It also enables the District to better monitor groundwater supplies, calculate drought impacts, and determine long-term water needs.

Groundwater monitoring is an essential part of managing any conjunctive use program. This information is vital to determine the affect of groundwater pumping on the aquifer, aquifer water quality, pumping costs, and subsidence. Without effective monitoring, the short and long-term impacts of conjunctive use cannot be determined.

Annually, District wells are monitored by sounding each well while in a static condition for depth or measuring the electrical conductivity of the water while the pump is operating. Results from the annual survey are stored in a Groundwater database and used to formulate District reports and maps. The survey information enables the District to monitor groundwater trends, provide reports to water users, estimate District-wide pumped groundwater quantities, and calculate seasonal application efficiency more accurately.

Many of the District water users participated in the Canal Integration Program (CIP) and the District Groundwater Integration Program (DIP) during the 1990-1994, which allowed groundwater to be pumped into the SLC and into the District's distribution system. The water users received surface water credits for the volume of groundwater pumped into the system, which then used to meet their crop demand schedule. However, in 1995, the California Department of Water Resources (DWR) suspended the discharge of groundwater into the SLC, due to concerns that groundwater could degrade the water quality. The DIP program has continued throughout this period except in years when the District received full water supply. Briefly, in 2008, DWR allowed the District to pump groundwater into the SLC for the period June through September because of restricted pumping from the Delta.

The reduction of CVP water and other surface water supplies has resulted in the construction of many new wells, to obtain additional water to make up for the shortfall in surface irrigation water. During 1990-1999, two hundred ninety-two wells were constructed within the District, and from 2000 to present an additional 229 wells were constructed, with 147<sup>3</sup> of these wells constructed in the last three years.

..... In December 2010, District staff conducted the annual Deep Groundwater Survey. The total number of operational wells within the District was 641<sup>4</sup> with 93.3% having meters, 124 non-operational wells with 31.5% having meters and 232 abandoned wells. Additionally, the District monitors eighty-four wells outside its boundaries; 52 operational wells with 78.9% having meters; 9 non-operational wells with no meters and 23 abandoned wells. The majority (90%) of non-District wells are located in the Five-Points area.

---

<sup>3</sup> This number does not include three wells found being drilled; three wells found already drilled and two wells with a Well Completion Reports (WCR) received but not located.

<sup>4</sup> This number does not include one well undergoing overhaul, one well with stolen wire and five new wells without equipment installed.

### General Conditions

Prior to the delivery of CVP water into the District, the annual groundwater pumping ranged from 800,000 to 1,000,000 acre-feet (AF) during the period of 1950-1968. The majority of this pumping was from the aquifer below the Corcoran Clay causing the sub-Corcoran piezometric groundwater surface to reach the lowest recorded average elevation of 156 feet below mean sea level in 1967. The USGS calculated that the large quantity of groundwater pumped prior to delivery of CVP water compacted water bearing sediments and causing land subsidence ranging from one to twenty-four feet between 1926 and 1972.

After CVP water deliveries began in 1968, the groundwater surface rose steadily until reaching 89 feet above mean sea level in 1987, the highest average elevation on record dating back to the early 1940's. The only exception during this period was in 1977 when a drought and drastic reduction of CVP deliveries resulted in groundwater pumping of approximately 472,000 AF and accompanying drop in the groundwater surface elevation of approximately 97 feet.

During the early 1990's, groundwater pumping increased due to reduced CVP water supplies caused by drought and regulatory actions related to the Central Valley Project Improvement Act, the Endangered Species Act, and Bay/Delta water quality requirements. Groundwater pumping reached an estimated 600,000 AF annually during 1991 and 1992 when the District received only 25 percent of its contractual entitlement of CVP water. This increased pumping caused the groundwater surface to decline to 62 feet below mean sea level, the lowest elevation since 1977. Because of the groundwater pumping, increased subsidence occurred in the District and other areas in the western Central Valley. The Department of Water Resources estimated the amount of subsidence since 1983 to be almost two feet in some areas of the District with the most of that subsidence occurring since 1989.

### Current Conditions

Over the last five years, 2006 to 2010, CVP allocations averaged 49% (525,730 acre-feet)<sup>5</sup> total groundwater pumped was 1,405,000 acre-feet and the groundwater surface elevation decreased 47 feet. In 2010 the CVP allocation was 45% (517,500 acre-feet) and accompanying decrease in groundwater pumped (140,000 acre-feet), the groundwater surface increase 40 feet to an average elevation of 9 feet above mean sea level.

---

<sup>5</sup> Average Net CVP (adjusted CVP Allocation for carry over and rescheduled losses).

Groundwater elevations and the estimated amount of groundwater pumped from last sixty years are shown in Table 2. This table shows the average elevation of the groundwater in the lower water bearing zone and the change in elevation for each year.

Crop Year <sup>6</sup>	Pumped AF	Elevation FT	Elevation Change FT	Crop Year	Pumped AF	Elevation FT	Elevation Change FT
1951	840,000	-9		1981	99,000	11	7
1952	1,000,000			1982	105,000	32	21
1953	952,000	-35		1983	31,000	56	24
1954	852,000			1984	73,000	61	5
1955	904,000	-52		1985	228,000	63	2
1956	964,000	-65	-13	1986	145,000	71	8
1957	928,000	-56	9	1987	159,000	89	18
1958	884,000	-29	27	1988	160,000	64	-25
1959	912,000	-77	-48	1989	175,000	63	-1
1960	872,000	-81	-4	1990	300,000	9	-54
1961	824,000	-96	-15	1991	600,000	-32	-41
1962	920,000			1992	600,000	-62	-30
1963	883,000			1993	225,000	1	63
1964	913,000			1994	325,000	-51	-52
1965	822,000			1995	150,000	27	78
1966	924,000	-134		1996	50,000	49	22
1967	875,000	-156	-22	1997	30,000	63	14
1968	596,000	-135	21	1998	15,000	63	0
1969	592,000	-120	15	1999	20,000	65	2
1970	460,000	-100	20	2000	225,000	43	-22
1971	377,000	-93	7	2001	215,000	25	-18
1972		-54	39	2002	205,000	22	-3
1973		-37	17	2003	160,000	30	8
1974	96,000	-22	15	2004	210,000	24	-6
1975	111,000	-11	11	2005	75,000	56	32
1976	97,000	-2	9	2006	15,000	77	21
1977	472,000	-99	-97	2007	310,000	35	-42
1978	159,000	-4	95	2008	460,000	-11	-46
1979	140,000	-13	-9	2009	480,000	-31	-20
1980	106,000	4	17	2010	140,000	9	40

Table 2: 60-years of estimated groundwater pumpage.<sup>7</sup>

<sup>6</sup> Crop year is from 1 October (previous year) to 30 September (current year) for the year in question.

<sup>7</sup> Data compiled from PG&E power records by USBR through 1971 and USGS 1974-1987, District estimates 1988-present. Elevation data for 1943-1961 and 1977 from Bill Coor, USBR (requested by the District and received on 4/20/1978) and elevation for 1966-1976 from Plate 5 of "Project Effects on Sub-Corcoran Water Layers" (April 1977).

Figure 5 shows in graphical format the historical average elevation of the Sub-Corcoran piezometric groundwater surface and the estimated amount of groundwater pumped in the District. Figures 6 and 7 shows the depth to the piezometric groundwater surface in the lower water-bearing zone during December 1994 and during December 2010, respectively. The Figure 8 drawing shows the change in depth to the piezometric groundwater surface from December 1994 to December 2010. In addition to monitoring the water levels of wells pumping from the lower aquifer, the wells pumping from the upper aquifer are also monitored. The majority of the wells pumping from the upper aquifer had groundwater surface levels 100 to 300 feet below ground surface during December 2010 as shown in Figure 9.

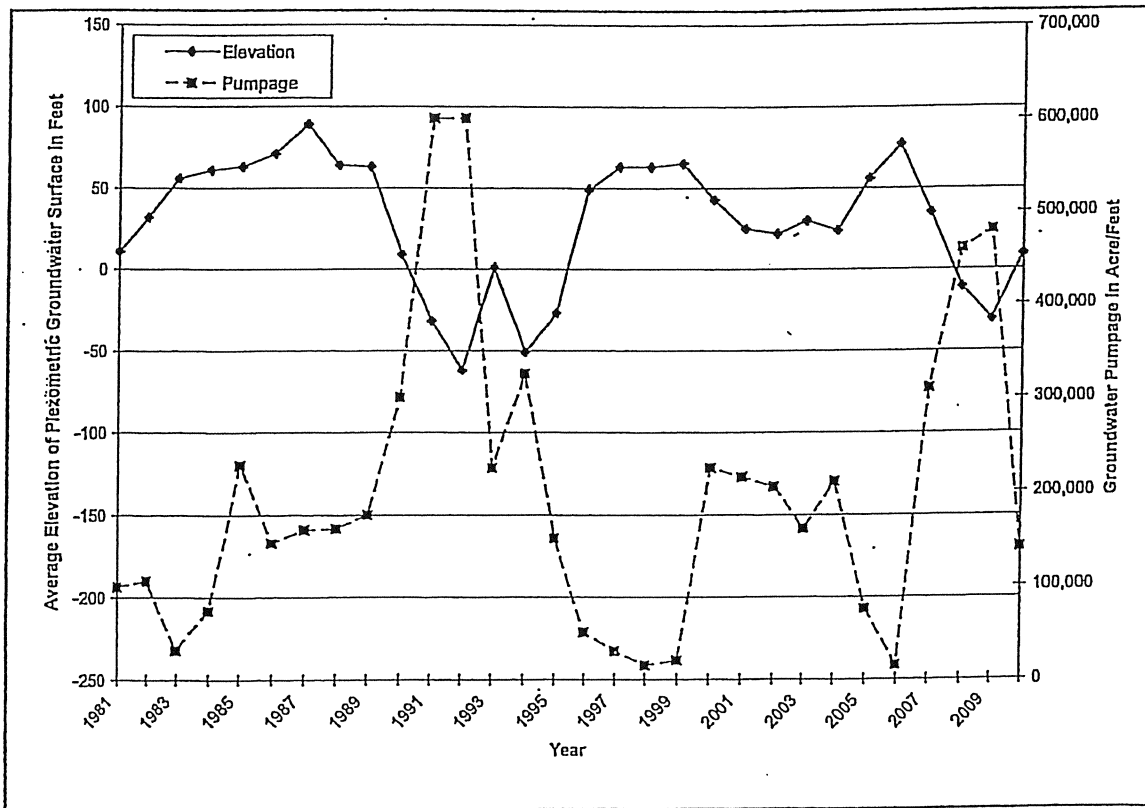


Figure 5: The historical 30-year Average Elevation of Sub-Corcoran Piezometric Groundwater Surface and Groundwater Pumpage.



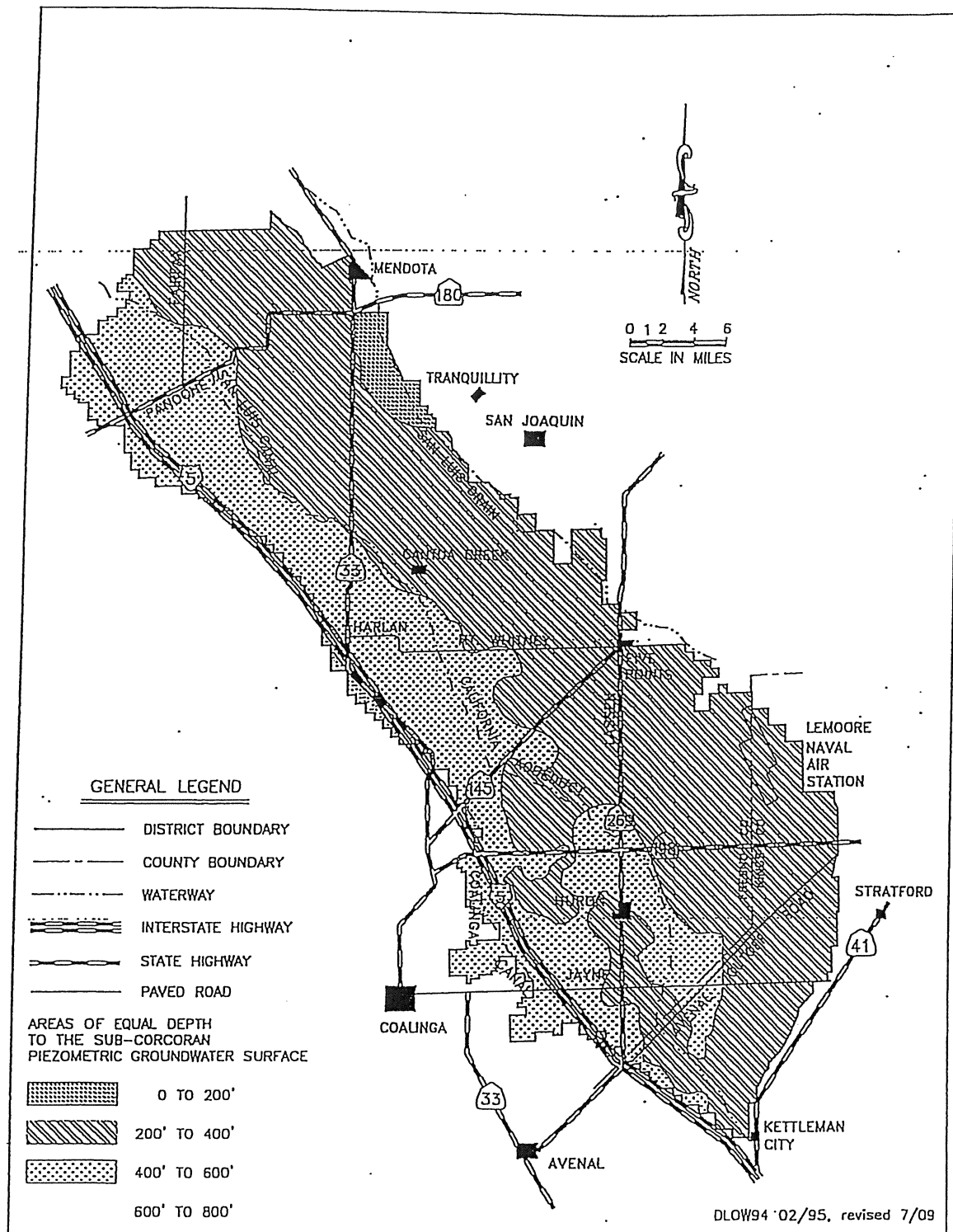


Figure 6: Depth to Sub-Corcoran Piezometric Groundwater Surface, December 1994.

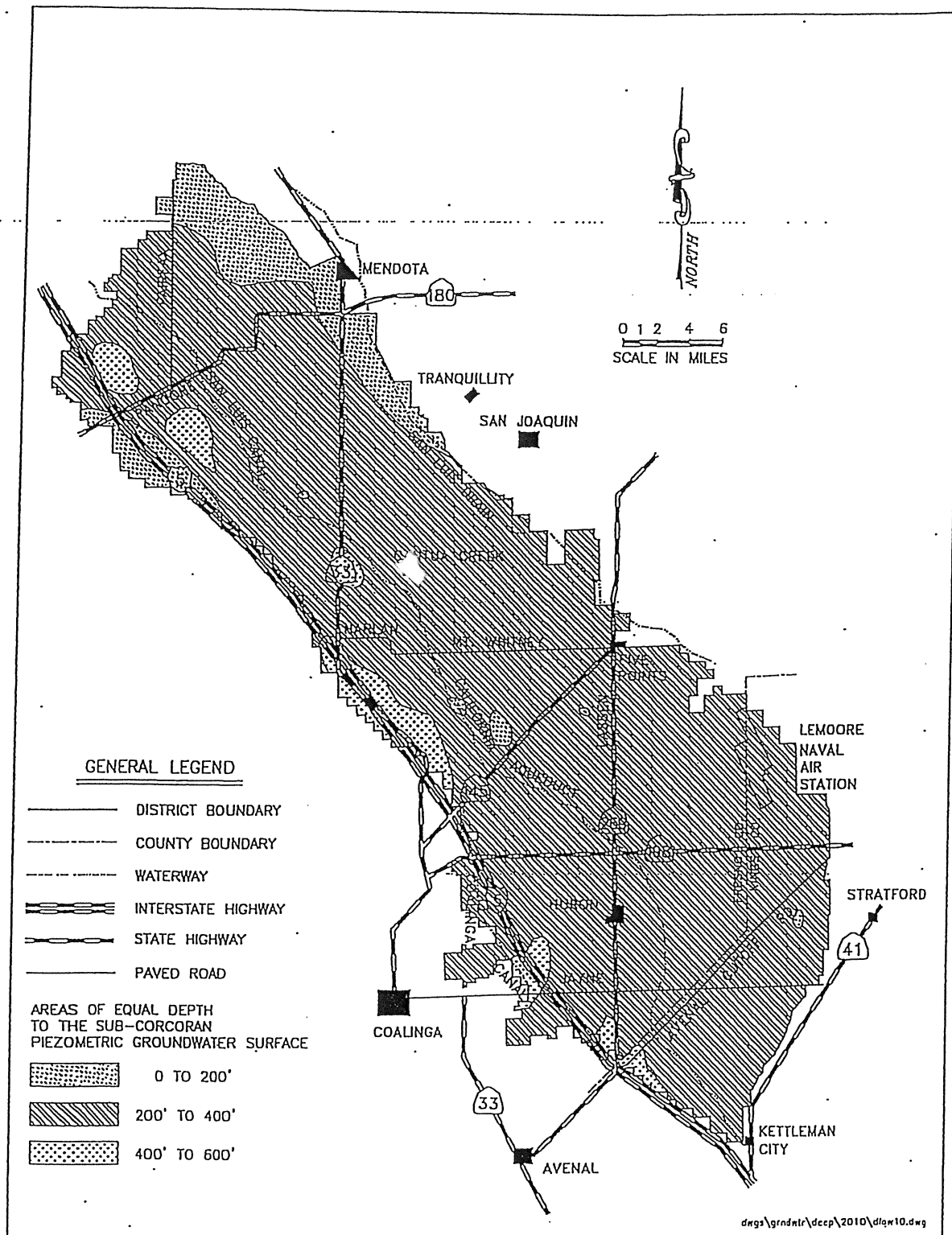


Figure 7: Depth to Sub-Corcoran Piezometric Groundwater Surface December 2010.

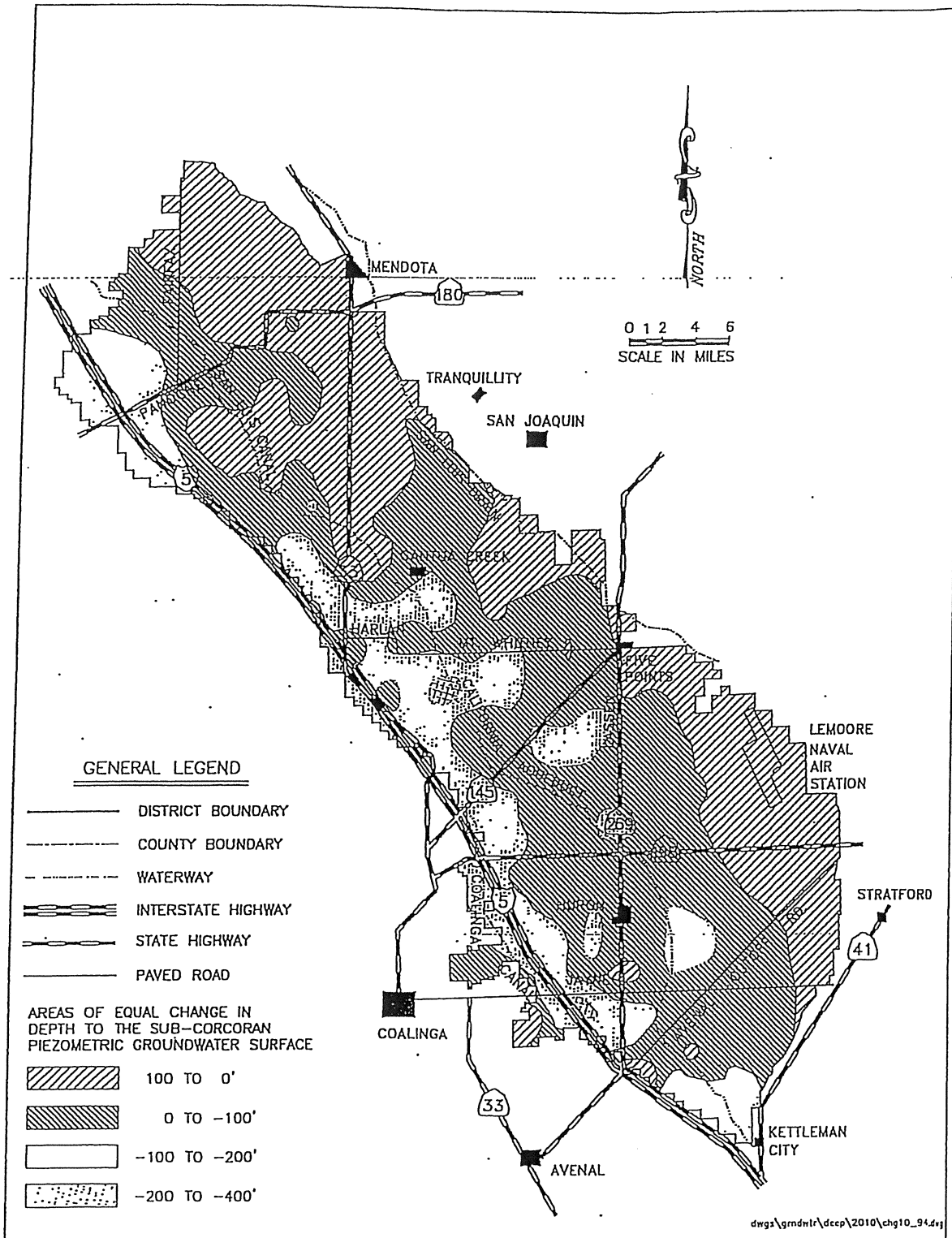


Figure 8: 1994 – 2010 Change in Depth to the Sub-Corcoran Piezometric Groundwater Surface.

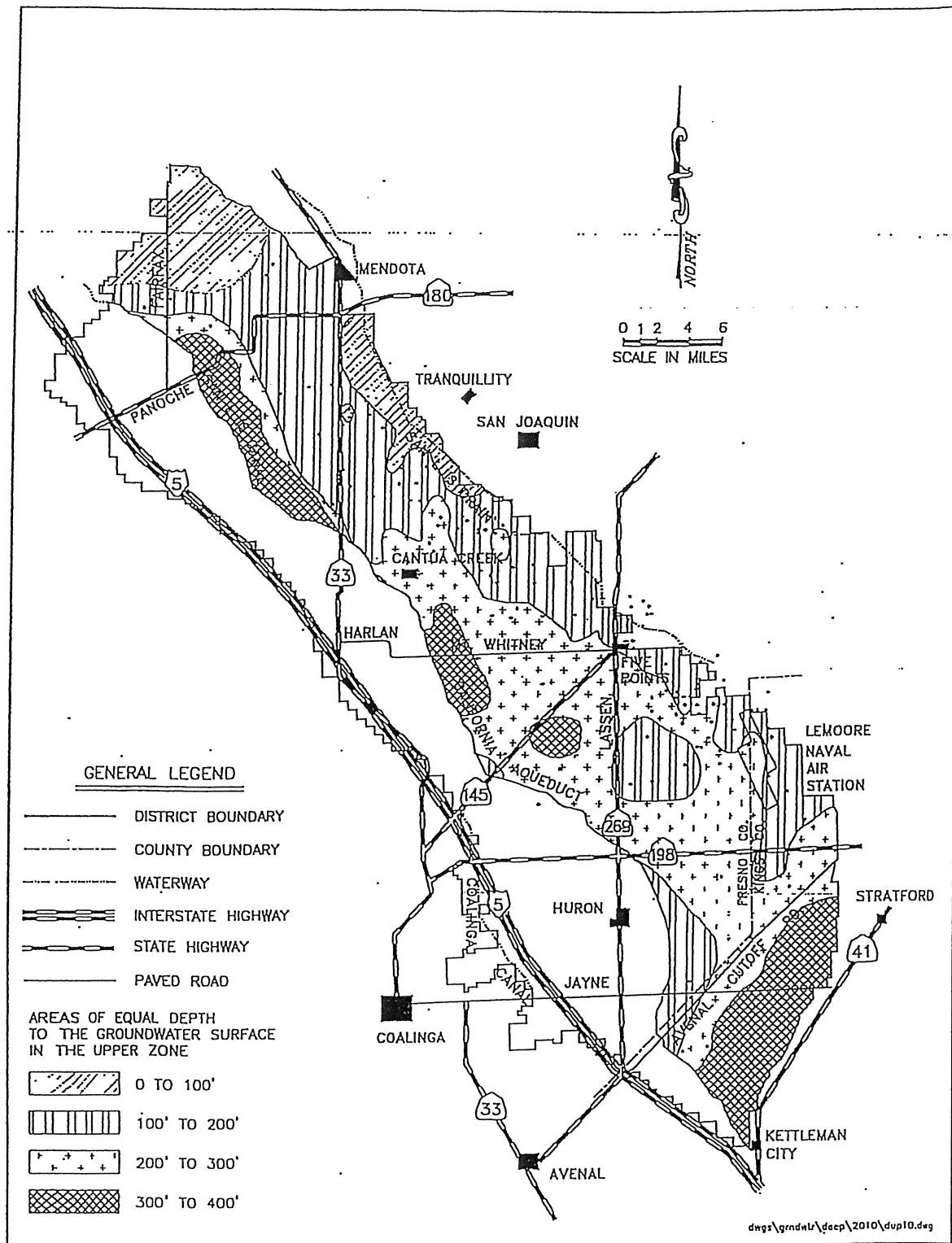


Figure 9: Depth to Groundwater in the Upper Zone, December 2010.

### Safe Yield

Safe yield or current perennial yield is the amount of groundwater that can be extracted without lowering groundwater levels over the long term. Current perennial yield can be determined by plotting the amount of groundwater pumped in one year versus the average change in groundwater level in the basin for that year. Data for 1976 to present were plotted and a "best fit" was drawn. The intersection of the best fit with the line showing zero groundwater level change as shown in Figure 10 indicates the current perennial yield of groundwater to be approximately 200,000 AF.

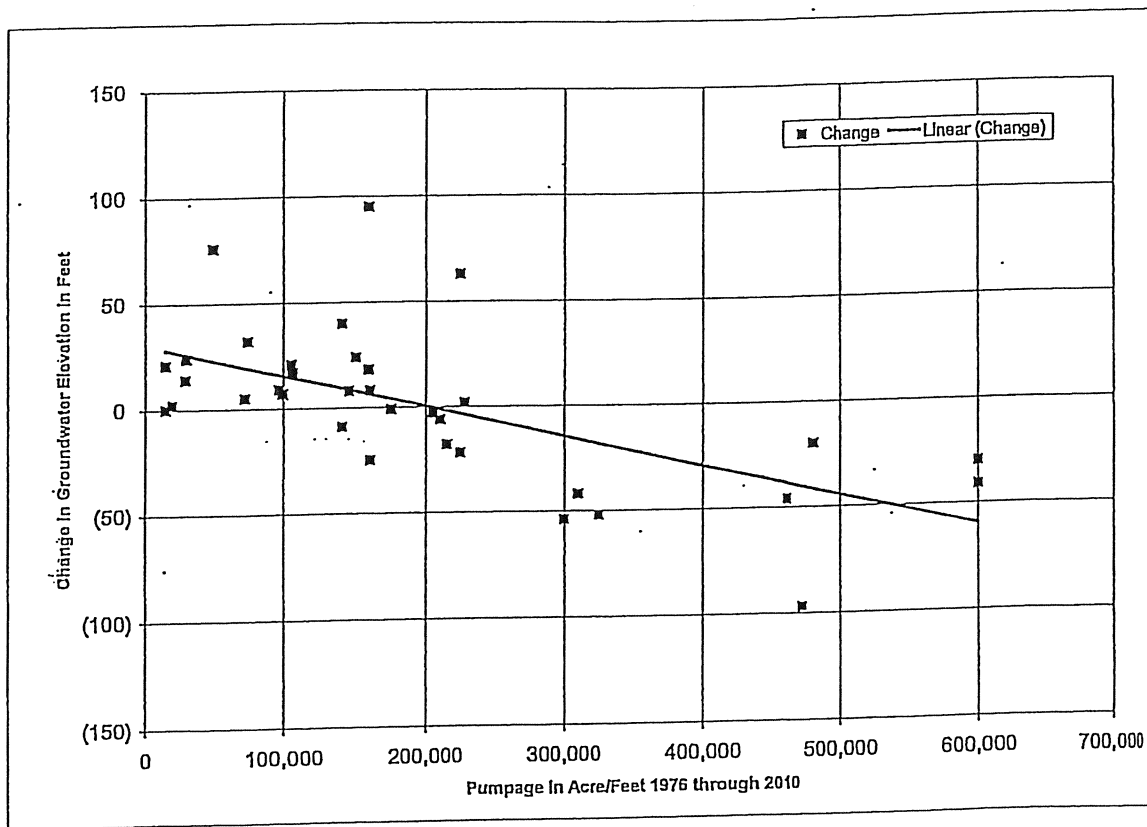


Figure 10: Change in Groundwater Elevation versus Pumping.

# APPENDIX B

---



FINDINGS FOR WILLIAMSON ACT CANCELLATION

CWP 3291

Petitioners: Jeanne Lloyd Gragnani – Property Owner  
Gestamp Solar - Developer

RECEIVED  
COUNTY OF FRESNO

Contact: Joe Contreras, Project Manager

SEP 02 2011

Property APN: 040-080-15S

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

Public Interest Findings: In order to find that the cancellation is in the public interest, the board/council must find:

*(1) That other public concerns substantially outweigh the objectives of the Williamson Act;*

It is understood that agriculture is Fresno County's biggest export and its productivity is crucial to the local economy. Limiting urban development and preserving agricultural property is crucial in developing a strong agricultural foundation. With the local economy being in the condition it is in and with the current water crisis, farming in Fresno County has become increasingly difficult for local growers.

Considering the aforementioned, the proposed project would be of benefit to the public for the following reasons:  
Financial impact: The local economy is struggling to provide jobs for the unemployed which is comprised of individuals from all types of professions. The proposed project will require the services of several engineering and consulting firms in the development phase and a very large project management and construction workforce during the construction phase that will have a significant impact on the surrounding communities. The benefits that the public will have as a result of cancellation of the ag contract would be the amount of jobs being created and services being provided, especially during the construction phase. During completion of the project, the site will require a full time staff for the operations and maintenance of the facility.

Preserving this parcel as contracted land will not have a greater benefit to the public than the proposed project would. Farming has not occurred on this property in the last two years. With today's diminishing water allocations and the site's poor soil conditions, farming the property is just not a viable financial option for the landowner. Benefits of allowing the Williamson Act cancellation would be the positive financial impact not only to the surrounding communities but to the county as a whole as we employ local consultants, engineers and construction workers and construction management companies.

*(2) that there is no proximate, non-contracted land which is both available and suitable for the proposed use, or that development of the contracted land would provide more contiguous patterns of urban development (GC §51282(c)).*

*The uneconomic character of an existing agricultural use shall not by itself be sufficient reason for cancellation of the contract. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable agricultural use to which the land may be put (GC §51282(b)).*

During our site evaluation process we found that there are no proximate non-contracted lands that are either available or suitable for the proposed use. Petitioner has established criteria for lands that have potential for solar development. In evaluating a site for solar development the site must meet certain criteria. The following is a partial list of the petitioner's criteria:

- (1) That the land has an open and relatively flat landscape and does not contain any permanent structures or crops.
- (2) That the land be located within three miles of a power substation.
- (3) That the land has distribution or transmission lines (power lines) within a ¼ mile of the parcel.
- (4) That the land has legal access.
- (5) That the existing use is not one that generates hazardous waste to the environment or site and that there is no evidence of any endangered species living in the area.

Once the property is determined to be suitable for solar development, our next step would be to approach the land owner and propose an offer to lease the land. We find that most property owners would rather sell the property or wait for urban development than to commit to long term lease. The subject property is surrounded by parcels in a three mile radius that participate in the Agricultural Land Conservation Contract, see figure below. There are not any parcels within a 3 mile radius of the substation that meet the above criteria and are non-contracted lands. It is our preference to seek and pursue land that is non-contracted but there are no other lands that meet the criteria above and have owners that are interested in solar development.

Finding land that is non-contracted is not in itself a difficult thing to do, but our criteria is not solely based on locating suitable land. Power interconnection and transmission is one of the major factors in evaluating potential for solar development. The farther we are from a substation the more the costs are if we have to install or upgrade existing power lines and substation components. The upgrades costs alone are sometimes enough to put a project on hold or to even can cause a project to be cancelled. Figure 1 below is a map that we used in locating properties by their proximity to the substation and power lines. Notice that the surrounding properties are contracted or tax exempt properties.

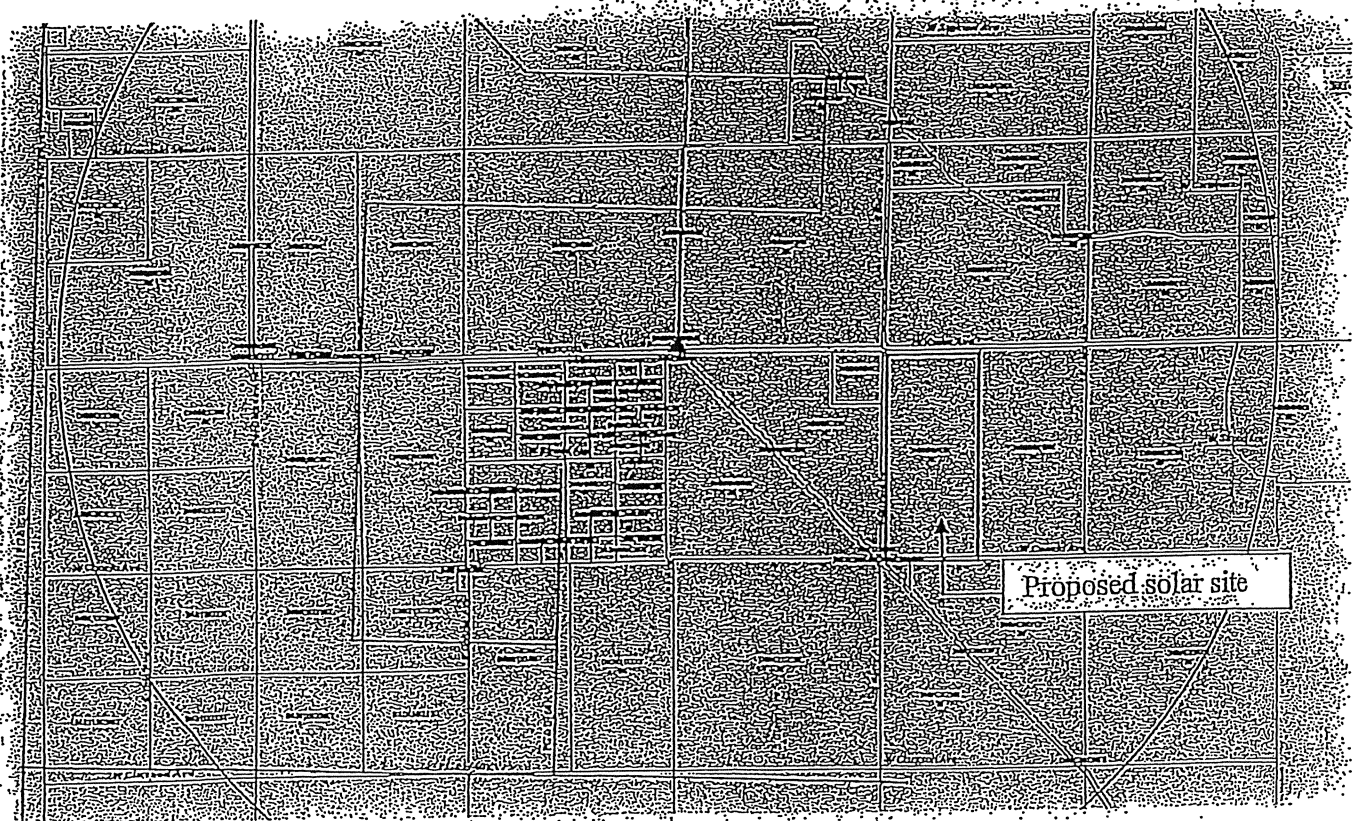


Figure 1 — Three mile radius of land near Stroud Junction Substation(center of circle)

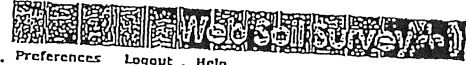
Furthermore, development of this site would not cause more contiguous patterns of urban development due to the nature of the proposed project. A solar site will not attract developers of any type due to the fact that a solar site does not provide any goods to the public nor would it be open for public access. Access to the site will be restricted for safety and security reasons. Allowing a cancellation of the contract for the proposed solar farm will not attract developers to the area because the solar farm will not generate a significant increase of



traffic to the area. If commercial or residential development projects were proposed in the area they would not gain any benefit from the proposed solar site. The exports of the solar farm will be distributed directly to the power utility. The power generated from the proposed project will be enough to power more than 30,000 homes. Additionally, utility scale renewable energy facilities are normally built outside of the city's sphere of influence largely due to the amount of land required. For example, the Meridian Solar project in Mendota required a 50 acre parcel of land and is built near an existing biomass facility.

# APPENDIX C

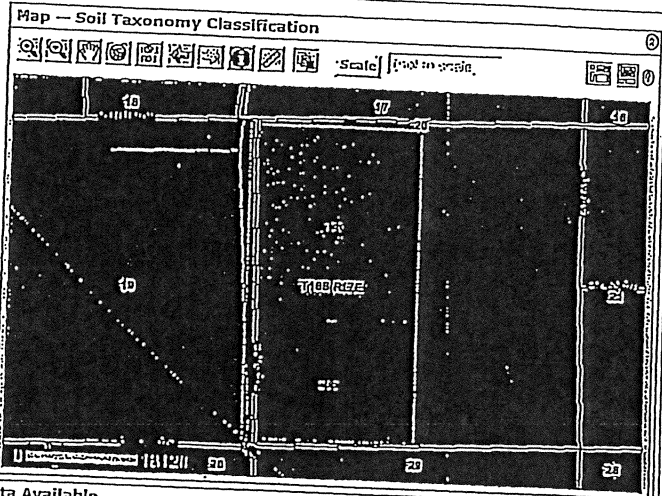
---



View Soil Information By Use: All Uses Printable Version | Add to Shopping Cart

Intro to Soils | Suitabilities and Limitations for Use | Soil Properties and Qualities | Ecological Site Assessment | Soil Reports

- Search @
- Suitabilities and Limitations Ratings @
  - 
  - Building Site Development @
  - Construction Materials @
  - Disaster Recovery Planning @
  - Land Classifications @
  - California Revised Storie Index (CA)
  - Conservation Tree and Shrub Group
  - Ecological Site ID
  - Ecological Site Name
  - Farmland Classification
  - Forage Suitability Group ID (Component Table)
  - Hydric Rating by Map Unit
  - Irrigated Capability Class
  - Irrigated Capability Subclass
  - Nonirrigated Capability Class
  - Nonirrigated Capability Subclass
  - Soil Taxonomy Classification
- 
- View Options @
  - Map
  - Table
  - Description of Rating
  - Rating Options
  - Detailed Description
- Advanced Options @
- 
- Land Management @
- Military Operations @
- Recreational Development @
- Sanitary Facilities @
- Vegetative Productivity @
- Waste Management @
- Water Management @



**Data Available**

To see available data for a specific point on the map, click the map at the location of interest.

To see a map showing available data for all locations in the U.S. and territories, as a PDF in a separate browser window, click the Soil Survey Status link in the Navigation Bar above.

**Tables - Soil Taxonomy Classification - Summary By Map Unit**

Summary by Map Unit - Fresno County, California, Western Part

Map unit symbol	Map unit name	Rating	Acres In. AOI	Percent of AOI
130	Gepford clay, 0 to 1 percent slopes	Fine, smectitic, thermic Typic Natraquerts	195.5	60.1%
285	Tranquillity-Tranquillity, wet, complex, saline-sodic, 0 to 1 percent slopes	Fine, smectitic, thermic Sodic Haploxererts	129.7	39.9%
<b>Totals for Area of Interest</b>			<b>325.2</b>	<b>100.0%</b>

**Description - Soil Taxonomy Classification**

This rating presents the taxonomic classification based on Soil Taxonomy.

The system of soil classification used by the National Cooperative Soil Survey has six categories (Soil Survey Staff, 1999 and 2003). Beginning with the broadest, these categories are the order, suborder, great group, subgroup, family, and series. Classification is based on soil properties observed in the field or inferred from those observations or from laboratory measurements. This table shows the classification of the soils in the survey area. The categories are defined in the following paragraphs.

**ORDER.** Twelve soil orders are recognized. The differences among orders reflect the dominant soil-forming processes and the degree of soil formation. Each order is identified by a word ending in sol. An example is Alfisols.

**SUBORDER.** Each order is divided into suborders primarily on the basis of properties that influence soil genesis and are important to plant growth or properties that reflect the most important variables within the orders. The last syllable in the name of a suborder indicates the order. An example is Udistalfs (Ud, meaning humid, plus alfis, from Alfisols).

**GREAT GROUP.** Each suborder is divided into great groups on the basis of close similarities in kind, arrangement, and degree of development of pedogenic horizons; soil moisture and temperature regimes; type of saturation; and base status. Each great group is identified by the name of a suborder and by a prefix that indicates a property of the soil. An example is Hapludalfs (Hapl, meaning minimal horizonation, plus udalfs, the suborder of the Alfisols that has a udic moisture regime).

**SUBGROUP.** Each great group has a typic subgroup. Other subgroups are Intergrades or extragrades. The typic subgroup is the central concept of the great group; it is not necessarily the most extensive. Intergrades are transitions to other orders, suborders, or great groups. Extragrades have some properties that are not representative of the great group but do not indicate transitions to any other taxonomic class. Each subgroup is identified by one or more adjectives preceding the name of the great group. The adjective Typic identifies the subgroup that typifies the great group. An example is Typic Hapludalfs.

**FAMILY.** Families are established within a subgroup on the basis of physical and chemical properties and other characteristics that affect management. Generally, the properties are those of horizons below plow depth where there is much biological activity. Among the properties and characteristics considered are particle-size class, mineralogy class, cation-exchange activity class, soil temperature family name consists of the name of a subgroup

## Fresno County, California, Western Part

### 285—Tranquillity-Tranquillity, wet, complex, saline-sodic, 0 to 1 percent slopes

#### Map Unit Setting

*Elevation:* 130 to 360 feet

*Mean annual precipitation:* 7 to 8 inches

*Mean annual air temperature:* 62 to 64 degrees F

*Frost-free period:* 220 to 250 days

#### Map Unit Composition

*Tranquillity, clay, saline-sodic, and similar soils:* 60 percent

*Tranquillity, clay, saline-sodic, wet, and similar soils:* 25 percent

*Minor components:* 15 percent

#### Description of Tranquillity, Clay, Saline-sodic

##### Setting

*Landform:* Fan skirts

*Landform position (two-dimensional):* Footslope

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Alluvium derived from calcareous sedimentary rock

##### Properties and qualities

*Slope:* 0 to 1 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Somewhat poorly drained

*Capacity of the most limiting layer to transmit water*

*(Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* Very rare

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 5 percent

*Gypsum, maximum content:* 3 percent

*Maximum salinity:* Very slightly saline to slightly saline (4.0 to 8.0 mmhos/cm)

*Sodium adsorption ratio, maximum:* 20.0

*Available water capacity:* Moderate (about 7.9 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 3w

*Land capability (nonirrigated):* 7w

##### Typical profile

*0 to 22 inches:* Clay

*22 to 53 inches:* Clay

*53 to 71 inches:* Clay

### Description of Tranquillity, Clay, Saline-sodic, Wet

#### Setting

*Landform:* Fan skirts

*Landform position (two-dimensional):* Footslope

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Alluvium derived from calcareous sedimentary rock

#### Properties and qualities

*Slope:* 0 to 1 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Somewhat poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Low to moderately low (0.00 to 0.06 in/hr)

*Depth to water table:* About 48 to 60 inches

*Frequency of flooding:* Very rare

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 5 percent

*Gypsum, maximum content:* 8 percent

*Maximum salinity:* Slightly saline to moderately saline (8.0 to 15.0 mmhos/cm)

*Sodium adsorption ratio, maximum:* 50.0

*Available water capacity:* Moderate (about 6.1 inches)

#### Interpretive groups

*Land capability classification (irrigated):* 3w

*Land capability (nonirrigated):* 7w

#### Typical profile

*0 to 6 inches:* Clay

*6 to 16 inches:* Clay

*16 to 31 inches:* Clay

*31 to 48 inches:* Clay

*48 to 65 inches:* Silty clay

#### Minor Components

**Ciervo, clay, saline-sodic, wet**

*Percent of map unit:* 5 percent

*Landform:* Fan skirts

**Armona, loam, partially drained**

*Percent of map unit:* 4 percent

*Landform:* Flood plains on basin floors

**Tachi, clay**

*Percent of map unit:* 2 percent

*Landform:* Flood plains on basin floors

**Calflax, clay loam, saline-sodic, wet**

*Percent of map unit:* 2 percent

*Landform:* Fan skirts

Map Unit Description: Tranquillity-Tranquillity, wet, complex, saline-sodic, 0 to  
1 percent slopes—Fresno County, California, Western Part

---

**Deldota, clay, partially drained**  
*Percent of map unit: 2 percent*  
*Landform: Fan skirts*

## Data Source Information

Soil Survey Area: Fresno County, California, Western Part

~~Survey Area Data: Version 6, Jan 2, 2008~~

## Fresno County, California, Western Part

### 130—Gepford clay, 0 to 1 percent slopes

#### Map Unit Setting

*Elevation:* 120 to 210 feet

*Mean annual precipitation:* 7 to 8 inches

*Mean annual air temperature:* 62 to 63 degrees F

*Frost-free period:* 220 to 250 days

#### Map Unit Composition

*Gepford, clay, and similar soils:* 85 percent

*Minor components:* 15 percent

#### Description of Gepford, Clay

##### Setting

*Landform:* Flood plains on basin floors

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Alluvium derived from igneous rock

##### Properties and qualities

*Slope:* 0 to 1 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Low to moderately low (0.00 to 0.06 in/hr)

*Depth to water table:* About 48 to 60 inches

*Frequency of flooding:* Rare

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 5 percent

*Gypsum, maximum content:* 5 percent

*Maximum salinity:* Nonsaline to moderately saline (2.0 to 16.0 mmhos/cm)

*Sodium adsorption ratio, maximum:* 50.0

*Available water capacity:* Moderate (about 8.0 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 3w

*Land capability (nonirrigated):* 6w

##### Typical profile

*0 to 13 inches:* Clay

*13 to 26 inches:* Clay

*26 to 60 inches:* Clay

##### Minor Components

###### Tachi, clay

*Percent of map unit:* 9 percent

*Landform:* Flood plains on basin floors

**Armona, loam, partially drained**  
*Percent of map unit: 4 percent*  
*Landform: Flood plains on basin floors*

**Lethent, clay loam, wet**  
*Percent of map unit: 1 percent*  
*Landform: Fan remnants*

**Unnamed, river channel**  
*Percent of map unit: 1 percent*  
*Landform: Flood plains*  
*Microfeatures of landform position: Channels*

---

## Data Source Information

Soil Survey Area: Fresno County, California, Western Part  
Survey Area Data: Version 6, Jan 2, 2008



# APPENDIX D

---

County of Fresno Photovoltaic Projects - Reclamation Plan for the  
San Joaquin Solar Project – Phase 2

1) Description of present use of the site. If currently vacant/fallow, identify last productive use (agricultural or otherwise).

*Gestamp Solar has held surface interest of the site since 3/10/2010 and the property has been fallow since 2008. The last produced crop was cotton which yielded a total of 1.46 tons.*

2) Describe the proposed alternate use of the land (all equipment to be installed above and underground, structures, fencing, etc.)

*The proposed alternate use of the land is a utility scale photovoltaic solar facility. The majority of the construction activities will occur above ground while there will be some underground construction for electrical cabling as well the installation of a septic system for the operations & maintenance staff. Above ground equipment will consist of the photovoltaic solar arrays which include the solar panel framing, the solar panels and the inverters on concrete pads. There will also be a modular type construction trailer where that will house the operations & maintenance staff. The perimeter of the facility will be enclosed with a chain link fence built per county standards.*

3) Duration of the alternate use of the property (specify termination date).

*The facility is intended to be in operation for a minimum of 25 years which would have a termination date of 7/2/2035*

4) Address ownership of the property (lease or sale).

*Current ownership of the property belongs to Gianna Suzanne Gagnani & Tanya Marie Marshall. Gestamp Solar has held an option to lease the property since 3/10/2010.*

5) Describe how the subject property will be reclaimed to its previous agricultural condition, specifically:

- A. Timeline for completion of reclamation after solar facility lease has termed (identify phasing if needed),
- B. Handling of any hazardous chemicals/materials to be removed,
- C. Removal of all equipment, structures, buildings improvements at and above grade,
- D. Removal of any below grade foundations,
- E. Removal of any below grade infrastructure (cables/lines, etc) that are no longer deemed necessary by the local public utility company,
- F. Detail any grading necessary to return the site to original grade,
- G. Type of crops to be planted,
- H. Irrigation system details to be used (existing wells, pumps, etc. should remain throughout the solar facility use).

*Response to question 5 A-H:*

*Once a photovoltaic generating facility has been permanently shut down, the reclamation process will begin to return the site to its previous agricultural condition. The entire reclamation of the site will be complete*

JUN 06 2011

Exhibit 4 - Page 80

approximately 9 months after the end of the solar facility's lease. Due to the relatively simple nature of photovoltaic facilities, the reclamation process is straightforward and completed in one phase. This includes the removal of all above and below-grade equipment and structures as well as all building improvements. All foundations will be demolished and removed. If necessary, grading will be performed to return the site to its original grade. All removed or demolished infrastructure will either be salvaged or recycled if possible.

Since no hazardous chemicals or materials will be present during normal site operations, no special precautions or handling methods are necessary during the reclamation process. All transformers will be recycled as per the manufacturer's requirements and coolants will be disposed of properly.

All electrical equipment will be uninstalled and removed. This includes inverters, modules, combiner boxes, transformers, switchgear, monitoring equipment, and all other on-site equipment and their associated cabling. This equipment will either be reused or recycled depending on the equipment's condition, warranty factors, and technology improvements. All mounting structures will be removed and recycled if possible. Any building improvements on the site will be demolished and removed.

All below-grade foundations will be demolished. The concrete will then be removed from the site and disposed. All conduits and underground power and communication cabling that is not deemed necessary by the utility will be uninstalled and recycled. Any below grade facilities that are deemed necessary by the utility will remain buried and marked.

In the case of agricultural land, wells or pumps on site prior to power plant construction may remain throughout the solar facility's use. These systems may once again be used to provide irrigation on the property after the site has been decommissioned.

6) A Site Plan shall be submitted detailing the above.

See attached site plan detailing the demolition of a 3MW facility on this very same property, identified as phase 1. This proposed project, identified as phase 2, is for a 20MW facility which will occupy approximately 170 acres. The removal of the solar facility will occur in the same sequence as the smaller Phase 1 project but will require a larger labor force and a longer lead time.

7) An engineering cost estimate of reclaiming the site to its previous agricultural condition shall be submitted for review and approval.

See attached

8) Financial assurances equal to the cost of reclaiming the land to its previous agricultural condition shall be submitted to ensure the reclamation is performed according to the approved plan. Financial assurances shall be made to the County of Fresno and may take the form of cash, letter of credit, or bond that complies with Section 66499 of the California Government Code et. seq.

Pending

9) Evidence that all owners of record have been notified of the proposed reclamation plan.

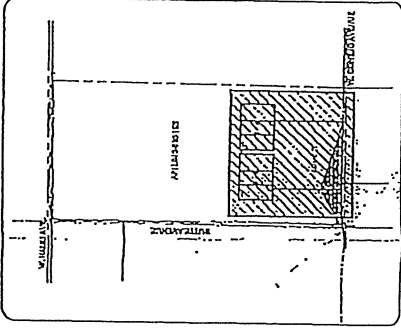
Pending, although this is a condition of our lease agreement that has already been executed by the property owner.

JUN 06

DEPARTMENT OF PUBL  
AND PLANNING

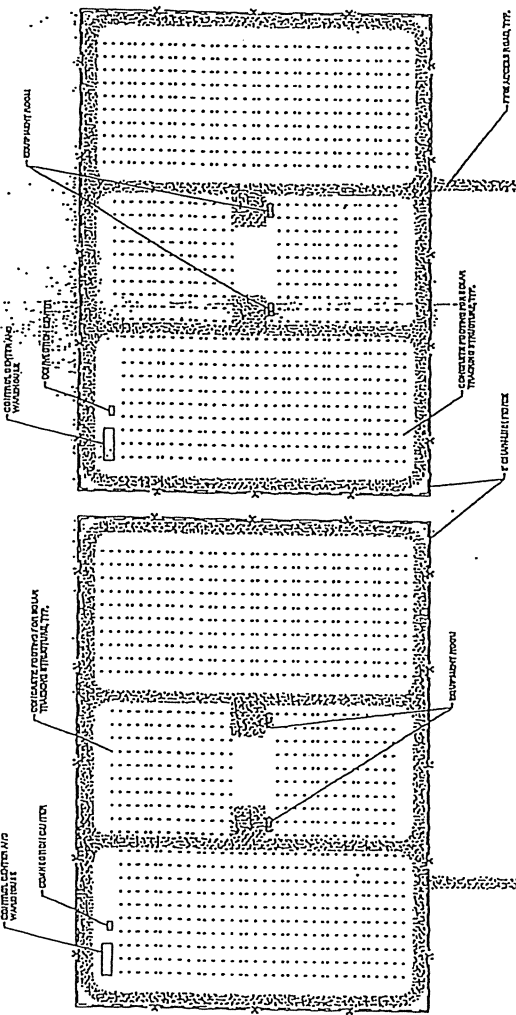
Exhibit 4 - Page 81

EXH01



**LEGEND:**

- EXISTING PROPERTY LINE
- PROPERTY LINE
- EXISTING EASEMENT
- EXISTING ROAD
- EXISTING UTILITY
- EXISTING FENCE
- EXISTING CONCRETE
- EXISTING ASPHALT
- EXISTING GRAVEL
- EXISTING SAND
- EXISTING DIRT
- EXISTING VEGETATION
- EXISTING WATER
- EXISTING SWAMP
- EXISTING WETLAND
- EXISTING WOODLAND
- EXISTING RIVERSIDE
- EXISTING RIVER
- EXISTING CREEK
- EXISTING CHANNEL
- EXISTING DITCH
- EXISTING TRENCH
- EXISTING DRAINAGE
- EXISTING FLOODPLAIN
- EXISTING FLOODWAY
- EXISTING FLOOD CONTROL
- EXISTING FLOOD PROTECTION
- EXISTING FLOOD HAZARD
- EXISTING FLOOD RISK
- EXISTING FLOOD DAMAGE
- EXISTING FLOOD LOSS
- EXISTING FLOOD REPAIR
- EXISTING FLOOD RESTORATION
- EXISTING FLOOD MITIGATION
- EXISTING FLOOD ADAPTATION
- EXISTING FLOOD RESILIENCE
- EXISTING FLOOD VULNERABILITY
- EXISTING FLOOD EXPOSURE
- EXISTING FLOOD HAZARD IDENTIFICATION
- EXISTING FLOOD RISK ASSESSMENT
- EXISTING FLOOD DAMAGE ASSESSMENT
- EXISTING FLOOD LOSS ASSESSMENT
- EXISTING FLOOD REPAIR ASSESSMENT
- EXISTING FLOOD RESTORATION ASSESSMENT
- EXISTING FLOOD MITIGATION ASSESSMENT
- EXISTING FLOOD ADAPTATION ASSESSMENT
- EXISTING FLOOD RESILIENCE ASSESSMENT
- EXISTING FLOOD VULNERABILITY ASSESSMENT
- EXISTING FLOOD EXPOSURE ASSESSMENT



San Joaquin 1A Reclamation (20 MW)

Civil Demolition

DESCRIPTION	Quantity	UNIT	LABOR	TOTAL
PANEL REMOVAL (100,800 PANELS)	1.00	LS	\$ 444,666.67	\$ 444,666.67
STEEL STRUCTURE DISASSEMBLY	1.00	LS	\$ 231,226.67	\$ 231,226.67
CONCRETE FOUNDATION REMOVAL (16,800 FOUNDATIONS INCLUDING BACKFILLING)	1.00	LS	\$ 177,866.67	\$ 177,866.67
BUILDING DEMOLITION	1.00	LS	\$ 13,000.00	\$ 13,000.00
FENCING DEMOLITION	11,100.00	LF	\$ 5.00	\$ 55,500.00
ACCESS ROAD DEMOLITION	478,000.00	SF	\$ 0.50	\$ 239,000.00
TRENCH DEMOLITION	79,680.00	LF	\$ 2.50	\$ 199,200.00
			<i>Total</i>	<i>\$ 1,360,460.00</i>

Electrical Demolition

DESCRIPTION	Quantity	UNIT	Labor	TOTAL
REMOVAL OF WIRE & GROUNDING RODS (INCLUDING DISMANTLE & LOAD)	1.00	LS	\$ 53,360.00	\$ 53,360.00
INVERTERS/PARALLEL GEAR/COMBINER BOXES (INCLUDING DISMANTLE, LOAD & DISPOSAL)	1.00	LS	\$ 160,080.00	\$ 160,080.00
			<i>Total</i>	<i>\$ 213,440.00</i>

Hauling

DESCRIPTION	Quantity	UNIT	Total Weight	Loads	\$/Load	TOTAL
PANELS (TRINA 230 W - 43lb EA)	100,800.00	EA	4,334,400.00	160.53	\$ 1,089.00	\$ 174,820.80
CONCRETE FOUNDATIONS (ASSUMING 6 FT DEPTH, 682 LB EA)	16,800.00	EA	11,457,600.00	424.36	\$ 295.00	\$ 125,184.89
FRACKER STRUCTURE INTERMEDIATE SUPPORTS (191.20 lb)	5,866.67	EA	1,121,706.67	41.54	\$ 295.00	\$ 12,255.68
FRACKER STRUCTURE END SUPPORTS (124.50 lb)	4,800.00	EA	597,600.00	22.13	\$ 295.00	\$ 6,529.33
BUILDING WASTE	1.00	LS	80,000.00	2.96	\$ 295.00	\$ 874.07
COPPER (WIRE, INVERTER & PARALLEL GEAR)	1.00	LS	766,666.67	28.40	\$ 295.00	\$ 8,376.54
				<i>Total</i>		<i>\$ 328,041.32</i>

Disposal Fees

DESCRIPTION	Quantity	UNIT	Unit Price	TOTAL
DUMP FEES (PANELS)	2,167.20	ton	\$ 70.00	\$ 151,704.00
DUMP FEES (BUILDING WASTE)	40.00	ton	\$ 70.00	\$ 2,800.00
DUMP FEES (CONCRETE)	5,728.80	ton	\$ 70.00	\$ 401,016.00
			<i>Total</i>	<i>\$ 555,520.00</i>

Civil Demolition \$ 1,360,460.00  
 Electrical Demolition \$ 213,440.00  
 Hauling \$ 328,041.32  
 Disposal Fees \$ 555,520.00

*Net Decommission Cost: \$2,457,461.32*

BE SUBJECT TO CHANGE  
 ILL, FLUCTUATE WITH MARKET CONDITIONS



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
ALAN WEAVER  
DIRECTOR

## EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: GSNA 6P, LLC

APPLICATION NOS.: Initial Study Application No. 6261 and Unclassified Conditional Use Permit Application No. 3291

DESCRIPTION: Allow a photovoltaic solar power generation facility with related improvements including three 1,180 square-foot control center buildings and chain link fencing on an approximately 179.1-acre portion of a 318.18-acre parcel in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located on the south side of W. Kamm Avenue approximately 2.51 miles west of the intersection of W. Kamm and S. Lessen Avenues and five miles south of the nearest City Limit of the City of San Joaquin (SUP. DIST.: 1) (APN: 040-080-15S).

### I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; or
- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed facility will consist of two phases. The total acreage for the first phase is approximately 27.07 acres and acreage for the second phase is approximately 152.08 acres totaling 179.1 acres out of a 318.18-acre parcel.

The installation of the first phase will consist of two solar array blocks of 1.159 MWp and solar array blocks of 580 kWp. Each 1.159 MWp block will contain two inverters of 500 kW that receive 580 kWp of power from a group of 4,872 photovoltaic modules at 230 Wp per module. Similarly, each 580 kWp block will contain one inverter of 500 kW that receives 580 kWp of power from a group of 2,436 photovoltaic modules at 230 Wp per module. The second phase will consist of 20 solar array blocks generating 1.159MW each. Solar modules will be installed on pile foundations. The proposed facility will produce an estimated 27 Mega Watts (MW)

DEVELOPMENT SERVICES DIVISION

electricity which will be delivered to the Pacific Gas and Electric (PG&E) power grids for use in California.

The project is located on intermittently farmed land within an area of agricultural land uses. Parcels adjoining to the north, south, east and west of the project site are also farmland and range from 38.4 acres to 417 acres in size. Adjoining parcel to the east also contain a commercial use. No single-family residential development exists near the site. The project is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis.

Apart from the proposed 15-foot high control center building and a substation to be located at the northwest corner of the property, the proposed facility will have low visibility from the surrounding area. The 179.1-acre project area will be covered with approximately 10-foot high photovoltaic modules angled at 25 degrees and will maintain significant distance from the adjoining properties (approximately 547 feet from the north, 1,282 feet from south, 57 feet from east and 502 feet from the west property lines). Also, the site will be secured by a chain-link fence along the perimeter of the property. Considering the location of the project site in a relatively undeveloped agricultural area of low population density and low visibility, the proposal will not damage any scenic resource or degrade the visual character of the site or its surrounding.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the Applicant's Operational Statement, the proposed photovoltaic solar power generation facility does not require outdoor lighting as the facility will only be in operation when the panels can receive solar energy. However, emergency lighting will be installed for the security system. To address any potential lighting impacts related to light and glare a Mitigation Measure will be included requiring that all lighting be hooded and directed as to not shine towards adjacent properties and public streets.

*\*Mitigation Measure*

1. *All lighting shall be hooded and directed so as not to shine towards adjacent properties and public streets or roadways.*

## II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project is not in conflict with agricultural zoning and is allowed by discretionary approval on agricultural land provided it meets applicable General Plan Policies. The project site is classified as Farmland of Statewide Importance on the Fresno County Important Farmland Map 2008 and has been farmed intermittently over the last ten years. The site is under a Williamson Act Contract (ALCC No. 1387) and a request for cancellation of the Contract filed by the Applicant has been approved by the Agricultural Land Conservation Committee (ALCC) on September 23, 2011.

The site is located in the Westlands Water District and has not been farmed since 2008. Although the Westlands Water district categorizes the property as priority III (low priority) and the site does not receive a water allocation from the District, the agricultural nature of the property may be impacted by the proposal in two ways: 1) loss of farmland while the project site is being utilized for solar activities; and 2) impact on agricultural quality of the site.

Loss of farmland resulting from this proposal is temporary. As noted in the Solar Electrical Generation Facility Supplemental Information dated June 6, 2011 and prepared by Sol Development Associates, LLC in compliance of the Nine-Point Solar Facilities Guidelines approved by the Fresno County Board of Supervisors on May 3, 2011, the site will be restored to agricultural uses at the end of 25 years of operation. The Reclamation Plan prepared as a part of Supplemental Information describes the project lease life and timeline for removal of the improvements and specific measures to return the site to its prior farming capability. As part of the Reclamation Plan, an engineering cost estimate of reclaiming the site to its previous agricultural condition was also submitted by the Applicant. The Fresno County Agricultural Commission (FCAC) reviewed the Applicant submitted Nine-Point Solar Facility Supplemental Information and in the comment made on September 22, 2011 expressed no concerns with the proposal. The Policy Planning Unit who processed the cancellation of Williamson Act Contract on the property also reviewed the information and expressed no concerns with the proposal.

The site restoration requirements will be included as a Mitigation Measure and stipulated in a covenant between the Applicant/Property Owner and the County of Fresno. Another Mitigation Measure which pertains to Item 8 of the Reclamation Plan would require that prior to issuance of Building Permits, financial assurances equal to the cost of reclaiming the land to its previous agricultural condition based on an engineering cost estimate provided by the Applicant for this proposal shall be submitted to ensure that the reclamation is performed according to the approved Plan.

As noted above, the site is classified as a Farmland of Statewide Importance. According to the document "Soils of Western Fresno County, CA" by Frank F. Harradine southern three-fourth of the parcel is Lethant Silty Clay and northern one-fourth of the parcel is Merced Clay and



Merced Silty Clay Loam, both of which are classified as moderately alkaline. The soil composition of the property contains high level of soil salinity and boron, both of which can cause plant degradation and/or limit crop yield. A few crops can survive in this type of soil. Given, the soil conditions and the fact that property receives no water allocation from Westlands Water District, is not served by a well water, and has been intermittently farmed in the last ten years, the proposed solar power generation facility which requires far less water usage than a typical farming operation is suitable for the site.

Regarding the potential impacts on agricultural quality of the site, the Fresno County Agricultural Commissioners' Office (Ag Commissioner) stated that the proposed development will create habitat for weed and rodents. Rodents could cause damage to above and underground equipment and an uncontrolled population growth could cause damage to neighboring farmland. Likewise, unchecked weeds can become a fire hazard and can provide for food and cover for rodents.

According to the Ag Commissioner: 1) project development should include a plan to control weeds and rodents within the project area to prevent the site from becoming a nuisance to neighboring properties or surrounding agricultural operations and that any weed or rodent infestation that is of a nature and magnitude as to constitute a "public nuisance" (Section 5551 of the California Food and Agricultural Code; Sections 3479 and 3480 of the Civil Code; and Section 372 of the Penal Code) and is not addressed by the property owner/operator is unlawful under California Food and Agricultural Code Section 5553 and Penal Code Section 372; and 2) the agency shall be contacted regarding control plans and abatement techniques prior to site development. These requirements will be included as project Notes.

Information provided by the applicant on Item 8 of the Nine-point Solar Guidelines indicates that prior to final compaction of the top soils, the contractor will install an herbicide to prevent the future growth of weeds, a weed control specialist will be hired to spray the facility to keep it free of weeds, and a pest control specialist will be hired to maintain the facility as to not affect the neighboring operations. These requirements will be included as mitigation measures and are as follows:

*\*Mitigation Measures:*

- 1. The project shall adhere to the procedures listed in the "Reclamation Plan for the San Joaquin Solar Project – Phase 2," dated June 6, 2011 prepared for the operation, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any permits, the required bond amount, based on engineer's estimate, shall be deposited (or evidence of a Bank Guarantee or Irrevocable Letter of Credit) and a covenant shall be signed between the property owner and the County of Fresno and shall run with the land requiring the site to be restored to an agricultural use at the cessation of operation.*
- 2. Prior to the issuance of any permits, a Pest Management Plan shall be submitted to the Department of Public Works and Planning and approved by the Fresno County Agricultural Commissioner's Office. The Pest Management Plan shall identify methods and frequency to manage weeds, insects, and disease and vertebrate pests that may impact adjacent properties.*

3. *The project operator shall utilize pest control professionals to keep the project site free of rodents at all times.*
4. *The project operator shall at all times keep the project site free of weeds and other vegetation that could harbor pests or become a fire hazard.*

### III. AIR QUALITY

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

#### FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the project and in the comments provided on May 17, 2010, required a detail emissions analysis to determine the project's potential impact on air quality. The Air District also indicated that the project would be subject to District Rule 9510 (Indirect Source Review) as it equals or exceeds 9,000 square feet of other land uses not defined in Section 3.18 of the Rule 9510. All projects subject to District Rule 9510 require submittal of an Air Impact Assessment (AIA) Application to the District no later than applying for the final discretionary approval and pay applicable off-site Mitigation Fees before issuance of the first Grading/Building Permit.

An Air Quality Technical Report dated August 15, 2011 and prepared by Precision Engineering, Inc., was submitted to the Air District on July 28, 2011. The Air District commented on the Report on August 29, 2011 by indicating that: 1) the air quality assessment adequately identifies and quantifies project related emissions and determined that project specific criteria pollutant emissions are expected to have a less than significant adverse impact on air quality; and 2) the project, pursuant to Rule 9510 Section 5.0 shall pay all applicable fees to Air District prior to issuance of the first building permit. In compliance of Rule 9510, an AIA Application (No. C-20110165) was submitted by the Applicant to the District on September 30, 2011. The project will be subject to payment of all applicable fees to Air District prior to issuance of Building Permits. This will be included as a project Note.

Other Air District rules that would apply to this proposal include: District Regulation VIII – Fugitive Dust Rules, to address impacts related to PM-10, Rule 4102 (Nuisance), to address any source operation that emits air contaminants or other materials, Rule 4601 (Architectural coatings), and Rule 4641 (Cutback, Slow, Cure, and emulsified Asphalt, Paving and Maintenance Operations). To be included as project Notes, adherence to these Rules and the aforementioned Condition of Approval will reduce air-related impacts to a less than significance level.

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

FINDING: NO IMPACT:

The project will not create objectionable odor where it can affect people in the area.

#### IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state Habitat Conservation Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project was routed to the California Department of Fish and Game (DFG) and U.S. Fish and Wild Life Service (FWLS) for comments. DFG commented on the project on July 14, 2011 and required completion of a Reconnaissance-level Biological Survey for the project.

A Habitat Assessment Report, dated August 15, 2011 and prepared by Precision Civil Engineering, Inc., was provided to both the DFG and FWLS for review. No concerns were expressed by DFG on the Report.

The Report concludes that the project has low potential to significantly impact biological resources on-site and requires no further studies. However, the Report suggests that prior to ground disturbances, a qualified ornithologist shall survey the site for burrowing owls and if irrigation ditch along property's western border is to be modified, U.S. Army Corp of Engineers shall be contacted to determine if a wetland delineation will be required. Comments from FWLS on the Report require that the project shall adhere to the guidelines as established by the U.S. Fish and Wildlife Service (USFWLS) to avoid impacts to the San Joaquin Kit Fox.

The Report findings and FWLS comment on the project will be included as mitigation measures and are as follow:

*\*Mitigation Measures:*

1. *Burrowing Owl (Athene Cunicularia) habitat is present on-site in the form of rodent burrows located along the western border of the site and near irrigation piping along the western portion of the site. Prior to ground disturbance, a qualified ornithologist shall survey the site for burrowing owls using established protocols procedures. If burrowing owls are detected within the project site, procedures to avoid or compensate for the loss of nest sites shall be developed in coordination with California Department of Fish and Game.*
2. *Should modification to the existing irrigation ditch on the property's western border be proposed, the U.S. Army Corp of Engineers shall be contacted to determine if a wetland delineation will be required.*
3. *During project development and maintenance stages, the applicant shall adhere to guidelines as established by the U.S. Fish and Wildlife Service (USFWS) to avoid impacts to the San Joaquin Kit Fox. This includes following the provisions established in "Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance." It shall be the applicant's responsibility to contact USFWS to ensure that avoidance procedures are the most current as required by that agency.*

The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clear Water Act and will not require regulatory permits for impacts to drainage features as long as the irrigation ditches located on the western border of the site remain unaltered. Any potential impact to jurisdictional water will be mitigated with the implementation of mitigation measure noted above. Additionally, the project site is surrounded by active farmlands and does not provide for regional wildlife movement and the proposed development will not interfere 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. Further, the proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan.

## V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause of substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or

D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is located within the area designated to be moderate sensitive for archeological resources. The California Historical Resources Information Center (CHRIC) reviewed the project and indicated that no archeological studies have been previously conducted in the area. But given the limited sensitivity of the site for archeological resources, inclusion of the following measure will reduce potential impacts to cultural resources to a less than significant level.

*\*Mitigation Measure:*

1. *In the event cultural resources are unearthed during grading or construction, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are Native American, the Coroner must notify the Native American Commission within 24 hours.*

## VI. GEOLOGY AND SOILS

A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:

1. Rupture of a known earthquake?
  - (a.) Strong seismic ground shaking?
  - (b.) Seismic-related ground failure, including liquefaction?
  - (c.) Landslides?

FINDING: NO IMPACT:

The area is designated as Seismic Zone 3 in the California Geological Survey. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides. The proposed development will be subject to the Seismic Zone 3 Standards.

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

FINDING: NO IMPACT:

The project will not result in the loss of topsoil. According to the applicant submitted Reclamation Plan, all below-grade foundations will be demolished and removed from the site and disposed and the grading will be performed to return the site to its original grade.

The site is generally flat with very little topographical variations, thus significant grading activities are not anticipated.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, or collapse, or within an area of known expansive soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the applicant's Operational statement, the facility operations will not generate any solid or liquid waste. Workers responsible for maintaining and monitoring the facility operations will utilize Control Center/Warehouse on the property.

The Fresno County Department of Public Health, Environmental-Health Division reviewed the project and indicated that on-site soils can accommodate a standard septic system required for the proposed Control Center building on the property. A project note would require that building permit for the proposed septic system shall be obtained from the Building and Safety Section of the Department of Public Works and Planning.

## VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the project and expressed no concerns regarding Greenhouse Gas Emissions. As discussed above in Section III of this analysis, compliance with the Air District Rules will reduce air quality impacts to a less than significant level. The proposed use is a relatively passive use with a construction timeline of approximately six-months. The on-going operations of the facility will require three full-time staff members and will provide a relatively emission-free mechanism for generating power to be placed on the PG & E power grid.

## VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the information provided by the Applicant, the proposed facility will not produce, transport, or release any hazardous waste into the environment.

The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the project and requires that: (1) prior to occupancy, the Applicant shall submit either a Hazardous Materials Plan or a Business Exemption form; (2) all hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5; and 3) for any well to be drilled on the property, a Permit to Construct Water Well shall be obtained. With adherence to these requirements, which will be included as project Notes, this proposal will have a less than significant impact in regard to the handling and accidental release of hazardous materials.

- C. Would the project emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of a school; or
- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

The project is not within one-quarter mile of a school or sits on a hazardous materials site.

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

FINDING: NO IMPACT:

The project site is not within the area of any clear zone or other imaginary surface of a public use airport as described under Federal Aviation Regulation (FAR) Part 77, or within an identified airport noise contour, or in the vicinity of a private airstrip.

- G. Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

The project will not impair implementation of or physically interfere with an adopted Emergency Response Plan.

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

FINDING: NO IMPACT:

The project is not located within a wildland fire area.

#### IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality; or
- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Applicant's Operational Statement, no solid or liquid wastes are to be produced as a result of photovoltaic solar power operations. The proposed Control Center building to be used by the facility maintenance and operations staff will require installation of on-site individual sewage disposal. The construction crew during construction of the facility, however, will use portable toilets.

Water needed for washing of photovoltaic modules will come from either a municipal and industrial water allocation from Westlands Water District or a local construction firm. Total water consumption will be less than 0.25-acre feet per year which includes panel cleaning and water supply for the control center building. According to the Westlands Water District, the subject property is classified as annexed land by the District and currently does not receive a water allocation from the District.

The Fresno County Water-Geology Natural-Resources Section (WG NR) reviewed the project and expressed no concerns with the proposal related to water supply or quantity. According to the WG NR, the project is not in water short area and anticipated water usage for this proposal is minimal.

The project was also routed to the California Regional Water Quality Control Board (RWQCB) for review and comments. No concerns were expressed by that Agency.

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



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

FINDING: NO IMPACT:

No streams or rivers exist on the project site. The proposal would not result in flooding on or off-site.

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal may cause changes in absorption rates, drainage patterns, or an increase in the rate and amount of surface run-off. Potential run-off, flooding, erosion, and siltation effects are not considered significant because the proposed development would require adherence to mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code.

Development Engineering Section of the Department of Public Works and Planning reviewed the project and indicates that: 1) additional storm water runoff generated by the project shall be retained on site per the County Standards and; 2) an engineered grading and drainage plan may be required to show how additional storm water runoff generated by the proposal development will be handled without adversely impacting adjacent properties. These mandatory requirements will be included as Project Notes.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in IX. A & B.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to FEMA FIRM Panel 2550 H, the westerly and southerly portions of the property is in Flood Zone A subject to flooding from the 100-year storm. Any work within the designated flood zones would conform to the provisions in the Chapter 15.48 of Fresno County Ordinance. This requirement will be included as a project note.

- I. Would the project expose persons or structures to levee or dam failure; or

- J. Would the project inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The subject site is not prone to a seiche, tsunami or mudflow, nor is the project exposed to potential levee or dam failure.

#### X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project is outside the boundaries of any city or unincorporated community. The City of San Joaquin is approximately five miles to the north of the project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The site is designated Agriculture in the Fresno County General Plan which allows certain non-agricultural uses such as the proposed use by discretionary approval provided that the use meets General Plan Policy LU-A.3., criteria a. b. c. d.

In the case of this application, the project: 1) will operate more efficiently in a non-urban area due to the availability of large undeveloped land and the nature of the operation which requires a large parcel to cover the panel arrays; 2) will be located on Intermittently farmed land in an area where no less productive agricultural land is available in the vicinity; 3) is not within a low water area and any use of groundwater for cleaning of photovoltaic modules will not impact the area aquifer; and 4) will have work force available nearby in the City of San Joaquin. The proposal would meet the aforementioned General Plan Policy.

Policy LU-A.12 requires agricultural activities to be protected from encroachment of incompatible uses, Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations and Policy LU-A.14 requires assessment of the conversion of productive farmland and that mitigation shall be required where appropriate. In this instance: 1) the entire 182-acre portion of a 318.18-acre parcel to occupy the proposed facility will be chain-link fenced to separate the proposed facility from adjoining farmland; 2) photovoltaic modules will be setback approximately at 547 feet from the northern property line, 1,282 feet from southern property line, 57 feet from eastern property line and 502 feet from the western property line to provide significant separation between the proposed development and adjoining farmland; and 3) a Restoration Plan will be required for restoration of the property back to farming operations after the facility operations cease at the end of 25 years of useful life.

The project will meet the Mitigation Measures listed above in II. A. B. C. D. E. Agricultural and Forestry Resources.

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

FINDING: NO IMPACT:

The project will not conflict with the provisions of any adopted Habitat Conservation Plan or Natural Community Conservation Plan.

## XI. MINERAL RESOURCES

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

FINDING: NO IMPACT:

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

## XII. NOISE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the project and did not identify any potential noise-related impacts. However, the project will be subject to conformance with the Fresno County Noise Ordinance related to construction noise limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday. This will be included as a Project Note.

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

FINDING: NO IMPACT:

See discussion above in Section VIII. E. F.

### XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT:

The project will not construct or displace housing and will not otherwise induce population growth.

### XIV. PUBLIC SERVICES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Fresno County Fire Protection District (CalFire) review of the project did not identify any concerns with the proposal. The project will comply with 2007 California Code of Regulations Title 24 – Fire Code and County approved site plans will be required to be approved by the Fire District prior to issuance of building permits by the County. This will be included as a Project Note.

- 2. Police protection; or
- 3. Schools; or
- 4. Parks?

FINDING: NO IMPACT:

The project will not result in the need for additional public services related to police, schools and parks.

- 5. Other public facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

All electricity produced by the proposed facility will be distributed to the Pacific Gas and electric Company (PG&E). The project was routed to PG & E but no concerns were expressed by the Agency.

According to the Westlands Water District, the District has an easement and delivery point (14-9.5-2.0) on the southwest corner of Section 20 located approximately 1,050 feet from the proposed solar project. District requires that during construction and operations of the facility the District property shall not be disturbed and prior to any excavation Underground Service Alert shall be contacted. This will be included as a project note.

XV. RECREATION

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

FINDING: NO IMPACT:

No impacts on recreational resources were identified in the analysis.

XVI. TRANSPORTATION/TRAFFIC

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Construction of the facility will take an approximately six-months based on a five day work week for eight hours each day. During construction period, approximately 25 construction personnel per day will develop the site, generating 25 traffic trips each day. In addition, three full-time permanent employees will visit the site for the operation and maintenance of the facility. Other expected vehicles to be on-site during operations include maintenance vehicles and water trucks for panel cleaning.

The County Design Division of the Department of Public Works and Planning and California Department of Transportation (Caltrans) review of the project expressed no concerns regarding the carrying capacities of the adjacent roadways and did not require Traffic Impact Study.

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

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns.

- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The County Design Division and Development Engineering Section of the Department of Public Works and Planning did not identify any concerns with respect to increased traffic hazards or emergency access. However, the County Road Maintenance and Operations Division require that the applicant shall apply for and obtain an encroachment permit to construct the fire access roads connecting to the Kamm Avenue. This requirement will be included as a project Note.

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

FINDING: NO IMPACT:

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

## XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or
- B. Would the project require construction of or the expansion of a new water or wastewater treatment facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in Section IX. A. B. The proposed development will not require on-site sewage disposal systems or utilize groundwater.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in Section IX. E. The project will adhere to the Grading and Drainage Section of the County Ordinance Code.

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in Section IX. A. B.

- F. Would the project be served by a landfill with sufficient permitted capacity; or
- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The facility operations will not impact area landfills. The facility is unmanned and will not generate solid waste to be hauled off to local area landfills.

#### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICATION IMPACT:

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than Aesthetics, Agricultural and Forestry Resources, and Biological Resources that will be addressed with the mitigation measures discussed in Section I. D., Section II. A. B. C. D. E. and Section IV. A. B. C. D. E.

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

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the analysis.

## CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3291 staff has concluded that the project will not have a significant effect on the environment. It has been determined that there will be no impacts to mineral resources, population and housing, and recreation.

Potential impacts related to air quality, geology and soils, Greenhouse Gas Emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation/traffic, utilities and service systems and mandatory findings of significance have been determined to be less than significant.

Potential impacts to aesthetics, agriculture and forestry resources, biological resources, and cultural resources have been determined to be less than significant with the identified Mitigation Measures.

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

EJ:

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3200-3299\3294\IS\_wp CUP 3291 (092611)



**REQUIRED FINDINGS NECESSARY FOR GRANTING  
A CONDITIONAL USE PERMIT APPLICATION  
AS SPECIFIED IN ZONING ORDINANCE SECTION 873**

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.
2. That the site for 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.
3. That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.
4. That the proposed development is consistent with the General Plan.

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3200-3299\3291\sr 3291 ex9.doc

# EXHIBIT 5

GASNA 6P LLC  
50 California St., Suite 820  
San Francisco, CA 94111

October 21, 2016

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

CUP3291  
RECEIVED  
COUNTY OF FRESNO

OCT 28 2016

DEPARTMENT OF PUBLIC WORKS  
AND PLANNING  
DEVELOPMENT SERVICES DIVISION

**Re: Conditional Use Permit Extension Application**

Dear Ejaz

GASNA 6P, LLC would like to request a one year time extension of Conditional Use Permit ("CUP") No. 3291, presented before the planning commission on November 3, 2011 and approved the same day.

GASNA 6P, LLC is requesting the extension due to the in process efforts to acquire the necessary contracts and agreements from other required agencies.

Please let me know if you have any questions. Thank you.

Sincerely,



Lance Mobley

415-814-5254

[lance.mobley@solar-frontier.com](mailto:lance.mobley@solar-frontier.com)