



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Agenda Item No. 5 October 22, 2015

SUBJECT: Initial Study Application No. 6978 and Unclassified Conditional Use Permit Application No. 3500

Allow a 9-megawatt photovoltaic solar power generation facility with related improvements on an 80-acre portion of a 120-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the west side of Oil City Avenue between Nebraska and Mountain View Avenues, approximately eight miles southwest of the community of Tranquillity (Section 9, Township 16S, Range 15E) (SUP. DIST. 1) (APN: 038-080-14ST).

OWNER: Westlands Water District
APPLICANT: Aspiration Solar G, LLC
REPRESENTATIVE: Garret Bean

STAFF CONTACT: Daniel Brannick, Planner
(559) 600-4297

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6978; and
- Approve Unclassified Conditional Use Permit (UCUP) Application No. 3500 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans and Detail Drawings
6. Applicant's Operational Statement
7. Solar Facility Guidelines Supplemental Information, including Applicant's Reclamation Plan
8. Summary of Initial Study Application No. 6978
9. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	120 acres	No change
Project Site	Fallowed agricultural land	A photovoltaic (PV) solar power generation facility with supportive appurtenance structures on 80 acres
Structural Improvements	None	Solar PV panels and racks, inverters, switching station, Generation Tie Line connection improvements (poles and wire), fencing
Nearest Residence	Approximately two miles southeast	No change
Surrounding Development	Agricultural operations, 400-megawatt solar generation facility under construction	No change

Criteria	Existing	Proposed
Operational Features	Fallowed land or dry-irrigated field crops	9-megawatt solar generation facility
Employees	None	No permanent employees on site during operation
Customers	None	No change
Traffic Trips	No regular traffic	Construction and Decommission: Estimated 32 one-way truck trips and 150 one-way passenger vehicle trips per day Operation: Infrequent traffic associated with maintenance activities
Lighting	None	Hooded motion-activated outdoor security lighting around the project site
Hours of Operation	N/A	24 hours per day, 365 days a year

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: None

ENVIRONMENTAL ANALYSIS:

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

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: September 25, 2015

PUBLIC NOTICE:

Notices were sent to 6 property owners within one quarter-mile of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit (CUP) Application may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

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

BACKGROUND INFORMATION:

This project entails the construction and operation of a photovoltaic (PV) solar power generation facility and related improvements with an output of nine (9) megawatts. The project is designed to interconnect with the existing Pacific Gas & Electric (PG&E) Giffen Substation via a 0.5-mile Generation-Tie Line (gen-tie) along Mountain View Avenue.

The project area is located approximately eight miles southwest of the community of Tranquillity and consists mostly of agriculture and open land. Existing surrounding land uses include agricultural operations, other solar energy generation facilities, the Giffen electrical substation, and scattered residential structures (fewer than ten within a two-mile radius of the project site, based on satellite imagery). Additionally, the site of the Tranquillity Solar Project (a 3,700-acre, 400-megawatt solar generation facility that was approved for development and has begun phased construction) is located approximately one mile northwest of the proposed project.

The project site is currently owned by Westlands Water District (WWD). According to a representative from WWD, the project site land was acquired in 2004 by WWD as part the land retirement program related to the so-called Peck Settlement Agreement (entered into between the United States, WWD, and the Peck Plaintiffs). Sustainable Property Holdings LLC, a wholly-owned subsidiary of the Applicant's parent company (Sustainable Power Group LLC), has entered into an option agreement for purchase of the site from WWD and anticipates being owner of the real property by November of 2015.

The parcel has historically been used for agricultural purposes, but since 2004 (as part of the Peck Settlement Agreement) the parcel has been subject to a non-irrigation covenant. Since the end of the 2004 crop year, the property has been either fallowed or dry-cultivated with grains. There are no existing structures on the project site.

The proposed solar generation facility involves a construction phase and an operation phase. The activities that would occur during the project's construction phase include clearing and grading of the project site, truck loading and unloading, installation of a security fence, and installation of PV modules, supports, and associated electrical equipment. The activities that would occur during the project's operational phase include equipment inspection and replacement, cleaning of PV modules, clearing vegetation, and responding to automated alarms based on monitored data during the project's operational phase. For the duration of the operational phase, the facility would be operated on an unstaffed basis and monitored remotely, with regular on-site personnel visitations for security, maintenance, and system monitoring. According to the Applicant, maintenance would occur during daylight hours when possible, but maintenance activities on the PV modules and DC systems would be typically performed at night.

The buildings and structures proposed as part of the project include PV solar module arrays plus related equipment, a series of inverters, a seven-foot-high switching station, and a six- to eight-foot-high security fence. The PV solar module arrays would be mounted onto single-axis tracker systems oriented to rotate east to west. The tracker panels would be arranged in rows and be approximately seven feet in height when in a horizontal position, and up to 12 feet high when in a pitched position. The inverters would be approximately eight feet tall. As part of the proposed gen-tie connection, the proposal includes an elevated gen-tie running approximately one half-mile east to west along Mountain View Avenue from the project site to the PG&E Giffen

Substation. Approximately ten poles, not more than 60 feet in height, would be added along the length of the gen-tie. All development proposed as part of the project, including the gen-tie connection, would be located on the eastern 80-acre portion of the subject parcel, while the remaining land on the northwest portion of the parcel would remain vacant, save for fencing.

Finding 1: That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front: 50 feet Side: 50 feet Rear: 50 feet	Yes
Parking	None	No permanent parking	N/A
Lot Coverage	No requirement	No requirement	N/A
Space Between Buildings	N/A	N/A	N/A
Wall Requirements	Fence or wall required along the perimeter of all areas considered by the Board to be dangerous to public health and safety	Chain link fence around perimeter of facility	Yes
Septic Replacement Area	N/A	N/A	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: All proposed improvements will require permits.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. An Engineered Grading and Drainage Plan may be required to show how additional water runoff generated by the proposed improvements will be handled without adversely impacting adjacent properties. A grading permit or voucher is required for any grading proposed with this application. These comments are included as Project Notes.

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

Analysis:

The project’s Site Plan indicates that the proposed solar panels would be set back from the surrounding property lines 50 feet at minimum on all four sides of the project site property, in conformance with the County’s Solar Facility Guidelines. The minimum required setbacks for the AE-20 Zone District are 35 feet from the front property line and 20 feet from the side and rear property lines. Since the project does not involve permanent employees, there are no minimum parking requirements for the project. Adherence to a Site Plan Review (SPR), which has been required as a Condition of Approval, will ensure compliance with the setback requirements. Conditions of the SPR may include, but are not limited to: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage and lighting.

Staff finds that the project site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

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

Conclusion:

Finding 1 can be made.

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

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Mountain View Avenue: Excellent condition	No change
Direct Access to Public Road	Yes	Mountain View Avenue: Excellent condition	No change
Road ADT		Mountain View Avenue: 300	No change
Road Classification		Mountain View Avenue: Arterial	No change
Road Width		40- foot right-of-way	No change
Road Surface		Mountain View Avenue: Paved (pavement width: 21.5 feet)	No change
Traffic Trips		N/A	Construction and Decommission:

		Existing Conditions	Proposed Operation
			Estimated 32 truck trips and 150 passenger vehicle trips per day (one way) Operation: Infrequent traffic associated with maintenance activities
Traffic Impact Study (TIS) Prepared	No	N/A	N/A
Road Improvements Required		West Mountain View Avenue: Excellent Condition	No change

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

Design Division of the Fresno County Department of Public Works and Planning: No comment.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No comment.

Development Engineering Section of the Fresno County Department of Public Works and Planning: If not already present, a 30-foot by 30-foot corner cut-off should be improved for sight distance purposes at any proposed or existing driveway accessing Mountain View Avenue. If not already present, on-site turnarounds are required for vehicles leaving the site to enter the arterial road in a forward motion so that vehicles do not back out onto the roadway. No new access points are allowed without prior approval, and any existing driveway shall be utilized. Any work done within the rights-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. Any existing or proposed entrance gate should be set back 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. These comments are included as Project Notes.

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

Analysis:

According to the Applicant's submitted project information, site preparation and construction of the facility is expected to begin in early 2016, with a projected commercial operation date of mid-2016. Following construction, the project would operate year-round and would produce electricity during daylight hours. Employees will perform periodic maintenance such as solar panel washing.

Staff acknowledges that vehicular traffic in the area will be increased during the time of construction; however, this increase will be temporary, and no permanent employees will be regularly located at the project site. Because this section of Mountain View Avenue is not

heavily traveled and has adequate line-of-sight in all directions, construction-related egress and ingress from the project site onto public roadways is not anticipated to create any hazards to the public. However, to ensure any temporary lane closures or disruptions to Mountain View Avenue do not increase hazards to motorists, submission of a Roadway Disruption Control Plan by the Applicant has been included as a Mitigation Measure for the project.

Based on the above information, and with adherence to the Conditions of Approval and Project Notes described above, staff believes that the surrounding streets and highways serving the project site will remain adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See Recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

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

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	160 acres	Agriculture	AE-20	N/A
East	156.79 acres	Agriculture	AE-20	N/A
South	158.18 acres	Agriculture	AE-20	N/A
Southwest	20 acres	Agriculture	AE-20	N/A
	19.1 acres	Agriculture	AE-20	N/A
West	157.60 acres	Agriculture	AE-20	N/A

Reviewing Agency/Department Comments:

California Department of Fish and Wildlife (CDFW): Comments were originally provided on July 14, 2015 which identified areas of concern regarding biological resources and suggested measures for mitigating these concerns. Mitigation Measures were drafted based on CDFW’s recommendations and circulated in the Initial Study document (Exhibit 8). It is staff’s determination that the Mitigation Measures in the MMRP adequately address CDFW’s concerns.

Fresno County Department of Agriculture (Agricultural Commissioner’s Office): The Department of Agriculture opposes this and all projects that will remove prime agricultural lands from production. The Fresno County “Right-to-Farm” Ordinance 17.04.100 and 17.72.075 shall be

provided to the Applicant so that any necessary mitigation measures can be implemented by the facility to minimize any potential discomfort or risk to employees. This project shall acknowledge the need to control weeds and rodents within the project area to prevent the creation of a nuisance to neighboring properties.

San Joaquin Valley Unified Air Pollution Control District (Air District): An Air Impact Assessment was completed for the proposal and reviewed by the District. The District has determined that the mitigated baseline emissions for construction and operation will be less than two tons NO_x and PM₁₀. Pursuant to District Rule 9510 Section 4.3, this project is exempt from the requirements of Section 6.0 and Section 7.0 of the Rule. As such, the District has determined that this project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site mitigation fees. The proposed project may be subject to other District Rules and Regulations, including: Regulation VIII (Fugitive PM₁₀ Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished, or removed, the project may be subject to District Rule 402 (National Emission Standards for Hazardous Air Pollutants). These requirements have been included as Project Notes.

Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Title 22, Division 4.5. Should any underground storage tank(s) be found during the project, the Applicant shall obtain an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Any wells that exist or that have been abandoned within the project area, not intended for use by the project, shall be properly destroyed under permit(s) from the Fresno County Department of Public Health, Environmental Health Division, prior to commencement of work. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil and any such oil found shall be removed from the well prior to placement of fill material for destruction and be handled in accordance with federal, state and local government requirements. These comments are included as Project Notes.

State Water Resources Control Board, Division of Drinking Water: This proposed project does not meet the definition of a public water system and will therefore not require any permitting from the Drinking Water Division of the State Water Resources Control Board (SWRCB). The Applicant's Operational Statement identified that water supply during the ongoing operation will be provided by Westlands Water District (WWD). Please note that under a constructed conveyance agreement with SWRCB, WWD is not able to add new domestic customers. Therefore, if usage includes domestic use (handwashing or drinking water), the following must be applied: 1) a signed Petition shall be submitted to SWRCB, Division of Drinking Water, requesting an Alternative Water Exclusion under the 2001 Compliance Agreement between WWD and SWRCB; 2) the Applicant must agree to have WWD provide bottled water, using an approved bottled water purveyor, and agree to reimburse WWD for their costs to do so; 3) the Petition must state that only bottled water provided by WWD will be used for drinking or cooking; and 4) signage must be posted at all sinks and faucets stating that the tap water is non-potable. These comments have been included as Project Notes.

Building and Safety Section of the Fresno County Department of Public Works and Planning: If approved, plans related to construction and development of the proposal, prepared by a licensed design professional, shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections. This requirement has been included as a Project Note.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA Firm Panel 2525H, the parcel is not subject to flooding from the 100-year storm. According to United States Geological Survey (USGS) Quad Maps, there are no existing natural drainage channels adjacent or running through the parcel.

Policy Planning Section of the Fresno County Department of Public Works and Planning: The proposed project involves establishing a photovoltaic solar power generation facility on land designated for agricultural uses. On May 3, 2011, the Board of Supervisors adopted provisions that photovoltaic solar power generation facility applicants are required to address as part of the application review process (see Applicant's response to these guidelines; Exhibit 7)

Fresno County Fire Protection District (Fire District): The proposal shall comply with the 2007 California Code of Regulations Title 24 – Fire Code, and County-approved Site Plans shall be submitted to the Fire District for review and approval prior to issuance of Building Permits. This requirement has been included as a Project Note.

Fresno County Sheriff's Department: This project would have no impact on law enforcement operations.

Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Westlands Water District: The project location currently consists of dry farming and does not receive an allocation of water from the District's agricultural water supply. Since the Applicant is proposing a solar development, the Applicant is eligible to receive water through the District's Municipal and Industrial (M&I) supply. In lieu of using groundwater for operations, the Applicant may apply for M&I water service from the District. The Applicant's operations would be bound by the Rules and Regulations and Terms and Conditions established by the District for M&I use. If an Agreement regarding the parcel is reached with the District, the Applicant will agree not to irrigate or apply water to the parcel except as reasonably necessary for Applicant's construction-operations-, and maintenance-related activities. The District shall retain all surface water rights and groundwater underlying the parcel except as reasonably necessary for operations and maintenance. These comments are included as Project Notes.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

The Applicant is requesting to develop and operate a photovoltaic solar power generation facility with related improvements on an 80-acre portion of a 120-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Photovoltaic (PV) modules with a capacity of generating 9 megawatts alternating current (MW-AC) will convert sunlight into electrical energy which will be delivered to the Pacific Gas and Electric Company's (PG&E)

existing regional transmission network with voltage transmission equipment and system safety equipment constructed on the project site.

The project site is located in an area predominately comprised of agricultural land uses. The properties immediately adjacent to the project site are used as either orchards or field crops. As mentioned above, the project site is part of Westlands Water District's land retirement program and is subject to a non-irrigation covenant as stipulated in the Peck Settlement Agreement, so the property has been either fallowed or planted with dry-irrigated crops in recent years.

The loss of farmland resulting from this project would be negligible in that the proposal will be located on land that has been previously disturbed with soil of a quality that is not considered significant under the state Department of Conservation's Land Evaluation and Site Assessment (LESA) Model. The site is not designated Prime Farmland on the State of California's Important Farmland Map. Further, operations will be conditionally limited to 25 years, and upon cessation of the proposed use the project site must be restored to a pre-development condition for farming operations based on the project's Reclamation Plan. Additionally, a Condition of Approval has been included requiring the Applicant to revise their Reclamation Plan annually to provide for an annual increase in costs at three percent, or an annual increase in costs tied to the Consumer Price Index (CPI), or other mechanism acceptable to the Fresno County Department of Public Works and Planning.

The proposed solar power generation facility will have relatively low visibility from the surrounding area. Apart from the new utility poles that will connect the facility to an existing PG&E electrical distribution line located one half-mile east of the project site, a majority of the project will be occupied with racking systems and PV module arrays that will have an overall height up to 12 feet. The nearest residence is two miles from the project site, and the overall presence of residential land uses in the surrounding area is limited. Considering the relatively low visibility of the facility improvements in conjunction with the presence of other solar generation facilities in the area, staff believes the proposal will not damage any scenic resource or degrade the visual character of the site or its surroundings.

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

Recommended Conditions of Approval:

See Mitigation Measures, recommended Conditions of Approval, and Project Notes attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
General Plan Policy LU-A.3: The County may allow by discretionary permit in areas designated Agriculture, certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses,	With regard to Criteria "a", the proposed use will operate more efficiently in a non-urban area due to the property size required to produce electricity with solar panels and the availability of large undeveloped land in the

Relevant Policies:	Consistency/Considerations:
<p>subject to the following Criteria: a) The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics; b) The use should not be sited on productive agricultural lands if less productive land is available in the vicinity; c) The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one quarter-mile radius; d. A probable workforce should be located nearby or be readily available.</p>	<p>subject area, and energy generation. With regard to Criteria “b”, loss of farmland resulting from this project would be less than significant considering that the proposal will be conditionally limited to 25 years and the site has not been actively farmed in excess of 20 years. Additionally, the project site was determined to have a LESA Score of 27.7, which is not considered significant under the state Department of Conservation’s LESA Model. Further, the proposed development will not convert the project site permanently to a non-agricultural use (solar power generation facility), as the subject parcel can be restored to an agricultural use after the proposed 25 years of solar power generation (or sooner if abandoned) in accordance with the Applicant’s Reclamation Plan. With regard to Criteria “c”, the proposal was reviewed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the project as it relates to water quantity, as the project site is not located in a water-short area. With regard to Criteria “d”, the project site is located approximately eight miles southwest of the community of Tranquillity and is within ten miles of the Cities of San Joaquin and Kerman, which collectively have the ability to provide an adequate workforce.</p>
<p>General Plan Policy LU-A.12: In adopting land use policies, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p> <p>General Plan Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p>	<p>The proposed facility is temporary in nature. A Reclamation Plan will be implemented to restore the site to agricultural use once the facility operation ceases. Also, as noted in the Solar Facility Guidelines (Exhibit 7), Weed and Rodent Control Plans will be implemented to reduce weed and rodent impacts to adjacent farmland.</p> <p>The entire 120-acre project site will have perimeter fencing for security purposes and to separate the use from farming operations on adjacent properties. Additionally, the proposed solar power generation facility will have 20-foot-wide perimeter roads, and the proposed solar panels will have 50-foot minimum setbacks from the northern, eastern, and western project boundaries. Further, adherence to a Site Plan Review</p>

Relevant Policies:	Consistency/Considerations:
	(SPR) shall be required as a Condition of Approval to ensure compliance with setback requirements.
General Plan Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agriculture land and that mitigation be required where appropriate.	As mentioned above, the proposed facility is temporary in nature, the Applicant has provided a Reclamation Plan, the project site was determined to have a LESA Score not considered significant under the state Department of Conservation's LESA Model, and the property is subject to a non-irrigation covenant. A Right-to-Farm covenant is being included as a Mitigation Measure in part to further ensure conservation of productive agriculture land on surrounding properties.

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning:
See list of relevant policies in previous table.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis:

Based on the analysis provided in the table above, staff finds that the proposal is consistent with the Fresno County General Plan.

Recommended Conditions of Approval:

See attached Exhibit 1.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit Application can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit Application No. 3500, 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. 6978; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit Application No. 3500, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit Application No. 3500; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 6978/Classified Conditional Use Permit Application No. 3500
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets, and shall be of minimum brightness consistent with safety.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing; for duration of project
*2.	Agriculture	A Covenant Running with the Land Regarding Right to Farm Notice shall be executed by the Owner/Operator and recorded with the Fresno County Recorder's Office prior to Site Plan Review approval.	Applicant	Applicant/PW&P	As noted
*3.	Biological Resources	<p>a. A qualified biologist will be present during any initial vegetation clearing or ground disturbance. A "qualified biologist" is defined as a person with appropriate education, training, and experience to conduct preconstruction clearance surveys, monitor construction activities, provide worker education programs, and supervise or perform other related actions.</p> <p>b. No pets will be permitted on the proposed project site. Workers will not be permitted to feed, harm, approach, harass, or handle wildlife at any time, except to move animals out of harm's way, and only as directed by a supervisor. Workers may not handle listed or special-status species without authorization from State or federal wildlife agencies, and may not handle bird nests. This condition will not exempt workers, including the Biological Monitor, from any safety policies with regard to venomous reptiles.</p> <p>c. All trash and food materials will be properly contained within vehicles or closed refuse bins while on any site, and will be regularly removed from the site (at least on a weekly basis) for proper disposal. All refuse from construction activities will be removed from the work site upon completion of work. No raw cement, concrete or washings thereof, asphalt, paint, oil, solvents, or other petroleum products, or any other substances that could be hazardous to vegetation or wildlife resources, shall be disposed of on site or allowed to spill onto soil.</p>	Applicant	Applicant/California Department of Fish & Wildlife (CDFW)	As noted

		<p>Cleanup of any spilled material shall begin immediately.</p> <p>d. Employees will be trained to ensure that all workers on site (including contractors) are aware of all applicable mitigation measures for biological resources. Specifically, workers will be required to: (1) limit all activities to approved work areas; (2) report any San Joaquin kit fox, burrowing owl, or other special-status species, or bird nest observation in the work areas and access routes to the supervisor or Biological Monitor; (3) avoid contact with any wildlife that may approach a work area and be aware of potential venomous reptile bites from carelessness or unnecessary harassment; (4) pick up and properly dispose of any food, trash or construction refuse; and (5) report any spilled materials (oil, fuel, solvent, engine coolant, raw concrete, or other material potentially hazardous to wildlife), to the supervisor or on-site Biological Monitor. During the training, the instructor will briefly discuss special-status species that may occur in the work areas, their habitats, and requirements to avoid or minimize impacts. In addition, all workers will be informed of civil and criminal penalties for violations of the federal Endangered Species Act (ESA), the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act.</p> <p>e. Rodenticides will not be used within the project site at any time during the life of the project.</p>			
*4.	Biological Resources	<p>To avoid incidental take of Swainson's hawk, project construction will be scheduled outside the Swainson's hawk breeding season if feasible. If construction must take place within the breeding season, a qualified biologist shall conduct Swainson's hawk nest surveys according to the "Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley" (SHTAC 2000) during the breeding season prior to starting project-related activities to identify any active nest within 0.5 miles of the project site. If an active nest is present within 0.5 mile of the project site, then project activities will be postponed until September 15, or until the young have fledged and are no longer dependent on the nest or parents for survival as determined by a qualified biologist. In addition, the Applicant will either (1) provide compensation lands to mitigate for the loss of Swainson's hawk foraging habitat, according to ratios recommended in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (<i>Buteo swainsoni</i>) in the Central Valley of California (CDFG 1994); or (2) prepare an analysis of foraging habitat availability in the project vicinity, based on the</p>	Applicant	Applicant/CDFW	As noted

		<p>Estep (2011) analysis of Swainson's hawk foraging habitat availability for a project in Kings County. If the study concludes that foraging habitat is not a limiting factor for Swainson's hawk nesting success in the project vicinity, then no habitat compensation will be required.</p>			
*5.	Biological Resources	<p>To avoid incidental take of San Joaquin kit fox, the proposed project shall implement the "U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance" (USFWS 2011) including:</p> <p>a. A qualified biologist will survey the site within 30 days of initial site disturbance to verify that no San Joaquin kit fox or active den is present.</p> <p>b. An exclusion fence will be constructed around the proposed project area perimeter to prevent San Joaquin kit foxes from entering the site during construction of the facility. The fence will be maintained throughout the construction phase of the project to ensure that kit foxes do not burrow beneath it.</p> <p>c. If a San Joaquin kit fox is found within the proposed project area during construction, then any project activities that could affect it will halt pending consultation with CDFW and USFWS. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase, all excavated, steep-walled holes or trenches more than two feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at the construction site for one or more overnight periods will be thoroughly inspected before the pipe is buried, capped, or otherwise used or moved in any way. If a kit fox is injured or killed during project-related activities, CDFW and USFWS will be notified immediately.</p> <p>d. No firearms will be allowed on the site, except for on-site security purposes.</p> <p>e. Upon completion of construction, the perimeter security fence will be designed to allow passage of San Joaquin kit foxes through the proposed project site, by raising the fence</p>	Applicant	Applicant/CDFW	As noted

		five to seven 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.			
*6.	Biological Resources	<p>To avoid incidental take of San Joaquin Antelope Squirrel (SJAS) the following mitigation measures will be implemented:</p> <p>a. A qualified biologist shall conduct surveys for SJAS in areas where burrows exist, following “Approved Survey Methodologies for Sensitive Species – San Joaquin Antelope Squirrel” (CDFW), and during their most active season, April 1 to September 30.</p> <p>b. Avoid SJAS burrow openings by at least 50 feet by delineating no disturbance buffers on the ground around each opening using flagging, stakes, or other highly-visible material before starting project-related activities.</p> <p>c. If avoidance is not feasible, consult with CDFW to obtain an Incidental Take Permit for SJAS before starting project-related activities.</p>	Applicant	Applicant/CDFW	As noted
*7.	Biological Resources	<p>To avoid incidental take of burrowing owls, the following mitigation measures will be implemented:</p> <p>a. Burrowing owl surveys will be conducted according to the “Staff Report on Burrowing Owl Mitigation” (CDFG 2012) no more than 30 days in advance of initial clearing to determine burrowing owl presence or absence. This survey may be done concurrently with the San Joaquin kit fox survey, above.</p> <p>b. If one or more burrowing owls are present on the site, outside of the nesting season (September 1 to January 31), ground-disturbing work will proceed only after a 160-foot buffer is established by a qualified biologist around the burrow where no work may occur. If active winter burrows are found that would be directly affected by ground-disturbing activities, a Burrowing Owl Exclusion Plan will be prepared and implemented to exclude the owls from the site using passive exclusion methods.</p> <p>c. If burrowing owls are present on the site during nesting season (February 1 to August 20), then construction will be either be postponed until the young fledge from the nest or the nest is no longer active, or no disturbance will be allowed within a 250-foot buffer area to be established by a qualified biologist. Occupied burrows will not be disturbed during the</p>	Applicant	Applicant/CDFW	As noted

		nesting season unless a qualified biologist approved by CDFW verifies through noninvasive methods that either the owls have not begun egg laying or incubation, or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.			
*8.	Biological Resources	The project shall have a buffer of at least 50 feet, measured from top of bank to edge of grading, from the existing irrigation ditch at the northeast corner of the property in order to minimize impacts to the Western Spadefoot Toad.	Applicant	Applicant/CDFW	As noted
*9.	Biological Resources	<p>To avoid incidental take of nesting birds the following mitigation measures will be implemented:</p> <p>a. Prevent bird death and injury by capping all vertical pipes associated with the solar mounts and fencing as they are installed.</p> <p>b. Construction activities conducted during the bird breeding season, January 1 to August 31, will take place only after a Biological Monitor has surveyed the work area for active bird nests. Pre-activity surveys will be conducted no more than ten days in advance of any ground- or vegetation-disturbing activities. If project-related activities lapse for ten days or more during the bird breeding season, preconstruction nest surveys will be repeated prior to re-starting construction activities. Project activities may not disturb an active bird nest. If an active bird nest is located on or adjacent to the work site, a Biological Monitor will designate and flag an appropriate buffer area around the nest where construction activities will not be permitted. The buffer area will be based on the bird species and nature of the construction activity. A Biological Monitor will regularly monitor nesting activity at any nests within or adjacent to the project site until the nests are no longer active. In addition, the Monitor will survey for any new nests that may be built and flag an appropriate buffer area around these nests. Any variance from these buffers will be made only on recommendation by a qualified wildlife biologist. Construction activities outside of the breeding season would require no nesting bird surveys.</p>	Applicant	Applicant/CDFW	As noted
*10.	Biological Resources	To avoid impacts to biological resources at the time of decommissioning: 1) during decommissioning, Mitigation Measures 1 through 6 will be implemented; and 2) a qualified biologist will conduct a pre-decommissioning survey no more than seven days in advance of decommissioning activities. If a sensitive wildlife species is identified on or near the site, then	Applicant	Applicant/CDFW	As noted

		CDFW will be notified and consulted prior to decommissioning of the site.			
*11.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, 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 ground-disturbing activity, 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 determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As noted
*12.	Transportation/Traffic	Prior to the issuance of grading or building permits, the Applicant shall prepare and submit a Roadway Disruption Control Plan to the County of Fresno for review and approval. The Plan shall include detailed information on the following: 1) locations and duration of any public travel lane/roadway closures or disruptions; 2) placement of temporary signing and traffic control measures, as required, to ensure safe and adequate traffic flow; and 3) ways to ensure access for emergency vehicles through affected roadway segments.	Applicant	Applicant/PW&P	As noted

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

Conditions of Approval	
1.	Prior to occupancy, a Site Plan Review shall be submitted to and approved by the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include: design of parking and circulation areas, access, on-site grading and drainage, fire protection, landscaping, signage, lighting and right-of-way dedication.
2.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission.
Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Unclassified Conditional Use Permit shall become void, unless there has been substantial development within two years of the effective date of approval.
2.	Any additional runoff generated by the proposed development of the project site cannot be drained across property lines and must be retained or disposed of per County Standards. An Engineered Grading and Drainage Plan may be required to show how additional water runoff generated by the proposed improvements will be handled without adversely impacting adjacent properties.

3.	A grading permit or voucher is required for any grading proposed with this application.
4.	If not already present, a 30-foot by 30-foot corner cut-off should be improved for sight distance purposes at any proposed or existing driveway accessing Mountain View Avenue. If not already present, on-site turnarounds are required for vehicles leaving the site to enter the arterial road in a forward motion so that vehicles do not back out onto the roadway. Any existing or proposed entrance gate should be set back 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.
5.	No new access points are allowed without prior approval, and any existing driveway shall be utilized.
6.	Any work done within the rights-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
7.	The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished, or removed, the project may be subject to District Rule 402 (National Emission Standards for Hazardous Air Pollutants).
8.	Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Title 22, Division 4.5.
9.	Should any underground storage tank(s) be found during the project, the Applicant shall obtain an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.
10.	Any wells that exist or that have been abandoned within the project area, not intended for use by the project, shall be properly destroyed under permit(s) from the Fresno County Department of Public Health, Environmental Health Division, prior to commencement of work. Prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be checked for lubricating oil and any such oil found shall be removed from the well prior to placement of fill material for destruction and be handled in accordance with federal, state and local government requirements.
11.	If water usage as part of the agreement between the Applicant and Westlands Water District includes domestic use (handwashing or drinking water), the following shall be applied: 1) a signed Petition shall be submitted to SWRCB, Division of Drinking Water, requesting an Alternative Water Exclusion under the 2001 Compliance Agreement between Westlands Water District and SWRCB; 2) the Applicant must agree to have Westlands Water District provide the bottled water, using an approved bottled water purveyor, and agree to reimburse Westlands Water District for their costs to do so; 3) the Petition must state that only bottled water provided by Westlands Water District will be used for drinking or cooking; and 4) signage must be posted at all sinks and faucets stating that the tap water is non-potable.
12.	If approved, plans related to construction and development of the proposal prepared by a licensed design professional shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections.

13.	The proposal shall comply with the 2007 California Code of Regulations Title 24 – Fire Code, and County-approved Site Plans shall be submitted to the Fire District for review and approval prior to issuance of Building Permits.
14.	In lieu of using groundwater for operations, the Applicant may apply for M&I water service from Westlands Water District (WWD). The Applicant's operations would be bound by the Rules and Regulations and Terms and Conditions established by WWD for M&I use. The Applicant will agree not to irrigate or apply water to the parcel except as reasonably necessary for Applicant's construction-, operations-, and maintenance-related activities. WWD shall retain all surface water rights and groundwater underlying the parcel except as reasonably necessary for operations and maintenance.

DB:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3500-3599\3500\SR\CUP3500 MMRP (Ex 1).docx

LOCATION MAP

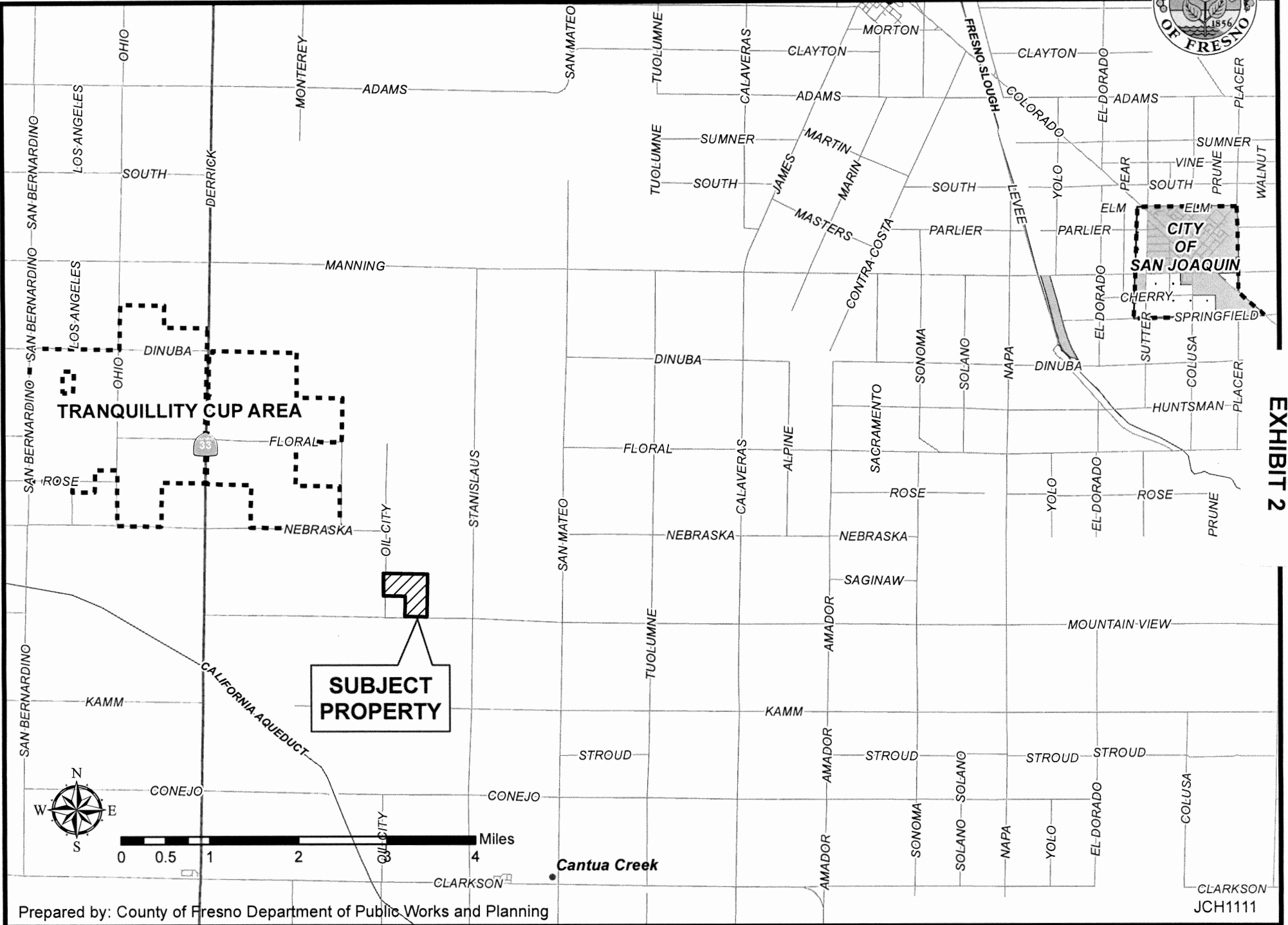


EXHIBIT 2

EXISTING ZONING MAP

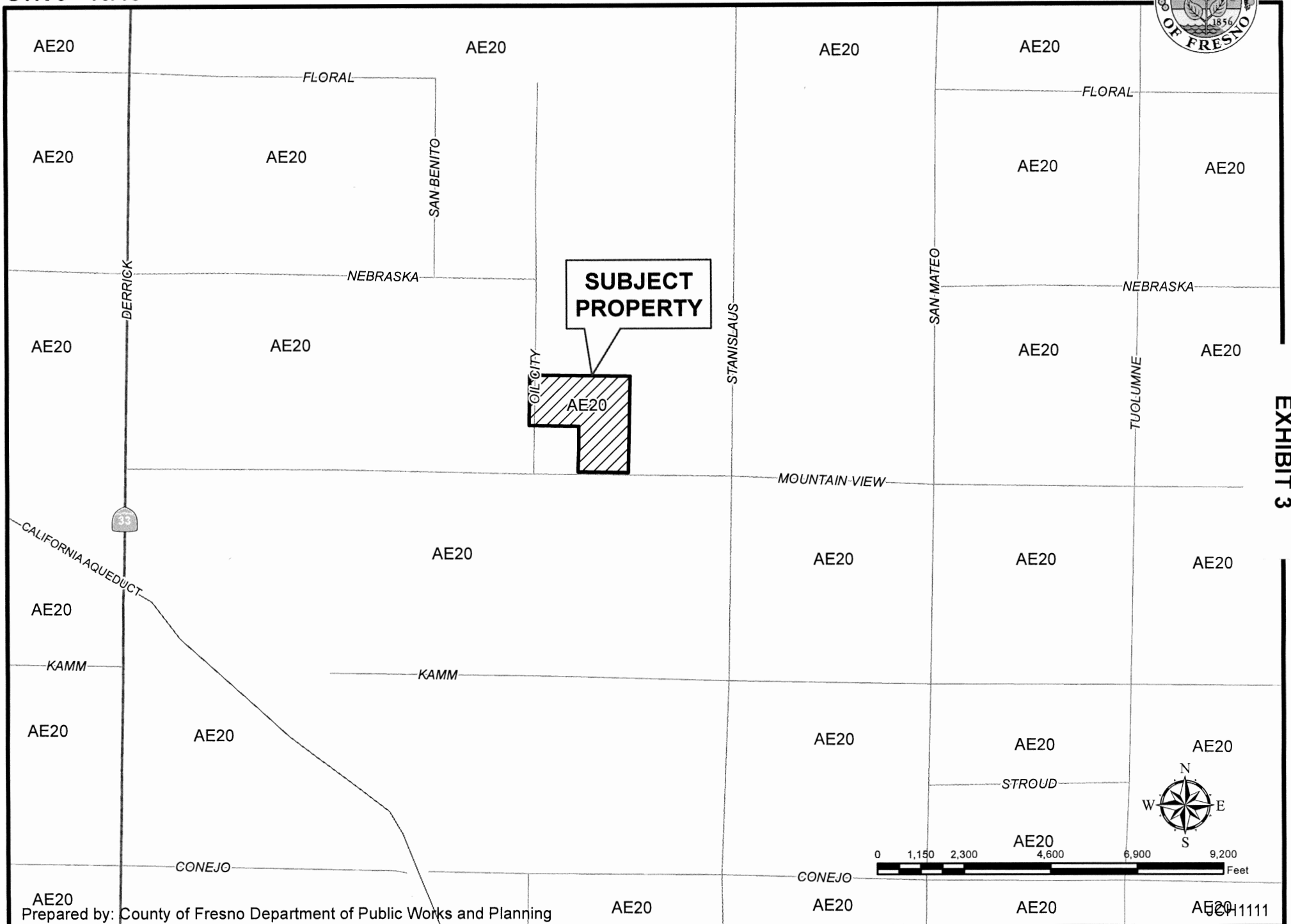
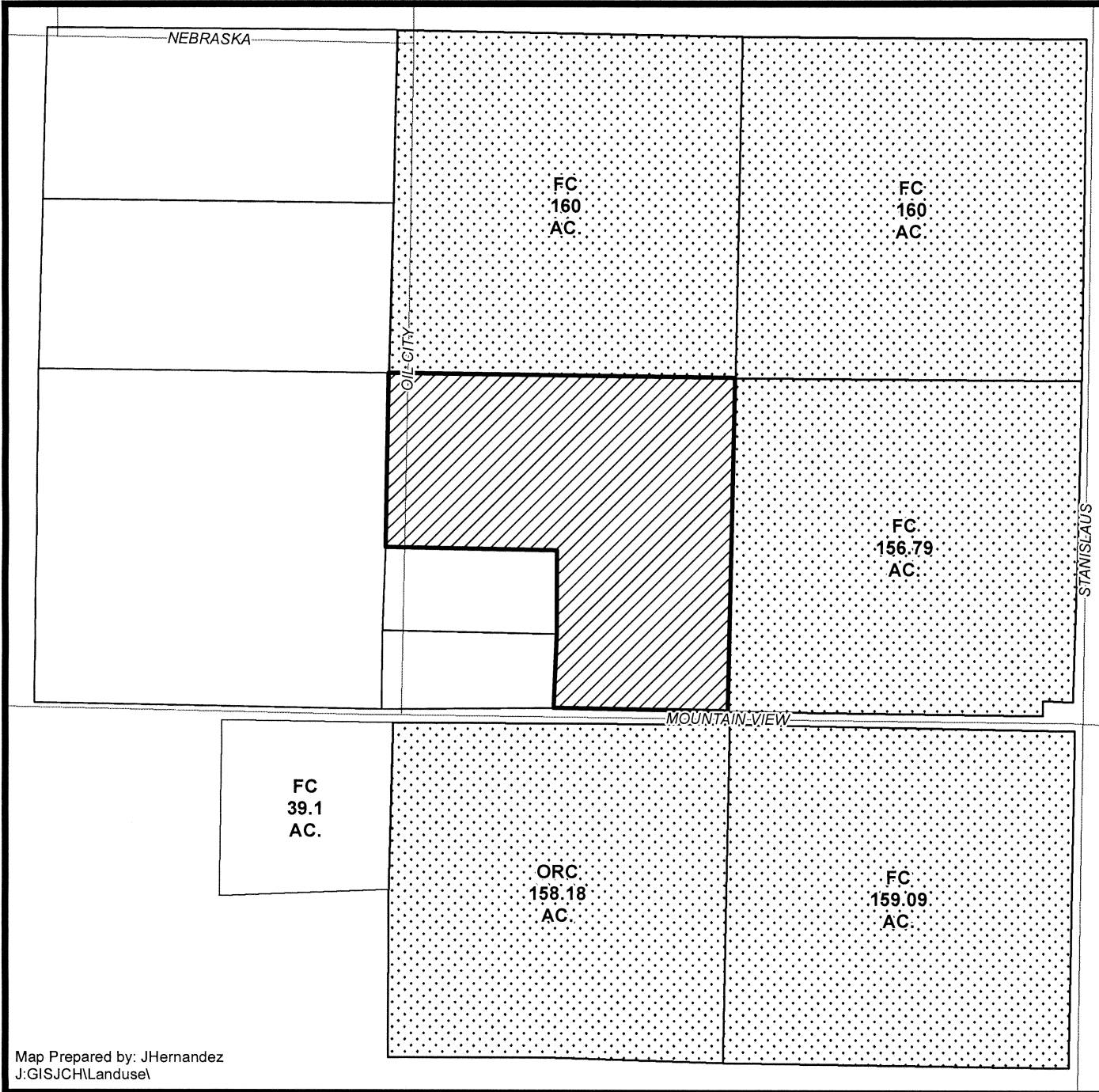
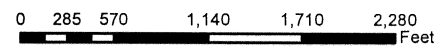


EXHIBIT 3

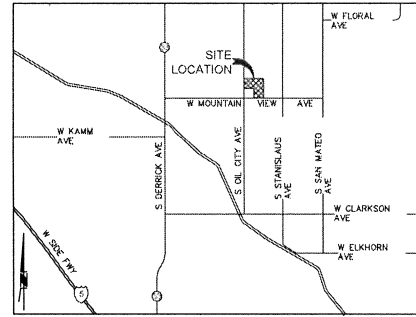
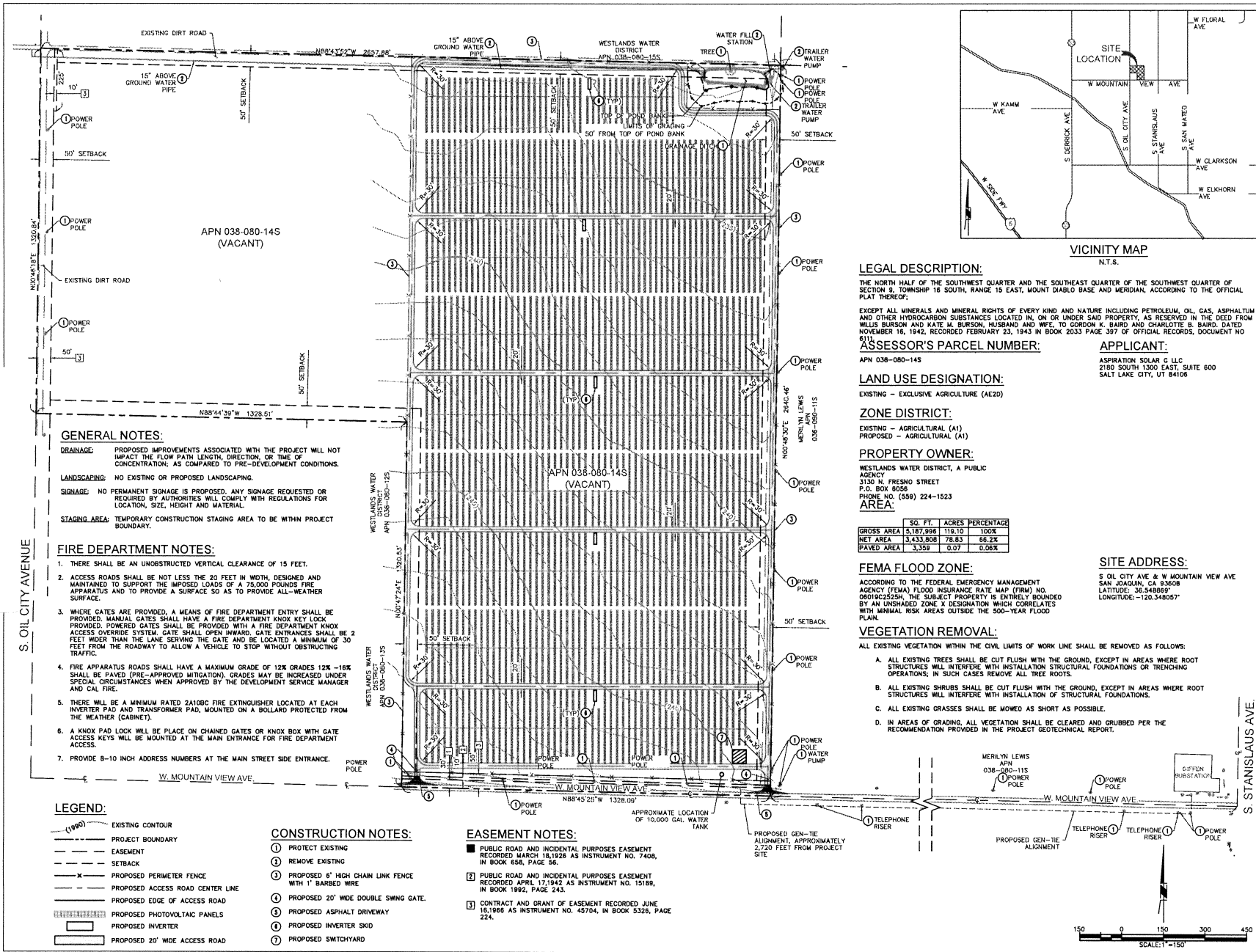
EXISTING LAND USE MAP



- LEGEND**
 V - VACANT
 FC - FIELD CROP
 ORC - ORCHARD
- LEGEND:**
 Subject Property
 Ag Contract Land



Department of Public Works and Planning
Development Services Division



VICINITY MAP
N.T.S.

LEGAL DESCRIPTION:

THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT ALL MINERALS AND MINERAL RIGHTS OF EVERY KIND AND NATURE INCLUDING PETROLEUM, OIL, GAS, ASPHALTUM AND OTHER HYDROCARBON SUBSTANCES LOCATED IN, ON OR UNDER SAID PROPERTY, AS RESERVED IN THE DEED FROM MILLS BURSON AND KATE M. BURSON, HUSBAND AND WIFE, TO GORDON K. BARD AND CHARLOTTE B. BARD, DATED NOVEMBER 16, 1942, RECORDED FEBRUARY 23, 1943 IN BOOK 2033 PAGE 397 OF OFFICIAL RECORDS, DOCUMENT NO. 811.

ASSESSOR'S PARCEL NUMBER:

APN 038-080-14S

APPLICANT:

ASPIRATION SOLAR C LLC
2180 SOUTH 1300 EAST, SUITE 600
SALT LAKE CITY, UT 84106

LAND USE DESIGNATION:

EXISTING - EXCLUSIVE AGRICULTURE (AE2D)

ZONE DISTRICT:

EXISTING - AGRICULTURAL (A1)
PROPOSED - AGRICULTURAL (A1)

PROPERTY OWNER:

WESTLANDS WATER DISTRICT, A PUBLIC AGENCY
3130 N. FRESNO STREET
P.O. BOX 8008
PHONE NO. (559) 224-1523
AREA:

	SQ. FT.	ACRES	PERCENTAGE
GROSS AREA	2,187,998	119.10	100%
NET AREA	3,433,808	78.63	86.2%
PAVED AREA	3,358	0.07	0.06%

FEMA FLOOD ZONE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 990103255H, THE SUBJECT PROPERTY IS ENTIRELY BOUNDED BY AN UNSHADED ZONE X DESIGNATION WHICH CORRELATES WITH MINIMAL RISK AREAS OUTSIDE THE 500-YEAR FLOOD PLAIN.

SITE ADDRESS:

S OIL CITY AVE & W MOUNTAIN VIEW AVE
SAN JOAQUIN, CA 95808
LATITUDE: 36.548869°
LONGITUDE: -120.348057°

VEGETATION REMOVAL:

ALL EXISTING VEGETATION WITHIN THE CIVIL LIMITS OF WORK LINE SHALL BE REMOVED AS FOLLOWS:

- ALL EXISTING TREES SHALL BE CUT FLUSH WITH THE GROUND, EXCEPT IN AREAS WHERE ROOT STRUCTURES WILL INTERFERE WITH INSTALLATION STRUCTURAL FOUNDATIONS OR TRENDING OPERATIONS, IN SUCH CASES REMOVE ALL TREE ROOTS.
- ALL EXISTING SHRUBS SHALL BE CUT FLUSH WITH THE GROUND, EXCEPT IN AREAS WHERE ROOT STRUCTURES WILL INTERFERE WITH INSTALLATION OF STRUCTURAL FOUNDATIONS.
- ALL EXISTING GRASSES SHALL BE MOWED AS SHORT AS POSSIBLE.
- IN AREAS OF GRADING, ALL VEGETATION SHALL BE CLEARED AND GRUBBED PER THE RECOMMENDATION PROVIDED IN THE PROJECT GEOTECHNICAL REPORT.

SUSTAINABLE POWER GROUP
2180 SOUTH 1300 EAST, SUITE 600
SALT LAKE CITY, UT 84106

VER	DATE	REVISION
2	9/30/15	GRADING SETBACK
1	5/15/15	INITIAL ISD

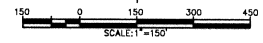
EXHIBIT 5

ASPIRATION SOLAR
SINGLE-AXIS TRACKER
PHOTOVOLTAIC ARRAYS
9 MWAC
FRESNO COUNTY, CA

CUP SITE PLAN

DATE: SEPTEMBER 30, 2015

CUP-1



GENERAL NOTES:

- DRAINAGE:** PROPOSED IMPROVEMENTS ASSOCIATED WITH THE PROJECT WILL NOT IMPACT THE FLOW PATH LENGTH, DIRECTION, OR TIME OF CONCENTRATION, AS COMPARED TO PRE-DEVELOPMENT CONDITIONS.
- LANDSCAPING:** NO EXISTING OR PROPOSED LANDSCAPING.
- SIGNAGE:** NO PERMANENT SIGNAGE IS PROPOSED, ANY SIGNAGE REQUESTED OR REQUIRED BY AUTHORITIES WILL COMPLY WITH REGULATIONS FOR LOCATION, SIZE, HEIGHT AND MATERIAL.
- STAGING AREA:** TEMPORARY CONSTRUCTION STAGING AREA TO BE WITHIN PROJECT BOUNDARY.

FIRE DEPARTMENT NOTES:

- THERE SHALL BE AN UNOBSTRUCTED VERTICAL CLEARANCE OF 15 FEET.
- ACCESS ROADS SHALL BE NOT LESS THE 20 FEET IN WIDTH, DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF A 75,000 POUNDS FIRE APPARATUS AND TO PROVIDE A SURFACE SO AS TO PROVIDE ALL-WEATHER SURFACE.
- WHERE GATES ARE PROVIDED, A MEANS OF FIRE DEPARTMENT ENTRY SHALL BE PROVIDED. MANUAL GATES SHALL HAVE A FIRE DEPARTMENT KNOX KEY LOCK PROVIDED. POWERED GATES SHALL BE PROVIDED WITH A FIRE DEPARTMENT KNOX ACCESS OVERRIDE SYSTEM. GATE SHALL OPEN INWARD. GATE ENTRANCES SHALL BE 2 FEET WIDER THAN THE LANE SERVING THE GATE AND BE LOCATED A MINIMUM OF 30 FEET FROM THE ROADWAY TO ALLOW A VEHICLE TO STOP WITHOUT OBSTRUCTING TRAFFIC.
- FIRE APPARATUS ROADS SHALL HAVE A MAXIMUM GRADE OF 12% GRADES 12% - 18% SHALL BE PAVED (PRE-APPROVED MITIGATION), GRADES MAY BE INCREASED UNDER SPECIAL CIRCUMSTANCES WHEN APPROVED BY THE DEVELOPMENT SERVICE MANAGER AND CAL FIRE.
- THERE WILL BE A MINIMUM RATED 2A100C FIRE EXTINGUISHER LOCATED AT EACH INVERTER PAD AND TRANSFORMER PAD, MOUNTED ON A BOLLARD PROTECTED FROM THE WEATHER (CABINET).
- A KNOX PAD LOCK WILL BE PLACE ON CHAINED GATES OR KNOX BOX WITH GATE ACCESS KEYS WILL BE MOUNTED AT THE MAIN ENTRANCE FOR FIRE DEPARTMENT ACCESS.
- PROVIDE 8-10 INCH ADDRESS NUMBERS AT THE MAIN STREET SIDE ENTRANCE.

LEGEND:

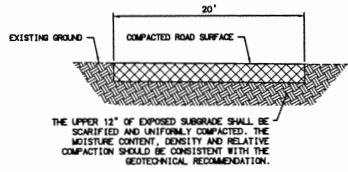
- (1090) EXISTING CONTOUR
- PROJECT BOUNDARY
- EASEMENT
- SETBACK
- x- PROPOSED PERIMETER FENCE
- PROPOSED ACCESS ROAD CENTER LINE
- PROPOSED EDGE OF ACCESS ROAD
- ▨ PROPOSED PHOTOVOLTAIC PANELS
- PROPOSED INVERTER
- PROPOSED 20' WIDE ACCESS ROAD

CONSTRUCTION NOTES:

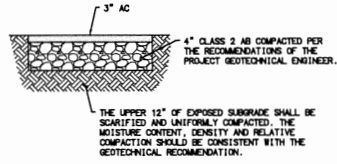
- PROTECT EXISTING
- REMOVE EXISTING
- PROPOSED 6" HIGH CHAIN LINK FENCE WITH 1" BARBED WIRE
- PROPOSED 20' WIDE DOUBLE SWING GATE.
- PROPOSED ASPHALT DRIVEWAY
- PROPOSED INVERTER SKID
- PROPOSED SWITCHYARD

EASEMENT NOTES:

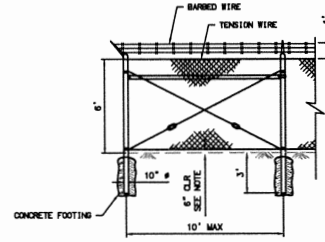
- PUBLIC ROAD AND INCIDENTAL PURPOSES EASEMENT RECORDED MARCH 18, 1928 AS INSTRUMENT NO. 7408, IN BOOK 656, PAGE 86.
- PUBLIC ROAD AND INCIDENTAL PURPOSES EASEMENT RECORDED APRIL 17, 1942 AS INSTRUMENT NO. 15189, IN BOOK 1992, PAGE 243.
- CONTRACT AND GRANT OF EASEMENT RECORDED JUNE 16, 1968 AS INSTRUMENT NO. 42704, IN BOOK 5326, PAGE 224.



TYPICAL ACCESS ROAD DETAIL
N.T.S

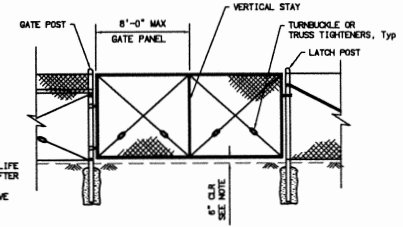


ASPHALT PAVING DETAIL - DRIVEWAYS
N.T.S

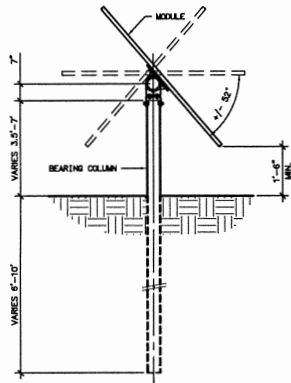


CHAIN LINK SECURITY FENCE DETAIL
N.T.S

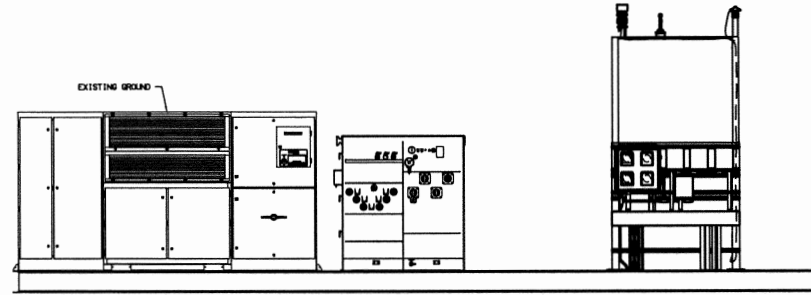
NOTE:
TO ENABLE KIT FOXES AND OTHER WILDLIFE TO PASS THROUGH THE PROJECT SITE AFTER CONSTRUCTION, THE PERIMETER FENCES SHALL BE RAISED SIX (6) INCHES ABOVE THE GROUND.



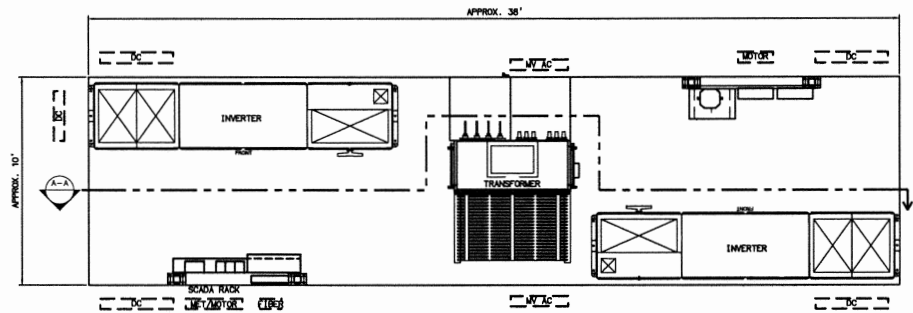
CHAIN LINK GATE DETAIL
N.T.S



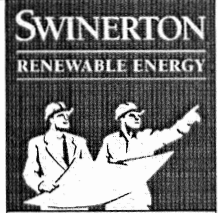
SINGLE-AXIS TRACKER COLUMN DETAIL
N.T.S



INVERTER SKID EQUIPMENT ELEVATION
N.T.S



INVERTER SKID GENERAL ARRANGEMENT
N.T.S



BLMYER ENGINEERS
1101 MARSH VILLAGE PARKWAY #102
ALAMEDA, CA 94501 510.521.3773



ASPIRATION SOLAR
SINGLE-AXIS TRACKER
PHOTOVOLTAIC ARRAYS
9 MWAC
FRESNO COUNTY, CA

DETAILS

DATE: MAY 15, 2015

CUP-2

EXHIBIT 6

7.0 Operational Statement

7.1 Introduction

Aspiration Solar G LLC (Applicant) proposes to construct and operate the Aspiration Solar G solar generating facility (proposed Project). The proposed Project is a 9 megawatt (MW) utility-scale solar generating facility (SGF) proposed on an 80 acre portion of parcel 038-080-14ST in the County of Fresno. The applicant submits this Conditional Use Permit Application (CUP) to the Fresno County Department of Public Works and Planning for the purpose of constructing and operating the project.

Solar electricity generated by the proposed Project would be delivered by an approximately 0.5-mile generation-tie (gen-tie) line that would extend to the existing Pacific Gas and Electric (PG&E) Giffen Substation located east of the proposed Project. The Project would operate year-round and would produce electricity during daylight hours. The Applicant proposes to begin site preparation and construction of the facility in early 2016 with a projected commercial operation date in middle 2016.

7.2 Project Objectives

The proposed Project would meet the increasing demand for electricity generated from renewable technology, and would assist in the effort to meet the Senate Bill 14 Renewable Energy Portfolio Standards (RPS). The proposed Project qualifies as an eligible renewable energy resource as defined by the California Public Resources Code and would help the State meet the objective of increasing renewable energy generation. The application cites the following benefits from the proposed Project: diversification of energy portfolios, reductions in greenhouse gas emissions, and the creation of “green” jobs within California.

The Applicant’s planned objectives are to minimize impacts to the environment and the local community by:

- Using disturbed land or land that has been previously degraded from prior use,
- Using existing electrical distribution facilities, rights-of-ways (ROWs), roads, and other existing infrastructure where possible to minimize the need for new electrical support facilities,
- Minimizing impacts to threatened or endangered species or their habitats, wetlands and waters of the United States, cultural resources, and sensitive land use,
- Minimizing water use, and
- Reducing greenhouse gas emissions.

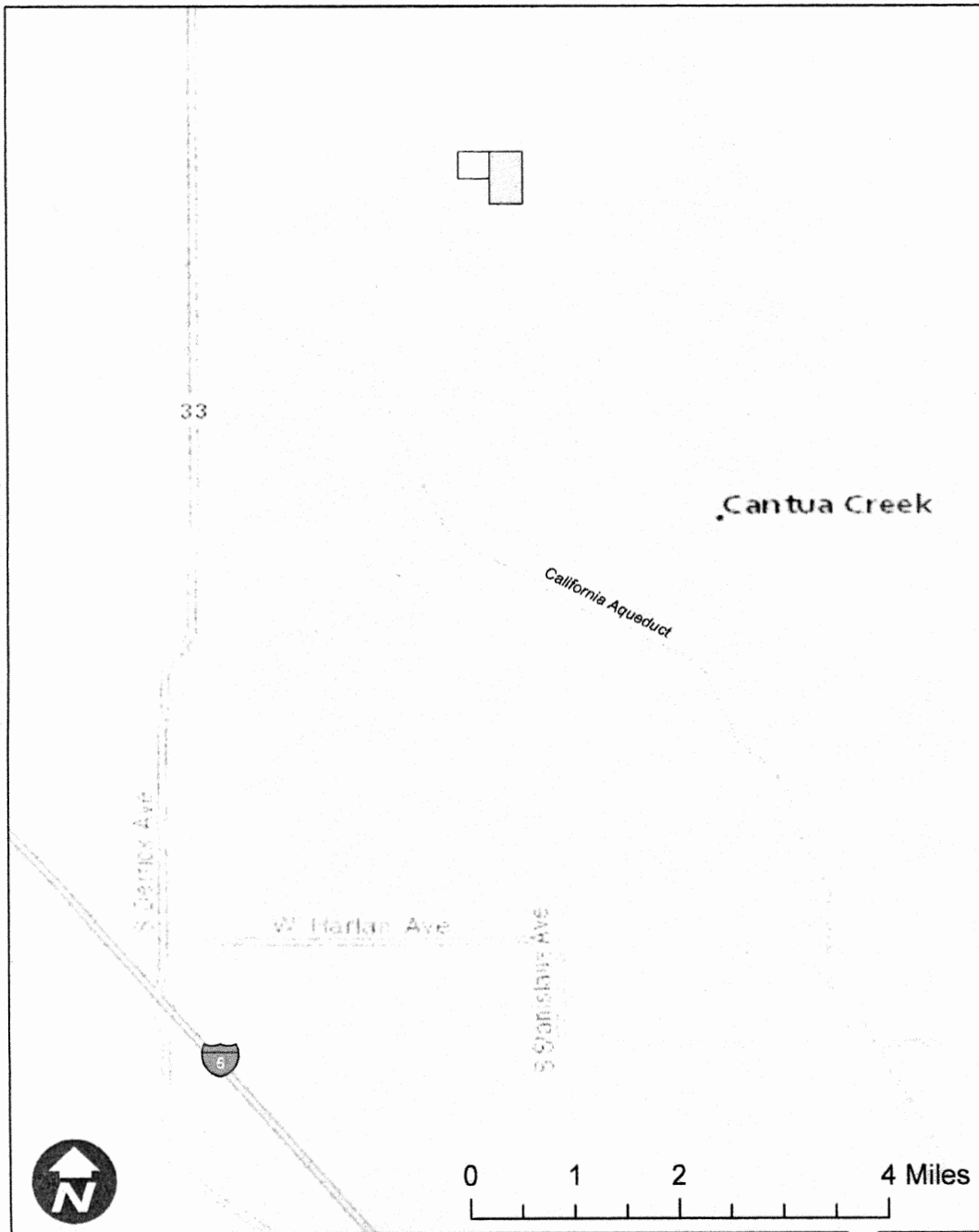
The following sections provide a detailed description of the proposed Project.

7.3 Solar Project and Site Description

The proposed Project is located within western Fresno County, approximately 8 miles southwest of the Town of Tranquility (Figure 1). The proposed Project consists of the construction, operation, maintenance, and decommissioning of a 9-MW solar photovoltaic (PV) electric generating facility on approximately 80 acres (Figure 2) of land zoned Exclusive Agriculture (AE-20). It also includes a gen-tie line and communications line to connect the facility to the existing PG&E Giffen Substation located east of the Project on West Mountain Avenue (Figure 2). The currently anticipated useful project life is 35 years. It is possible that the SGF could be re-tooled with new and upgraded technology to continue past the currently anticipated useful project life.

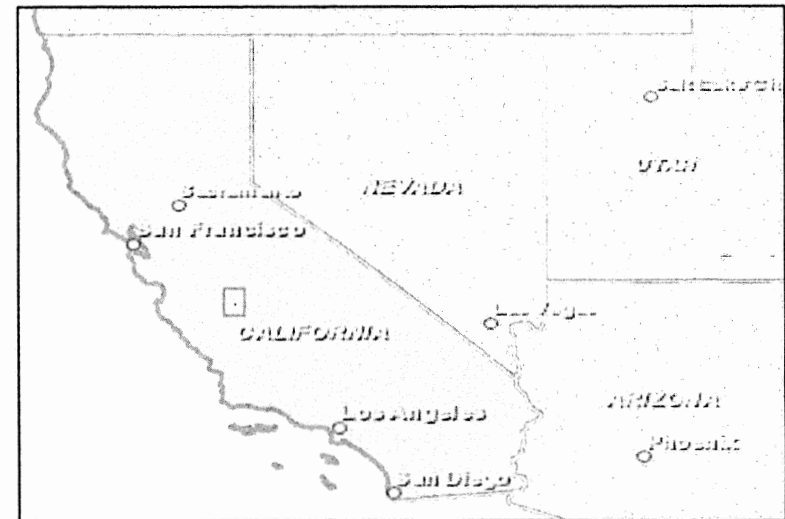
Aspiration Solar G Figure 1

Exhibit 6 - Page 2



Type: Regional Location Map	Basemap: National Geographic Basemap Parcels: Fresno County Parcel Layer
Author: JL	
Date: 5/12/2015	
Version: 1.1	
Map Scale: 1:100,000	

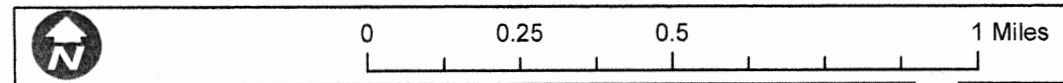
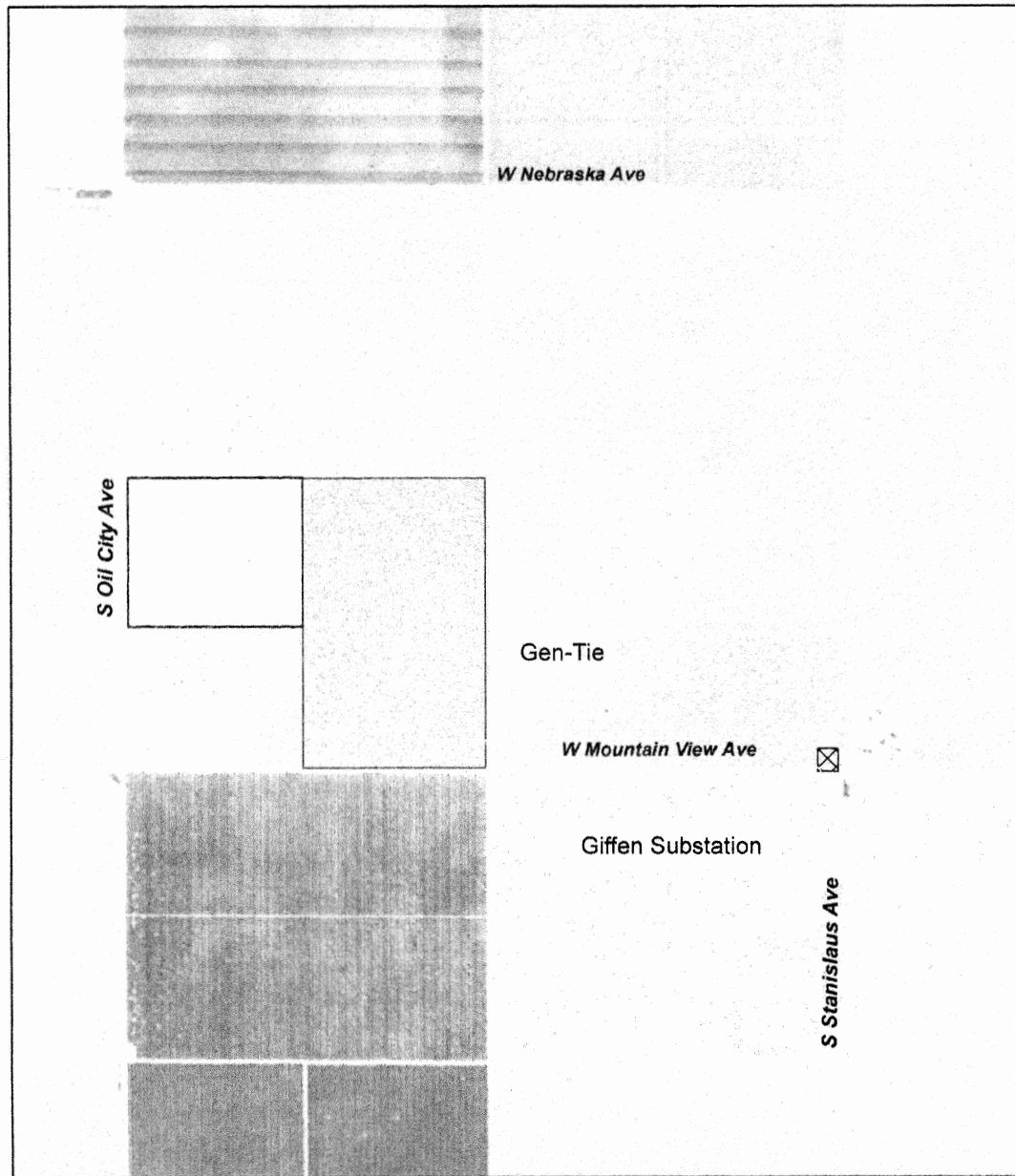
Legend	
	Project Site
	Remaining Land



S-POWER
SUSTAINABLE POWER GROUP

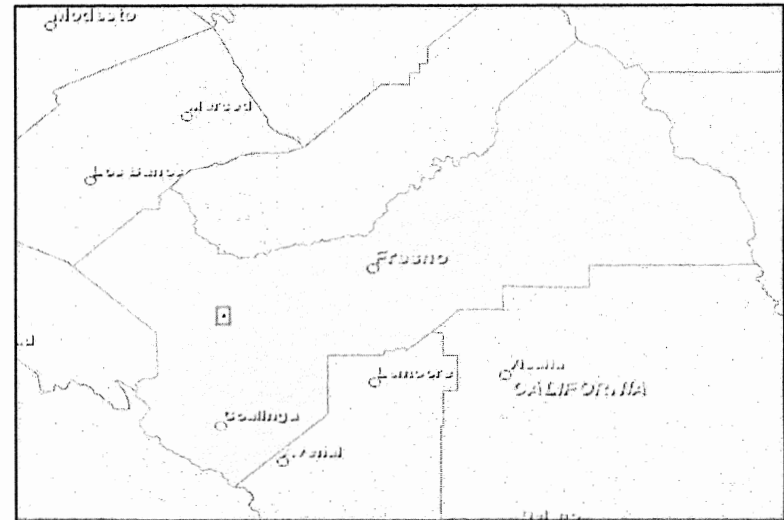
Aspiration Solar G Figure 2

Exhibit 6 - Page 3



Type: Vicinity Map	Basemap: ESRI Photo Basemap Parcels: Fresno County Parcel Layer
Author: JL	
Date: 5/12/2015	
Version: 1.1	
Map Scale: 1:19,000	

Legend	
	Project Site
	Remaining Land



S-POWER
SUSTAINABLE POWER GROUP

The proposed Project, as shown on the CUP Site Plan included in Section 6.0, would be composed of the following elements:

- Photovoltaic (PV) modules
- Module mounting systems
- Balance of system and electrical boxes
- Electrical inverters and transformers
- Electrical AC collection system, including switchgear
- Data monitoring equipment
- Generation-tie line and communication lines (co-located and placed either underground or overhead)
- Access roads and security fencing
- Security Lighting
- Signage for Safety and Identification

The proposed Project does not require the construction of an onsite operations and maintenance (O&M) building. It is anticipated that the Project would require an Unclassified Conditional Use Permit for facility construction and operation.

7.3.1 Current Site Conditions

The Project site consists of disturbed vacant land previously used for agricultural production. More recently the site has been fallow or cultivated with dry-farming winter grains. Currently the Project site is being farmed for dryland wheat. An active irrigation pond is located on the northeast corner of the site. The Project site has relatively flat topography (Figure 3).

7.3.2 Adjacent Land Use and Site Access

Land use adjacent to the Project is agricultural. An electrical distribution power line runs east-west along West Mountain View Avenue within the southerly ROW of the Project's parcel. Site access will be provided from the existing paved and public road, West View Mountain Avenue, located on the south side of the site. All other surrounding roads are unpaved.

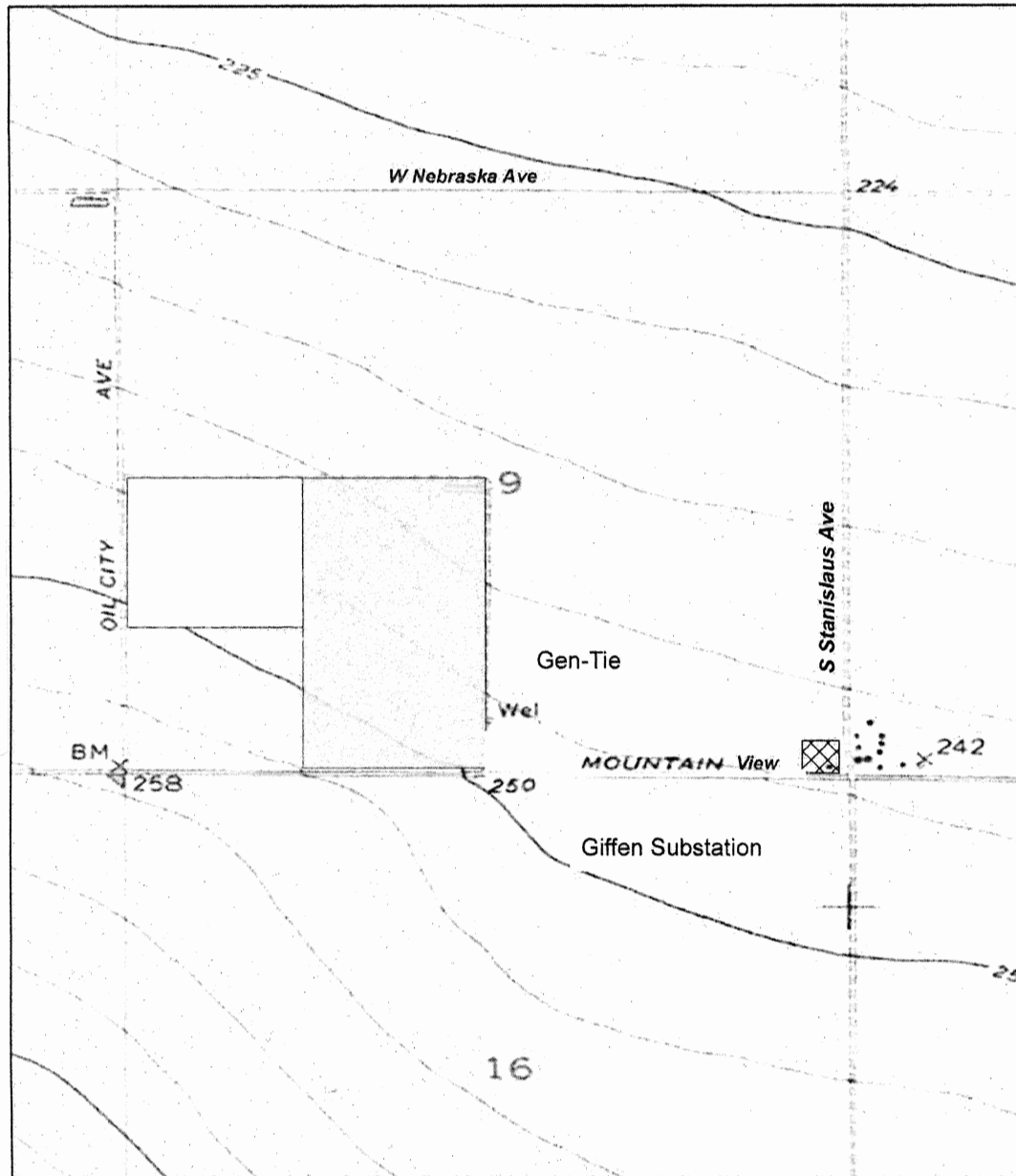
7.4 Solar Facility Components

7.4.1 Solar PV Generation Facility

The proposed Project would include a series of PV module arrays mounted onto racking systems. These systems are typically supported by a pile-driven foundation design. The foundation design would be determined based on a full geotechnical study to be completed by the Applicant prior to construction and as part of final engineering. The module mounting system or racking system would be a single-axis tracker PV array configuration oriented to maximize the amount of incident solar radiation absorbed over the course of the year.

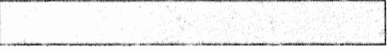
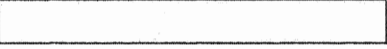
Electrical connections from a series of PV arrays would be channeled to combiner boxes located throughout the solar field. Electrical current would be collected and combined prior to feeding the current into the inverters. The solar field would be laid out in a common PV block design to allow adequate clearance for access roads and adequate access for maintenance.

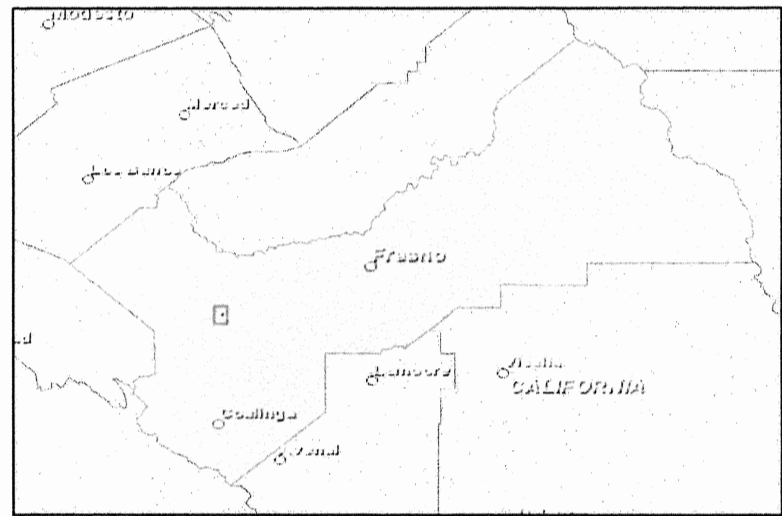
Aspiration Solar G Figure 3



Type: Vicinity Map	Basemap: USGS Topo Parcels: Fresno County Parcel Dataset
Author: JL	
Date: 5/12/2015	
Version: 1.1	
Map Scale: 1:19,000	

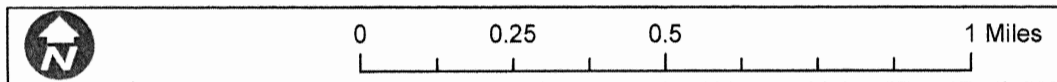
Legend

	Project Site
	Remaining Land




S-POWER
SUSTAINABLE POWER GROUP

Exhibit 6 - Page 5



Inverters would be consolidated in areas to minimize cable routing, trenching, and minimal electrical losses. The AC output from the inverters would be routed through an AC collection system and consolidated within system switchgear. The final output from the Project would be processed through a transformer to match the interconnection voltage. Electrical safety and protection systems would be provided to meet utility, California Independent System Operator (CAISO), and regulatory codes and standards. The energy would ultimately be delivered to the PG&E transmission network at the Giffen Substation. A more detailed description of the generation tie line and its proposed route options is detailed below.

The Applicant would install a 6- to 8-foot security perimeter fence with a three-strand bob wire (no razor wire). Fencing would include appropriate signage for public protection and points of ingress/egress would include locked gates for access only by facility services and maintenance personnel, as required during operation.

7.4.2 Photovoltaic Modules

Based on the application, the actual total number of PV modules or panels would depend on the technology selected, optimization evaluation, and detailed design. The market conditions, economic considerations, and environmental factors would be taken into account during the detailed design process. The following PV module technologies or equivalent may be incorporated into the proposed Project.

- PV thin-film technology
- PV crystalline silicon technology
- Tracking module configuration

For the tracking configuration, the modules would rotate from east to west over the course of the day. Modules would be non-reflective and highly absorptive. During construction, the PV modules would be delivered to the Project location to support the installation schedule. The construction staging area would be within the Project site; no staging area is proposed offsite.

7.4.3 Installation, Array Assembly, and Racking

The module mounting system provides the structure that supports the PV module arrays. The foundations are typically pipes/piles driven into the soil using pneumatic techniques, similar to hydraulic pile driving. The final foundation design would be determined based on the geotechnical survey for the Project. Once the foundation has been installed, the module racking system would be installed to support the PV modules. For a tracking configuration, motors would be installed to drive the tracking mechanism.

The module mounting system would be oriented in rows within the PV design block reflecting a standard and uniform appearance across the facility. The module configuration would be uniform in height and width, although the actual height of the arrays would vary due to ground elevations. The Applicant has indicated that tracker panels would be approximately 4.5 feet in height when in a horizontal position and up to 12 feet high when in a pitched position. Fixed panels would be approximately 5 to 6 feet high.

The proposed Project includes minimal grading for roads, concrete pad areas, and to level existing bermed areas onsite. The Applicant has committed to minimize dust generation throughout construction during grading and other site activities and during operation of the facility.

7.4.4 Direct Current Collection, Inverters, Alternating Current Collection and Transformers

Modules would be electrically connected into strings. Each string would be funneled by electrical conduit underground to combiner boxes located throughout the solar field power blocks. The output power cables from the combiner boxes would again be consolidated and feed the DC electricity to inverters which convert the DC to AC. Each inverter would be fully enclosed, pad mounted, and stand approximately 95 inches (~8 feet) in height. The AC output of two inverters would be fed via underground cable into the low-voltage side of the inverter step-up transformer generally within 20 feet of the inverters. The underground electrical cables would be installed using standard trenching techniques.

7.4.5 SGF Switching Station

The switching station area would be excavated for the transformer equipment, control building foundation, and oil containment area. Reinforced concrete is used for foundations. The switching station would be placed near the southeast corner of the solar facility adjacent to West Mountain View Avenue.

- Structural components in the switching station would include:
- Transformers, switchgear, and safety systems
- Footings and oil containment system for the transformers
- Power poles and wiring

The transformer, approximately 87 inches (~7 feet) in height, would be pad mounted and enclosed together with switchgear and a junction box. The high-voltage output of the transformer would be combined in series via underground collector cable to the junction box of the transformer in closest proximity. Distances can range from 60 feet to 700 feet throughout the Project site. The collector system cables would be tied at underground junction boxes to the main underground collector cables, composed of a larger gauge wire, to the location of the generator step-up transformer (GSU). The main collector cables would rise into the low-voltage busbar and protection equipment that is enclosed together with the GSU. The primary switchgear includes the main circuit breaker and utility metering equipment, and would be enclosed separately and pad mounted together with the GSU. Both the GSU and the primary switchgear stand approximately 87 inches (~7 feet) in height. The output of the switchgear would be the start of the gen-tie.

7.4.6 Data Collection System

The proposed Project would be designed with a Supervisory Control and Data Acquisition (SCADA) system for remote monitoring of facility operation and/or remote control of critical components. Within the site, the fiber optic or other cabling required for the monitoring system would be installed throughout the solar field leading to a centrally located (or series of appropriately located) SCADA cabinets. The telecommunications connections to the SCADA system cabinets are either wireless or hard wired.

The system would also include a meteorological (met) data collection system. The Met station would have the following weather sensors: a pyranometer for measuring solar irradiance, a thermometer to measure air temperature, a barometric pressure sensor to measure atmospheric pressure, and two wind sensors to measure speed and direction. These sensors would be connected to a data logger to compile the data for transmission to the data collection center.

7.5 Generation-Tie and Communication Line

To provide flexibility with regard to final property negotiations, the Applicant has identified two possible routes for the gen-tie and communication route. The routes are parallel; however one is located on the north side of the street and one is on the south side as follows:

- North side West Mountain View Avenue extending east 0.5 miles from southeast corner of Project to the Giffen Substation, located on the north side of West Mountain View Avenue;
- South side West Mountain View Avenue extending east 0.5 miles from southeast corner of Project to the Giffen Substation, located on the north side of West Mountain View Avenue.

The solar generating facility would connect to the existing PGE Giffen Substation via a 12 kV overhead gen-tie line, which would extend from the southeast corner of the Project site and run east approximately 0.5 miles to tie into a dedicated and existing 12 kV bus at bank 1 in Giffen Substation. Fiber optic communication lines would be collocated with the gen-tie line. The site plan included in Section 6.0 shows the locations of the route alternatives.

7.6 Solar Project Construction

Project construction would consist of three major phases:

1. Site preparation
2. PV system installation, testing, and startup
3. Site cleanup and restoration

The Applicant would prepare a storm water pollution prevention plan (SWPPP), which would incorporate best management practices (BMPs) for erosion control. The Project would also comply with applicable post-construction water quality standards adopted by the Regional Water Quality Control Board or the State Water Resources Control Board. Construction of the proposed Project, beginning with site preparation and grading, if required, through equipment set up and commencement of commercial operation, is expected to last up to 5 months. The Applicant has committed to implementing all required measures and BMPs as determined by the County of Fresno and responsible agencies.

7.6.1 Site Preparation

Construction of the PV facility would begin with initial clearing and grading (if required) of the staging areas. Access to the Project site would be improved to appropriate construction standards. The onsite construction staging areas would typically include construction offices, a first aid station and other temporary buildings, worker parking, truck loading and unloading facilities, and an area for assembly. Road corridors would be surveyed, cleared, and graded to bring equipment, materials, and workers to the areas under construction. Buried electrical lines, PV array locations, and the locations of other facilities may be flagged and staked to guide construction activities. The Applicant would install a security fence around the perimeter of the site. Two secured and controlled access and egress gates would be located along West Mountain View Avenue.

Best management practices for erosion control during site preparation would be employed during installation of initial erosion and sedimentation controls. In addition, water truck refilling stations (as required) would be established for dust control.

7.6.2 PV System Installation

PV system installation would include earthwork, grading, and erosion control, as well as erection of the PV modules, supports, and associated electrical equipment. System installation would begin with teams installing the mounting and steel/concrete piers support structures. The exact design would be finalized pending specific soil conditions. The foundation methods may include vibration driven screw piles or above-ground ballast foundations. This activity would be followed by panel installation and electrical work.

Concrete may be required for the footings, foundations, and would be required for pads for the transformers. Concrete would be produced at an off-site location by a local provider and transported to the Project site by truck. The enclosures housing the inverters would have pre-cast concrete bases. Final concrete specifications would be determined during detailed design engineering and would meet applicable building codes. The PV modules require a moderately flat surface for installation. Some earthwork, including grading, fill, compaction, and erosion control cultivation may be required to accommodate the placement of PV arrays, foundations or footings, access roads, and drainage features. Control of erosion during construction would be determined by a California Qualified SWPPP Developer ("QSD"). Construction of the PV arrays would include installation of support beams, module rail assemblies, PV modules, inverters, transformers, and buried electrical cables.

Wastes that would be generated during construction may include the following: cardboard, wood pallets, copper wire, scrap steel, common trash, and wood wire spools. The Applicant does not expect to generate hazardous waste during construction of the proposed Project. However, field equipment used during construction would contain various hazardous materials such as hydraulic oil, diesel fuel, grease, lubricants, solvents, adhesives, paints, and other petroleum-based products. To address these hazardous materials, the Applicant would develop and implement a Hazardous Materials Management Plan.

7.6.3 Construction Workers, Hours, and Equipment

The construction activities are expected to be completed in approximately 5 months. The onsite workforce would consist of laborers, various skilled trades, supervisory personnel, support personnel, and construction management personnel. Project construction would take 150 calendar days during daylight hours, Monday through Saturday, with the exception of water trucks that ensure dust control every day during the construction schedule.

Construction activities would be conducted consistent with County of Fresno regulations regarding hours of construction. The Project would generate an estimated 75 new jobs during the construction phase and would provide a part-time position (offsite) during operation and maintenance activities. Table 7-1 provides detailed information on the construction equipment and timeframe for construction activities.

Table 7-1. Construction Equipment and Trip Assumptions			
Phase 1 – Site Preparation (7 weeks; Calendar days 0-50; 40 working days)			
Off-Road Equipment Type	Number	Horsepower	Hours/Day
Rollers/Mowers	2	87	4
Rough Terrain Forklift	2	93	6
Rubber-Tire Dozers	1	357	6

Table 7-1. Construction Equipment and Trip Assumptions			
Tractors/Loaders/Backhoes	2	108	5
Skid Steer Loader	2	61	6
Utility Vehicles	4	49	4
Water Truck	2	189	8
Work Trucks	4	225	4
Stationary Equipment	Number	Horsepower	Hours/Day
10,000 Watt Generator	2	15	2
Phase 2 – Facility Installation (3.5 months; calendar days 25 – 130; 90 working days)			
Off-Road Equipment Type	Number	Horsepower	Hours/Day
Pile Driver Rigs (vibratory)	8	50	8
Crane	1	399	4
Rough Terrain Forklift	2	93	6
Trencher/Loaders/Backhoes	2	108	6
Skid Steer Loader	2	61	6
Utility Vehicles	3	49	4
Work Trucks	4	225	4
Water Trucks	3	189	8
Stationary Equipment	Number	Horsepower	Hours/Day
10,000 Watt Generator	2	15	2
Phase 3 – Commissioning/Finishing (1 month; calendar days 120-150; 25 working days)			
Off-Road Equipment Type	Number	Horsepower	Hours/Day
Utility Vehicles	2	49	4
Skid Steer Loader	2	61	6
Trencher/Loader/Backhoe	2	108	6
Rough Terrain Forklift	1	93	6
Work Truck	4	225	4
Water Truck	1	189	8
Stationary Equipment	Number	Horsepower	Hours/Day
10,000 Watt Generator	2	15	2

7.7 Solar Project Operation and Maintenance

Upon commissioning, the Project would enter the operational phase. For the duration of the operational phase, the Project would be operated on an unstaffed basis and monitored remotely, with regular on-site personnel visitations for security, maintenance, and system monitoring. No personnel would be on-site during the majority of hours of operation. As the Project's PV arrays produce electricity passively with minimal moving parts, maintenance requirements would be limited. Any required planned

maintenance would be scheduled to avoid peak load periods, and unplanned maintenance would occur as needed depending on the event.

7.7.1 Operation

During operation of the proposed Project, the Applicant would:

- Respond to automated alarms based on monitored data, including actual versus expected tolerances for system output and other key performance metrics, and
- Communicate with customers, transmission system operators, and other entities involved in facility operation.

7.7.2 Maintenance

Project maintenance performed on the site would consist of equipment inspection and replacement. Maintenance would occur during daylight hours, when possible. However, maintenance activities on the PV modules and DC systems would be typically performed at night. The application identifies the following maintenance program elements:

- Managing a group of prequalified maintenance and repair firms who can meet the operation and maintenance needs of the facility throughout its life.
- Implementing a responsive, optimized cleaning schedule.
- Responding to plant emergencies and failures in a timely manner.
- Maintaining an inventory of spare parts to ensure timely repairs and consistent plant output.
- Maintaining a log to effectively record and track all maintenance problems.
- Performing maintenance on the site as required to clear obstructive ground cover.

The Applicant has estimated that maintenance staff would visit the site approximately two times per year to clean the PV modules and would be on site seasonally to clear vegetation. The Applicant may also use grazing animals to control vegetation on the site.

7.7.3 Security

To ensure the safety of the public and the facility, the property would be fenced and signs posted. The Project would include a 6- to 8-foot security fence with three-strand bob wire. Security measures would be installed as necessary to mitigate and/or deter unauthorized access. Access to the site would be controlled and gates installed at property entrances.

7.7.4 Water Use

Approximately 22 acre-feet of water would be required during construction, with actual consumption strongly dependent upon climatic conditions. Construction water needs would be limited to soil conditioning and dust suppression. Potable water would be brought to the Project site for drinking and domestic needs.

During the operational phase Solar PV plants require minimal water use. The annual water consumption for operations of the facility, including periodic PV module washing and dust control measures, is expected to be approximately 0.5 acre-feet.

For the operational phase, the applicant has obtained a "Will Serve" letter from WWD. A copy of the letter is included in Section 8.0, Appendix 8A. WWD has indicated that there will be no availability for

construction water or for operational phase dust control water during 2015. Potential outside sources of water include local private wells, or water trucked in from the local municipality.

7.7.5 Fire Control

The project shall comply with California Code of Regulations Title 24 - Fire Code and Local Fire Ordinances. The PV modules and ancillary equipment represent a negligible fire risk.

7.7.6 Solid and Non-Hazardous Waste

The proposed Project would produce a small amount of solid waste associated with maintenance activities. PV plant wastes may include broken and rusted metal, defective or malfunctioning modules, electrical hardware, empty containers, and other miscellaneous solid wastes, including the typical refuse generated by workers. These materials would be collected and separated for recycling where available. Any defective or broken solar modules would be returned to the manufacturer for recycling. Prior to occupancy, the Applicant shall complete and submit a Hazardous Materials Business Plan form to the Fresno County Department of Public Health, Environmental Health Division and shall handle all hazardous waste, in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5.

7.7.7 Hazardous Waste

The Applicant anticipates the level of hazardous materials used or waste generated on the Project site to be negligible. Used biodegradable dielectric fluid and mineral oil from the transformers and miscellaneous electrical equipment are potentially hazardous materials. The spent oil would be collected and delivered to a recycling company at the time it is removed from the equipment. This material would not be stored on-site.

7.8 Solar Project Decommissioning

Fresno County requires all applicants for solar facilities to address specific measures outlined in the Solar Facility Guidelines. As required by Item 6 of these guidelines, the Applicant will provide a Reclamation Plan detailing the lease life of the solar facility, the timeline for removal of improvements, and specific measures to return the site to the agricultural capability prior to installation of solar improvements. The plan will also be prepared in accordance with the county issued "Guidelines for Preparing a Solar Electrical Generation Facility Reclamation Plan".

EXHIBIT 7

8.0 Supplemental Solar Facility Report

This report was prepared by Aspiration Solar G LLC (“the applicant”) to provide information to ensure compliance with the County of Fresno Department of Public Works and Planning Solar Electrical Generation Facility Supplemental Information requirements. A copy of the Guidelines are provided in Section 4.0 of this application. These requirements are applicable to any land use entitlement application for a solar facility that is proposed on land currently used for agriculture, and/or subject to an existing Williamson Act Contract that the applicant is seeking to cancel as part of a solar generation project. The proposed Aspiration Solar G SGF is not under a valid Williamson Act contract.

8.1 Historical Agricultural Use

The Aspiration Solar G SGF property is located within the Westlands Water District (WWD) service area. WWD is a United States Bureau of Reclamation (USBR) Central Valley Project water contractor. The Fresno County Board of Supervisors declared the district formed September 8, 1952. The West Plains Water Storage District was organized in 1962. WWD and West Plains merged on June 29, 1965.

The property was acquired by WWD as part of its participation in the so-called Peck Settlement Agreement (entered into between the United States, WWD, and the Peck Plaintiffs) under its land retirement program in 2004. Prior to 2004, the property was farmed in a traditional row crop rotation. Since the end of the 2004 crop year, the property has been restricted by a non-irrigation covenant per the Peck Settlement with United States Bureau of Reclamation and has been fallow or cultivated to winter grains, as shown in Table 8-1. The property is currently farmed to dryland wheat.

Year	Crop Planted	Irrigated Y/N	Tilled Y/N
2014	Grain, Hay	N	Y
2013	Wheat	N	Y
2012	Grain, Hay	N	Y
2011	Wheat	N	Y
2010	Grain, Hay	N	Y
2009	Fallow	N	Weed control only
2008	Fallow	N	Weed control only
2007	Fallow	N	Weed control only
2006	Fallow	N	Weed control only
2005	Fallow/Grain, Sorghum	N	Fallow: Weed control only/Grain, Sorghum: Y
2004	Fallow	N	Weed control only

8.2 Water Source

Approximately 22 acre-feet of water would be required during construction, with actual consumption strongly dependent upon climatic conditions. Construction water needs would be limited to soil conditioning and dust suppression.

During the operational phase Solar PV plants require minimal water use. The annual water consumption for operations of the facility, including periodic PV module washing and dust control measures, is expected to be approximately 0.5 acre-feet.

For the operational phase, the applicant has obtained a “Will Serve” letter from WWD. A copy of the letter is included in Appendix 8A. WWD has indicated that there will be no availability for construction water or for operational phase dust control water during 2015. Potential outside sources of water include local private wells, or water trucked in from the local municipality.

8.3 Existing Easements, Contracts and Other Limitations of Parcel

The site is not subject to Williamson Act contracts or conservation easements. WWD acquired these lands “in lieu of eminent domain” per Government Code Section 51295, which deemed the parcel’s Williamson Act contract null and void at the time of acquisition.

A 40-foot wide, county dedicated, easement exists along West Mountain View Avenue for the purpose of public land use such as the development of infrastructure. A title report is included as Appendix 8B.

8.4 Soil Classifications

Table 8-2 provides the NRCS designations and ratings for the Farmland Classifications, California Revised Storie Index, and Land Capability Classifications (LCC). The soil surveys provide a general overview of these agricultural resources; as such, the baseline conditions to compare potential impacts of the proposed Project may overestimate or underestimate the occurrence of particular soils on the site.

The NRCS designations and ratings were used to run the Land Evaluation and Site Assessment (LESA) Model, which is a point-based approach for rating the relative importance of agricultural land resources based upon specific measurable features. This model evaluates measures of soil resource quality, a given project’s size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, the factors are rated, weighted, and combined, resulting in a single numeric score. The project score becomes the basis for making a significance determination for the impacts to agricultural resources. Table 8.2 provides a summary of the soil reports and the following subsections provide the definitions for each of the NRCS designations and ratings that apply to the proposed Project site.

Soil Type	Approximate Acreage	Approximate Percentage of Project Site	Farmland Classifications	CA Revised Storie Index Rating	Land Capability Classification (Nonirrigated)
Tranquility Clay	18.3	22.9%	Farmland of Statewide Importance	3.66	7w
Ciervo Clay	14.1	17.7%	Prime Farmland if Irrigated	Not Rated	7s
Calfax Clay Loam	47.3	59.4%	Farmland of Statewide Importance	Not Rated	7s

Source: NRCS, 2015

Farmland Classification Definitions

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not

urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. (NRCS, 2015)

Farmland of Statewide Importance is land that does not meet the criteria for prime or unique farmland and is considered to be farmland of statewide importance for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law (NRCS, 2015).

Farmland Mapping and Monitoring Program

The Department of Conservation's FMMP provides designations for Important Farmland throughout the State. The proposed Project site is designated as Farmland of Local Importance. The following is the definition for this designation:

- Farmland of Statewide Importance - All farmable lands within Fresno County that do not meet the definitions of prime, statewide, or unique. This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture, and grazing land. (DOC, 2012)

8.5 Buffers and Respect for Nearby Agricultural Operations

Aspiration Solar G LLC's corporate philosophy is to be good stewards of the environment and to our neighbors. We believe that our SGF can coexist in an intensive agricultural environment and that various existing practices such as field disking, pesticide applications, and pest management are part and parcel of Fresno County agricultural activities that we must adapt to and consider in our facility planning process. We also further recognize the county's Right to Farm ordinance and intend to plan our facilities to ensure that our Aspiration Solar G facility can operate in harmony with our neighbors.

The Project proposes to maintain a buffer between the site and neighboring agricultural operations:

- Per Fresno County Public Works and Planning guidelines, the Aspiration Solar G SGF will achieve a minimum 50 foot buffer to adjacent properties by excluding structural improvements and equipment (excluding fencing) from within 50 feet of the outside boundary of the Project.
- A 6-8-foot chain-link galvanized metal fence topped with standard three-strand barbed wire will surround the Project.
- Internal perimeter roads a minimum of 20 feet wide will be installed along the outside edges of the Site between the fence and the solar panels.

8.6 Reclamation Plan

A Reclamation Plan for the Project will be finalized in advance of the Planning Commission hearing. The Reclamation Plan will be prepared in accordance with the Fresno County Guidelines for Preparing a Solar Electrical Generation Facility Reclamation Plan. In short, it will describe steps required for restoring the site to pre-project conditions and will include an estimate for reclamation costs. The Project will adhere to Fresno County requirements for posting a letter of credit or other security instrument for reclamation costs prior to obtaining a building permit. The preliminary Reclamation Plan is included as Appendix 8C.

8.7 Site Selection Process

Aspiration Solar G LLC evaluated numerous properties in their search for SGF sites in Fresno County. The two sites currently in the CUP or development process are retired farmlands that were part of the Westlands land retirement program. The properties have adopted dry farming practices since water rights were sold to the Westlands District.

The Westlands land retirement program was implemented as a result of a combination of issues including lands that were impacted by high groundwater levels and/or soil salinities or lands that did not have a firm water supply and could not reliably farm produce that requires irrigation water during the summer months. Westlands pursued land retirement as a means to address chronic water shortages and long-standing drainage issues. Westlands goal was to reduce the total number of acres irrigated with Central Valley Project water supplies from 570,000 acre-feet to 370,000 acre-feet, a total reduction of some 200,000 acres (Westlands website: www.westlandswater.org).

Aspiration Solar G LLC worked directly with the Westlands Water District to pursue properties within the District from the very beginning of our development efforts in Fresno County, intentionally bypassing the pursuit of prime farmland located in other more agriculturally productive areas of Fresno County. Aspiration Solar G LLC is cognizant of Fresno County's presence as a world leading agricultural producer. Our decision to site these projects within the Westlands district positions the projects in an area with strong solar resource, while avoiding removal of any prime or productive agricultural lands from productive use.

8.8 Pest and Weed Management Plan

Aspiration Solar G LLC recognizes the importance of development and adherence to a pest management plan on the project site to ensure that farming activities in the region are not adversely impacted by pests. Aspiration Solar G LLC intends to work cooperatively with neighboring landowners to avoid conflicts that may arise from project operations in relation to pest management. A Pest and Weed Management Plan will be implemented with the objective of actively managing the site for pests, invasive weeds and fuel load. Rodent populations represent a risk to system performance given the potential for chewing wires, as such the Site will be actively monitored and if rodents are found, medial actions will be taken. The Pest and Weed Management Plan is included as Appendix 8D.

8.9 Right to Farm Ordinance

The County of Fresno has developed and administers a Right to Farm policy and Zoning Ordinance as part of the Fresno County General Plan (Fresno Ordinance Code Section 17.04.100). The Zoning Ordinance ensures protection of existing agricultural operations where development threatens those operations. The Right to Farm policy avoids potential conflicts associated with farming practices by

notifying landowners who purchase property adjacent to existing farming operations. Landowners are then required to agree to the Right to Farm policy.

Aspiration Solar G LLC would comply with county requirements associated with the Right to Farm policy and Zoning Ordinance by recording a Right to Farm Notice. Aspiration Solar G LLC acknowledges that farming is the primary land use and activity in the region. Aspiration Solar G LLC is committed to working cooperatively with farming operations in the vicinity of the project site to ensure that the project would be a compatible use within the surrounding agricultural landscape.

8.10 Life of Land Use Permit

Aspiration Solar G LLC acknowledges that the life of the approved land use permit will expire upon expiration of the initial life of the solar lease. If the solar lease is to be extended, approval of a new land use permit will need to be obtained.

8.11 References

Aspen Environmental Group. 2015. Draft Agricultural Conversion Report, Aspiration Solar G Solar Generating Facility, Fresno, CA. May.

California Department of Conservation (DOC). 2012. Farmland Mapping and Monitoring Map, Fresno County Important Farmland 2012, Sheet 1 of 2. [online]: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2012/fre12_w.pdf. Accessed May 6, 2015.

Natural Resource Conservation Service (NRCS). 2015. Web Soil Survey. Soil surveys for the Aspiration Solar G LLC Project. [online]: <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed May 6, 2015.

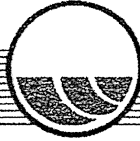
Recurrent Energy. 2014. Supplemental Information Packet, UCUP Application Number 3451. August.

Sunpower Corporation. 2011. Mendota Solar CUP Application. December.

Westlands Water District (WWD). 2014. Detailed district map and overview of key facilities. <http://wwd.ca.gov/wp-content/uploads/2014/09/Westlands-Blue-Map.compressed.pdf>. Accessed May 12, 2015.

_____. 2015. Personal communication between Deborah Tuggle of WWD and Matthew Long of Aspen Environmental Group – Phone conversation May 12, 2015.

Appendix 8A: Westlands Water District Will Serve Letter



Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (559) 224-1523, FAX (559) 241-6277

March 8, 2012

Mr. Ejaz Ahmad, Planner
Fresno County Department of Public Works and Planning
2220 Tulare Street, Sixth Floor
Fresno, California 93721

SUBJECT: Silverado Power, Water Service

Dear Mr. Ahmad,

Silverado Power (Applicant) requested that Westlands Water District (District) provide water service. The Applicant is requesting water service to the proposed solar developments found in attachment 1.

The District has determined that provision of water for solar development is consistent with the District's Municipal and Industrial (M&I) Regulations and that the following specifically relates to the Applicant's request.

1. The Regulations provide for the quantity of water that the District will make available to a water user from the District's Central Valley Project (CVP) contract supply. The District will make available up to five (5) acre-feet annually per 160 acres of solar development. The Applicant is responsible to acquire more water if needed. If the solar development is less than 160 acres then the 5 AF is proportionately reduced to reflect the amount of developed land.
2. The Applicant has the ability under the existing Regulations to acquire and transfer in additional short-term water supplies for its exclusive use during construction. The District may assist the Applicant in this regard, but will not commit to the quantity or price of water due to the unforeseeable availability and/or price of supplemental water supply. Alternatively, the Applicant may use groundwater from one or more existing wells on the site(s).
3. The District and the California Department of Health Services (DHS) entered into a Compliance Agreement that will not allow new M&I services unless that M&I service is a Public Water System or has a point-of-entry (POE) approved by DHS and/or the County of Fresno. Once the Applicant

4. has connected to the District's system and is receiving surface water, the Applicant is responsible to satisfy the County Health Department's requirements for potable water at all locations.
5. The Applicant must comply with the District's Backflow Prevention guidelines for this connection to the water system.

Further, the Applicant will be bound by the Terms and Conditions established by the District for M&I service and must submit a District application for each service that is requested.

Thank you for the opportunity to assist the County of Fresno in this matter, if you have any additional questions please feel free to contact Katarina Buelna at 559-241-6226.

Sincerely,



Tom Glover
Deputy General Manager – Resources

Enclosures: 1

cc: Derrick Chambers

Attachment 1
Silverado Power's Solar Developments

APN	Legal Description	Acres
Portion of 050-080-07ST	N2 SW4 & SE4 SW4 21 17/17	150.12
Portion of 111-05-13	NE4 NE4 6 13/13	40
019-040-30ST	SW4 4 14/14	152.03
019-050-61ST	E2 10 14/14	321.04
038-080-14ST	N2 SW4 & SE4 SW4 9 16/15	119.10
038-080-12ST	N2 SW4 SW4 9 16/15	20.00
038-080-13ST	S2 SW4 SW4 9 16/15	19.10
060-030-21ST	NE4 2 18/16	157.82
060-030-19ST	SE4 2 18/16	157.56
019-180-29ST	SUR RTS 303.82AC 33 14/15	303.82
Portion of 012-160-25ST	E 50AC S2 25 13/14	50.00
019-040-05S	SE4 4 14/14	161.06
040-160-21ST	NW4 SE4 & NW4 SW4 SE4 24 16/16	51.22
040-160-10ST	NE4 SW4 SE4 24 16/16	10.00
040-160-14T	SW4 SW4 SE4 24 16/16	10.00
040-160-13ST	SE4 SW4 SE4 24 16/16	10.00
040-160-17ST	N2 NE4 SE4 24 16/16	20.00
040-160-3ST	S2 NE4 SE4 24 16/16	20.00
040-160-11ST	N2 SE4 SE4 24 16/16	20.00
040-160-18ST	S2 SE4 SE4 24 16/16	20.00
Portion of 040-110-34ST	NW4 25 16/16	160.00
040-150-20ST	N2 NW4 NE4 24 16/16	15.69
040-150-8T	SW4 NW4 NE4 24 16/16	10.00
040-150-7T	SE4 NW4 NE4 24 16/16	10.00
040-150-11ST	NE4 SW4 NE4 24 16/16	10.00
040-150-18T	SW4 SW4 NE4 24 16/16	10.00
040-150-22T	NW4 NE4 NE4 24 16/16	7.84
040-150-24ST	NE4 NE4 NE4 24 16/16	7.84
040-150-6T	S2 NE4 NE4 24 16/16	20.00
040-150-12T	NW4 SE4 NE4 24 16/16	10.00
040-150-13T	NE4 SE4 NE4 24 16/16	10.00
040-150-15T	N2 SW4 SE4 NE4 24 16/16	5.00
040-150-16T	S2 SW4 SE4 NE4 24 16/16	5.00
040-150-14ST	SE4 SE4 NE4 24 16/16	10.00
028-081-30ST	SE4 & S2 SW4 23 15/15	233.94
028-081-63ST	N2 NE4 23 15/15	74.13
028-081-28ST	S2 NE4 23 15/15	80.00

Appendix 8B: Title Report

PRELIMINARY REPORT

Order No. : 01180-154586
Title Unit No. : 7434
Your File No. : 15000330746
Buyer/Borrower Name :
Seller Name : Westlands Water District, a public agency

Property Address: APN 038-080-12-S, 038-080-13-S, Fresno, CA
APN 038-080-14-S, Fresno, CA

In response to the above referenced application for a Policy of Title Insurance, Stewart Title of California, Inc. hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Stewart Title Guaranty Company Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referenced to as an Exception on Schedule B or not excluded from coverage pursuant to the printed Schedules, Conditions, and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on covered Risks of said policy or policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limits of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters, which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report, (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance a binder or commitment should be requested.

Dated as of March 19, 2015 at 7:30 a.m.

Kaz Bernath, Title Officer

PRELIMINARY REPORT

The form of Policy of Title Insurance contemplated by this report is:

- CLTA Standard Coverage Policy
- CLTA/ALTA Homeowners Policy
- 2006 ALTA Owner's Policy
- 2006 ALTA Loan Policy
- ALTA Short Form Residential Loan Policy
- Report Only

SCHEDULE A

The estate or interest in the land hereinafter described or referred to covered by this report is:

A Fee

Title to said estate or interest at the date hereof is vested in:

Westlands Water District, a public agency

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Fresno Unincorporated and described as follows:

PARCEL 1: (038-080-12S)

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION 9, ALL IN TOWNSHIP 16 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF;

EXCEPT ALL OIL, GAS AND OTHER HYDROCARBONS AND MINERALS NOW OR AT ANY TIME HEREAFTER SITUATE THEREIN AND THEREUNDER, TOGETHER WITH ALL EASEMENTS AND RIGHTS NECESSARY OR CONVENIENT FOR THE PRODUCTION, STORAGE AND TRANSPORTATION THEREOF AND THE EXPLORATION AND TESTING OF THE SAID REAL PROPERTY, AND ALSO THE RIGHT TO DRILL FOR, PRODUCE AND USE WATER FROM THE SAID REAL PROPERTY IN CONNECTION WITH DRILLING OR MINING OPERATIONS THEREON.

PARCEL 2: (038-080-13S)

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION 9, TOWNSHIP 16 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF;

EXCEPTING FROM THE OPERATION AND EFFECT OF THIS DEED AND RESERVING UNTO THE GRANTORS, FLOYD A. YEAROUT AND ANNA V. YEAROUT, HUSBAND AND WIFE, AS JOINT TENANTS, AN UNDIVIDED THREE-EIGHTHS INTEREST (37 - 1/2% OUT OF 100%) AND TO THE GRANTOR, RAYMOND L. YEAROUT, AN UNDIVIDED ONE-EIGHTH INTEREST (12-1/2% OUT OF 100%) IN AND TO ALL OIL, GAS, PETROLEUM, HYDROCARBON SUBSTANCES AND OTHER MINERALS LOCATED IN, ON OR UNDER SAID PROPERTY, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO SAID PROPERTY FOR THE PURPOSE OF EXTRACTING OIL, GAS, PETROLEUM, HYDROCARBON SUBSTANCES AND OTHER MINERALS FROM SAID PROPERTY, AND TOGETHER WITH ALL OTHER RIGHTS NECESSARY FOR SAID PURPOSES.

PARCEL 3: (038-080-14S)

THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF;

EXCEPT ALL MINERALS AND MINERAL RIGHTS OF EVERY KIND AND NATURE INCLUDING PETROLEUM, OIL, GAS, ASPHALTUM AND OTHER HYDROCARBON SUBSTANCES LOCATED IN, ON OR UNDER SAID PROPERTY, AS RESERVED IN THE DEED FROM WILLIS BURSON AND KATE M. BURSON, HUSBAND AND WIFE, TO GORDON K. BAIRD AND CHARLOTTE B. BAIRD DATED NOVEMBER 16, 1942, RECORDED FEBRUARY 23, 1943 IN BOOK 2033 PAGE 397 OF OFFICIAL RECORDS, DOCUMENT NO. 6111.

APN: 038-080-12S, 038-080-13-S, and 038-080-14-S
(End of Legal Description)

SCHEDULE B

At the date hereof, exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy or policies would be as follows:

Taxes:

- A. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes, to be levied for the fiscal year 2015 - 2016.
- B. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the revenue and taxation code of the State of California.
- C. Taxes and assessments levied by the Westlands Water District.

Exceptions:

1. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
2. Water rights, claims or title to water in or under said land, whether or not shown by the public records.
3. Rights of way for roads, ditches and canals, and for telephone and telegraph lines and for pole lines, if any, now located on, over and across said lands.
4. An easement for road purposes and rights incidental thereto over that portion of said land lying within the lines of Mt. View Avenue as the same now exists.
5. Reservations and exceptions in the Patent recorded November 28, 1890 in Book O, Page 552, of Patents.
6. An easement for public road and rights incidental thereto in favor of County of Fresno as set forth in a document recorded March 18, 1926 as Instrument No. 7408, in Book 658, Page 56, of Official Records, affects Parcels 2 and 3.
7. An easement for public road and rights incidental thereto in favor of County of Fresno as set forth in a document recorded April 17, 1942 as Instrument No. 15189 in Book 1992, Page 243, of Official Records, affects Parcels 2 and 3.
8. Covenants, Conditions, and Restrictions as set forth in an instrument, but omitting, except to the extent permitted by any applicable federal or state law, covenants or restrictions, if any, based on race, color, religion, sex, familial status, national origin, handicap, sexual orientation, marital status, ancestry, source of income, disability, medical condition, or other unlawful basis. Recorded: February 23, 1943 as Instrument No. 6111 in Book 2033, Page 397, of Official Records

Note: Section 12956.1 of the Government Code provides the following: If this document contains any restrictions based on race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state

and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

9. An Oil and Gas Lease for the term therein provided with certain covenants, conditions and provisions, together with easements, if any, as set forth therein dated not shown, Gordon K. Baird and Charlotte B. Baird, husband and wife, as lessor and The Texas Company, a Delaware corporation, as lessee, recorded July 24, 1945 as Instrument No. 29014, in Book 2249. Page 327, of Official Records.

No assurance is made as to the present ownership of the leasehold created by said lease, nor as to other matters affecting the rights or interests of the lessor or lessee in said lease.

Said Matter Affects: Parcel 1

10. The matters contained in an instrument entitled "Contract and grant of Easement" upon the terms therein provided recorded June 16, 1966 as Instrument No. 45704 in Book 5326. Page 224, of Official Records.
11. Covenants and restrictions imposed by a Land Conservation Contract executed pursuant to Section 51200 et. seq. California Government Code, recorded January 29 1970 as Instrument No. 6682 in Book 5755. Page 5, of Official Records.
12. An Oil and Gas Lease for the term therein provided with certain covenants, conditions and provisions, together with easements, if any, as set forth therein dated not shown, Diane B. Ronnenberg, as lessor and Home Petroleum Corporation, an Oklahoma corporation, as lessee, recorded June 17, 1981 as Instrument No. 54199 in Book 7740. Page 108, of Official Records.

No assurance is made as to the present ownership of the leasehold created by said lease, nor as to other matters affecting the rights or interests of the lessor or lessee in said lease.

Said Matter Affects: Parcel 2

13. An Oil and Gas Lease for the term therein provided with certain covenants, conditions and provisions, together with easements, if any, as set forth therein dated not shown, Charlotte B. Baird, Claire Ann Zylka and Sally C. Coffman, all dealing with their separate property, as lessor and Home Petroleum Corporation, an Oklahoma corporation, as lessee, recorded September 2, 1981 as Instrument No. 79329 in book 7780. Page 675, of Official Records.

No assurance is made as to the present ownership of the leasehold created by said lease, nor as to other matters affecting the rights or interests of the lessor or lessee in said lease.

Said Matter Affects: Parcel 1

14. An easement for drainage and rights incidental thereto in favor of United States of America and Westlands Water District as set forth in a document recorded October 8, 2004 as Instrument No. 2004-0227854, of Official Records, affects as described therein.
15. The matters contained in an instrument entitled "Declaration of Restrictive Covenant (Non-Irrigation Covenant)" upon the terms therein provided recorded December 21, 2006 as Instrument No. 2006-0266516, of Official Records.
16. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
17. Matters which may be disclosed by an inspection or by a survey of said land satisfactory to this Company, or by inquiry of the parties in possession thereof.
18. Easements or claims of easements not recorded in the public records.

19. Rights of parties in possession.

Type/Rev: PVA

(End of Exceptions)

NOTES AND REQUIREMENTS

- A. Property taxes, including general and special taxes, personal property taxes, if any and any assessments collected with taxes for the fiscal year shown below, are paid, For proration purposes the amounts are:

Fiscal Year : 2014-2015
1st Installment : \$16.08
2nd Installment : \$16.08
APN No. : 038-080-12S

Property taxes, including general and special taxes, personal property taxes, if any and any assessments collected with taxes for the fiscal year shown below, are paid, For proration purposes the amounts are:

Fiscal Year : 2014-2015
1st Installment : \$16.08
2nd Installment : \$16.08
APN No. : 038-080-13S

Property taxes, including general and special taxes, personal property taxes, if any and any assessments collected with taxes for the fiscal year shown below, are paid, For proration purposes the amounts are:

Fiscal Year : 2014-2015
1st Installment : \$16.08
2nd Installment : \$16.08
APN No. : 038-080-14S

According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

NONE

This report is preparatory to the issuance of an ALTA loan Policy. We have no knowledge of any fact which would preclude the issuance of the policy with CLTA Endorsement Forms 100 and 116 and if applicable, 115 and 116.2 attached.

When issued, the CLTA Endorsement Form 116 or 116.2, if applicable will reference a(n) Vacant/Unimproved Commercial, APN 038-080-12-S, 038-080-13-S, Fresno, California

The charge for a policy of title insurance, when issued through this title order, will be based on the Basic Rate.

The map attached, if any, may or may not be a survey of the land depicted hereon. Stewart Title expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

A Preliminary Change of Ownership Report must be completed by the transferee (buyer) prior to the transfer of property in accordance with the provisions of Section 480.3 of the Revenue and Taxation Code. The Preliminary Change of Ownership Report should be submitted to the recorder concurrent with the recordation of any document effecting a change of ownership. If a document evidencing a change of ownership (i.e. Deed, Affidavit-Death Joint Tenant) is presented to the recorder for recording without a preliminary change of ownership report, the recorder may charge an additional \$20.00

If your property is in San Francisco, it is the requirement of the City and County of San Francisco that a Transfer Tax affidavit to be completed and signed by the Grantor for each deed submitted for recording. This is an addition to a Preliminary Change of Ownership Report.

In addition to County Transfer Tax, any conveyance of the herein described property may be subject to a City Transfer and/or Conveyance Tax, as follows.

Alameda	\$12.00 per thousand
Albany	\$11.50 per thousand
Berkeley	\$15.00 per thousand
Culver City	\$4.50 per thousand
Emeryville	\$12.00 per thousand
Hayward	\$4.50 per thousand
Los Angeles	\$4.50 per thousand
Mountain View	\$3.30 per thousand
Oakland	\$15.00 per thousand
Palo Alto	\$3.30 per thousand
Petaluma	\$2.00 per thousand
Piedmont	\$13.00 per thousand
Pomona	\$2.20 per thousand
Redondo Beach	\$2.20 per thousand
Richmond	\$7.00 per thousand
Riverside	\$1.10 per thousand
Sacramento	\$2.75 per thousand
San Leandro	\$6.00 per thousand
City and County of	
San Francisco	Up to \$250,000 = \$5.00 per thousand
	\$250,000 to \$1,000,000 = \$6.80 per thousand
	\$1,000,000 to \$5,000,000 = \$7.50 per thousand
	\$5,000,000 to 10,000,000 = \$20.00 per thousand
	Above \$10,000,000 = \$25.00 per thousand
	(Do not add the additional \$1.10 for County Tax, it is included)
San Jose	\$3.30 per thousand
San Mateo	\$5.00 per thousand
San Rafael	\$2.00 per thousand
Santa Monica	\$3.00 per thousand
Santa Rosa	\$2.00 per thousand
Vallejo	\$3.30 per thousand
Waterford	\$0.55 per thousand
Woodland	\$1.10 per thousand

Additional Requirements for "Short Sale" Transactions in which a lender will accept less than the outstanding balance of its loan as full satisfaction of the obligation:

The Company will require, prior to the issuance of a policy of title insurance, evidence that the first-position trust deed holder has received and acknowledged all payments to be made to subordinate-position lien holders, regardless of whether such payments are to be made from proceeds or from contributions by real estate brokers and/or buyers in the subject transaction, or from other third-party sources. Evidence shall include but not be limited to: (a) a written demand from the first-position trust deed holder acknowledging and approving payments to subordinate-position lien holders from proceeds and otherwise; or (b) a supplemental letter or amended demand from the first-position lien holder acknowledging payments to be made to subordinate lien holders from sources other than proceeds (including broker commissions and additional buyer deposits).

CALIFORNIA "GOOD FUNDS" LAW

California Insurance Code Section 12413.1 regulates the disbursement of escrow and sub-escrow funds by title companies. The law requires that funds be deposited in the title company escrow account and available for withdrawal prior to disbursement. Funds received by Stewart Title of California, Inc. via wire transfer may be disbursed upon receipt. Funds received via cashier's checks or teller checks drawn on a California Bank may be disbursed on the next business day after the day of deposit. If funds are received by any other means, recording and/or disbursement may be delayed, and you should contact your title or escrow officer. All escrow and sub-escrow funds received will be deposited with other escrow funds in one or more non-interest bearing escrow accounts in a financial institution selected by Stewart Title of California, Inc.. Stewart Title of California, Inc. may receive certain direct or indirect benefits from the financial institution by reason of the deposit of such funds or the maintenance of such accounts with the financial institution, and Stewart Title of California, Inc. shall have no obligation to account to the depositing party in any manner for the value of, or to pay to such party, any benefit received by Stewart Title of California, Inc.. Such benefits shall be deemed additional compensation to Stewart Title of California, Inc. for its services in connection with the escrow or sub-escrow.

If any check submitted is dishonored upon presentation for payment, you are authorized to notify all principals and/or their respective agents of such nonpayment.

EXHIBIT "A"
LEGAL DESCRIPTION

Order No.: 01180-154586
Escrow No.: 01180-154586

The land referred to herein is situated in the State of California, County of Fresno, Unincorporated and described as follows:

PARCEL 1: (038-080-12S)

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION 9, ALL IN TOWNSHIP 16 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF;

EXCEPT ALL OIL, GAS AND OTHER HYDROCARBONS AND MINERALS NOW OR AT ANY TIME HEREAFTER SITUATE THEREIN AND THEREUNDER, TOGETHER WITH ALL EASEMENTS AND RIGHTS NECESSARY OR CONVENIENT FOR THE PRODUCTION, STORAGE AND TRANSPORTATION THEREOF AND THE EXPLORATION AND TESTING OF THE SAID REAL PROPERTY, AND ALSO THE RIGHT TO DRILL FOR, PRODUCE AND USE WATER FROM THE SAID REAL PROPERTY IN CONNECTION WITH DRILLING OR MINING OPERATIONS THEREON.

PARCEL 2: (038-080-13S)

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION 9, TOWNSHIP 16 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF;

EXCEPTING FROM THE OPERATION AND EFFECT OF THIS DEED AND RESERVING UNTO THE GRANTORS, FLOYD A. YEAROUT AND ANNA V. YEAROUT, HUSBAND AND WIFE, AS JOINT TENANTS, AN UNDIVIDED THREE-EIGHTHS INTEREST (37 - 1/2% OUT OF 100%) AND TO THE GRANTOR, RAYMOND L. YEAROUT, AN UNDIVIDED ONE-EIGHTH INTEREST (12-1/2% OUT OF 100%) IN AND TO ALL OIL, GAS, PETROLEUM, HYDROCARBON SUBSTANCES AND OTHER MINERALS LOCATED IN, ON OR UNDER SAID PROPERTY, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO SAID PROPERTY FOR THE PURPOSE OF EXTRACTING OIL, GAS, PETROLEUM, HYDROCARBON SUBSTANCES AND OTHER MINERALS FROM SAID PROPERTY, AND TOGETHER WITH ALL OTHER RIGHTS NECESSARY FOR SAID PURPOSES.

PARCEL 3: (038-080-14S)

THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF;

EXCEPT ALL MINERALS AND MINERAL RIGHTS OF EVERY KIND AND NATURE INCLUDING PETROLEUM, OIL, GAS, ASPHALTUM AND OTHER HYDROCARBON SUBSTANCES LOCATED IN, ON OR UNDER SAID PROPERTY, AS RESERVED IN THE DEED FROM WILLIS BURSON AND KATE M. BURSON, HUSBAND AND WIFE, TO GORDON K. BAIRD AND CHARLOTTE B. BAIRD DATED NOVEMBER 16, 1942, RECORDED FEBRUARY 23, 1943 IN BOOK 2033 PAGE 397 OF OFFICIAL RECORDS, DOCUMENT NO. 6111.

APN: 038-080-12S, 038-080-13-S, and 038-080-14-S

(End of Legal Description)

AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT

Date: March 26, 2015

Escrow No.: 01180-154586

Property: APN 038-080-12-S, 038-080-13-S, Fresno, CA
APN 038-080-14-S, Fresno, CA

From:

This is to give you notice that ("Stewart Title") has a business relationship with Stewart Solutions, LLC, DBA – Stewart Specialty Insurance Services, LLC ("Stewart Insurance"). Stewart Information Services Corporation owns 100% of Stewart Insurance and Stewart Title of California. Because of this relationship, this referral may provide Stewart Title a financial or other benefit.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed provider(s) as a condition for purchase, sale, or refinance of the subject Property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

<i>Stewart Insurance Settlement Service</i>	<i>Charge or range of charges</i>
Hazard Insurance	\$400.00 to \$6,500.00
Home Warranty	\$255.00 to \$ 780.00
Natural Hazard Disclosure Report	\$ 42.50 to \$ 149.50

Exhibit A (Revised 06-03-11)

**CALIFORNIA LAND TITLE ASSOCIATION
STANDARD COVERAGE POLICY – 1990
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
(a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy; or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division;
 - f. environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.

2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.

7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

* For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A. The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 16:	1% of Policy Amount or \$2,500.00 (whichever is less)	\$10,000.00
Covered Risk 18:	1% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 19:	1% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 21:	1% of Policy Amount or \$2,500.00 (whichever is less)	\$5,000.00

2006 ALTA LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**2006 ALTA OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.
5. (a) unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

STG Privacy Notice Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information.	Do we share	Can you limit this sharing?
For our everyday business purposes—to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes—to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes— information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
For our affiliates' everyday business purposes— information about your creditworthiness.	No	We don't share
For our affiliates to market to you — For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to optout@stewart.com or fax to 1-800-335-9591.
For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

SHARING PRACTICES

How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	We collect your personal information, for example, when you <ul style="list-style-type: none"> ▪ request insurance-related services ▪ provide such information to us We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact us: If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056

Order No. 01180-154586

AVAILABLE DISCOUNTS DISCLOSURE STATEMENT

This is to give you notice that Stewart Title of California, Inc. ("Stewart Title") is pleased to inform you that upon proper qualification, there are premium discounts available upon the purchase of title insurance covering improved property with a one to four family residential dwelling.

Such discounts apply to and include:

Property located within an area proclaimed a state or federal disaster area;

Property purchased from a foreclosing beneficiary or successful bidder at a foreclosure sale;

Property being refinanced.

Please talk with your escrow or title officer to determine your qualification for any of these discounts.

Appendix 8C: Reclamation Plan

RECLAMATION PLAN

**Prepared for
Aspiration Solar G LLC
UCUP No. 3500**

May 2015

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1.0 Present Use of the Site

The Project is located on undeveloped land that is zoned as Exclusive Agriculture and has been in low-yield agricultural production or left fallow intermittently for the past 10 years. The Project site has been intermittently dry farmed for winter grains, which provide the lowest revenue per acre of any crop in Fresno County. Because the properties are cultivated without the benefit of irrigation, the productivity of the crop depends entirely on rain and often times results in a crop that never matures to harvest and is instead grazed as rangeland grass. Table 1 provides a ten-year crop history for the Project site.

The site is presently owned by Westlands Water District (WWD). The site was acquired by WWD as part of their participation in the so-called Peck Settlement Agreement (entered into between the United States, WWD, and the Peck Plaintiffs) under the land retirement program in 2004. Therefore, the proposed Project site is subject to a non-irrigation covenant as stipulated in the Peck Agreement (Case No. CV-F-91-048 OWW DLB).

Year	Crop
2014	Fallow-No Crop
2013	Wheat
2012	Wheat
2011	Grain Hay
2010	Wheat
2009	Grain Hay
2008	Barley
2007	Fallow-No Crop
2006	Grains Sorghums
2005	Fallow-No Crop

Source: WWD, 2015

2.0 Proposed Alternate Use of the Land

The proposed alternate use of the land is to construct a solar photovoltaic energy generation facility, with a nameplate capacity of 9MW AC. The majority of the construction activities will occur above ground; however there will be minimal subsurface construction for electrical conduit systems and racking systems. Above ground equipment will consist of solar photovoltaic equipment, inverters, racking equipment, interconnection equipment, and a perimeter pile driven chain link fence built per Fresno County standards. A 2500-foot long generation tie-line, connecting the Project to the Pacific Gas and Electric Giffen Substation is also proposed. The Site Plan, included in Section 6.0 of the subject CUP application, and the Operational Statement, included as Section 7.0, contain additional information on the solar array and project layout.

3.0 Duration of Alternate Land Use

The Project has an expected useful life of 35 years, with an opportunity for a lifetime of 50 years or more, with equipment replacement and repowering. This duration is contingent on the power off-take agreement and operational date, currently targeted at June 2016. Therefore, the Project could remain in operation at least until June of 2051.

4.0 Ownership of Property (lease/own)

The site is presently owned by Westlands Water District. Sustainable Property Holdings LLC, a wholly owned subsidiary of Sustainable Power Group LLC, has entered into an option agreement for purchase of the site from WWD and anticipates being owner of the real property by September of 2015.

5.0 Reclamation Process

All decommissioning, reclamation, and restoration activities will adhere to the requirements of appropriate governing authorities, and will be in accordance with all applicable federal, provincial, and local permits. The reclamation and restoration process comprises removal of above ground structures; removal of below ground foundations and infrastructure; and restoration of topsoil, re-vegetation, and seeding. Electrical conduit and other materials that break off more than 4 feet below the ground surface would be decommissioned in place.

5.1 Timeline

As the Project is taken offline and permanently out of service, the reclamation process will commence to restore the project site to a clean, safe and environmentally stable site in accordance with applicable land use regulations in effect at the time of reclamation. The entire reclamation of the site will be complete approximately 12 months after the plant is taken off-line. As a result of the relatively basic design and minimal footprint of the solar Project, the reclamation process will be simple to execute and will be completed in one phase.

5.2 Handling of Hazardous Materials

Relatively small quantities of hazardous materials would be used during project operation. Materials or wastes of concern that might be used or generated during operation include gasoline, diesel fuel, inverter coolant, transformer oil, and cleaning chemicals. Fuels, lubricants, and other materials would not be stored on the Project site, and the proposed Project applicant would not maintain an inventory of any hazardous materials on the project site.

During decommissioning activities, minor spills and leaks of hazardous materials from vehicles or equipment could also occur. All wastes would be required to be handled, stored, transported, and disposed of according to manufacturer requirements and pursuant to Federal, California and Fresno County law.

5.3 Removal of Above-Grade Equipment

Above ground electrical wiring no longer deemed necessary by the local public utility, equipment on the inverter pads and interconnection transformer pad, PV modules and racking systems, and other associated equipment will be removed as part of reclamation. Prior to commencing electrical equipment removal activities, the system will be de-energized and all external electrical lines feeding into or out of the Project will be subject to "a lock out/tag out."

The electrical components comprising the inverter pads and interconnection transformer pad will be salvaged and prepared for shipment and possible reuse dependent on equipment, warranties, technical improvements, and market valuation. The equipment on the inverter pads includes inverters, combiners, low voltage switch gear and medium voltage transformers. The equipment on the

interconnection transformer pad includes medium and high voltage switchgear and a high voltage transformer. All of this is modular and each unit is bolted to a concrete pad. All mounting structures will be removed and recycled as possible. PV module racking systems will be removed, packaged and transported for resale, recycling or disposal.

5.4 Removal of Below-Grade Foundations and Infrastructure

Once the solar modules and racks have been disassembled, the piers supporting the racks will be removed. These components will require a backhoe or equivalent piece of machinery to extract the beams by pulling them out vertically. Both the racks and pipes or H-beams will be scraped and sold for salvage value or recycled.

Underground electrical equipment, including electrical wiring, will be extracted and removed from the site. However, electrical conduit and other materials that break off more than 4 feet below the ground surface would be decommissioned in place. The wiring is either copper or aluminum (depending on the function/location) encapsulated in an insulating plastic material. Electrical materials consist primarily of recyclable commodities.

Concrete pads supporting inverters and transformer will be removed. All fences and gates will be maintained at all times until the equipment decommissioning and removal process is complete and the area is ready to be demobilized. The fence and gate will be removed and all materials recycled to the greatest extent possible. The area will be thoroughly cleaned and all debris removed.

5.5 Site Grading

Unless retained for other purposes, all access roads and parking areas will be removed to allow for the complete rehabilitation of these areas. Typically, the granular base covering these areas would be removed using a wheel loader, to strip off the material, and dump trucks to haul the aggregate to a recycling facility or approved disposal facility. The underlying subsoil, if exhibiting significant compaction, will then be disked using a tractor and disc attachment to restore the soil structure and to aerate the soil. Clean topsoil, if necessary, would be imported on site by dump truck, replaced over the area, and levelled to match the existing grade.

5.6 Revegetation

During the reclamation process the site will be returned to its previous condition through de-compaction of the site, as needed. Due to the disc-and -roll site preparation technique, it is expected that requisite de-compaction will be limited. Topsoil will be spread as necessary to ensure suitable conditions for vegetation regrowth and as a final step, an appropriate rangeland seed mixture as specified by local authorities will be broadcast or drilled across the site.

5.7 Irrigation System Details

All wells, irrigation pumps and distribution systems on site prior to facility construction will remain undisturbed throughout the site for the duration of the Project's use. At the time of reclamation these systems will once again be used to provide irrigation.

6.0 Site Plan

A Site Plan included in Section 6.0 of the subject CUP application and the Project Operational Statement, included as Section 7.0, provide information regarding the location of equipment, structures, above- and below-ground utilities, fencing and buffer areas.

7.0 Engineering Cost Estimate

An estimate of costs associated with the decommissioning and restoration process, including the equipment and labor for the removal of above-ground structures and site reclamation, is provided in Table 7.1.

**Table 7.1
Equipment and Labor Costs for Project Reclamation**

Site Name: Aspiration Solar G Solar Generating Facility Acres: 80 MW: 9		Project Data			Labor Costs					Equipment Costs				Total Costs
Task Number	Reclamation Task	Task Detail	Number of Units	Unit	Workers	Days	Labor hours	Labor rate	Subtotal	Equipment	Equipment hours	Rates	Subtotal	
1	Remove chemicals, lubricants from the site.	Put in proper containers and ship to licensed disposal facility, dump fee included			2	2	32	\$15	\$480				\$2,000	\$2,480
2	Remove fence , gates, misc. equipment and any other loose items onsite	Stockpile for recycler, possible dump fee included	7,950	feet	4	3	96	\$15	\$1,440	backhoe (2)	48	100	\$6,800	\$8,240
		Support Vehicle									flat bed (2)	48	35	\$1,680
3	Detach modules from supporting posts. Consolidate panels for off site pick up by recycler	Disconnect and stack all solar modules	37,720	module	4	5	160	\$15	\$2,400	0	0	\$0	\$0	\$2,400
		Support Vehicle									flat bed (2)	80	35	\$2,800
4	Pull electrical conduit out of ground Consolidate conduit for off site pick up by recycler	3 trenches per block @ 300 feet each	8,100	feet	4	2	64	\$15	\$960	backhoe (2)	32	\$100	\$3,200	\$4,160
5	Pull H beams from ground (Includes inverter pliers @ 8 each). Consolidate H beams for off site pickup by recycler	Pull each pier with backhoe	6,327	piers	4	4	128	\$15	\$1,920	backhoe (2)	64	\$100	\$6,400	\$8,320
6	Remove switching station	Prepare for pickup by recycler	1 time action		5	1	40	\$15	\$600	backhoe	8	\$100	\$1,600	\$2,200
7	Rip all roads, pathways and other compacted areas and spread soils to tillable condition	On a per mile basis	3.15	miles	by contractor							\$3,000	\$9,450	\$9,450
8	Disc and Seed Site	On a per acre basis	80	acres	by contractor							\$250	\$20,000	\$20,000
									Subtotal				\$7,800	
										Subtotal			\$53,930	\$61,730

8.0 Financial Assurances

The Applicant will establish and maintain a Letter of Credit from a state or national financial institution in the amount of \$61,730 prior to issuance of building permits, to be maintained throughout the life of the Project. The dollar amount will be adjusted on an annual basis to reflect a 3 percent increase in the financial security associated with decommissioning. In lieu of a letter of credit or as a replacement of the letter of credit during the project life, Aspiration Solar G LLC may establish and maintain a Bond, Cash Payment, or Decommissioning Reserve Account to be managed by a third-party financial institution determined by the Project's financiers. Aspiration Solar G LLC would notify Fresno County of its election to establish this account thirty (30) days in advance and would provide all necessary documentation in advance for staff's review and approval.

Since both the County and the landowner have an interest in decommissioning the facility after operations or in the unlikely event it is abandoned, the third party financial institution responsible for managing the Decommissioning Reserve Account would have a contractual obligation to the landowners not to release funds from the Decommissioning Reserve Account other than for payment of costs associated with decommissioning. The detailed terms and conditions under which the funds would be permitted to be released from the Decommissioning Reserve Account would be explicitly defined in an Escrow Account Agreement executed by the project owner, the land owner and the selected third party institution.

9.0 Record of Owners Notice of Proposed Reclamation Plan

Sustainable Property Holdings, LLC, a wholly-owned subsidiary of Sustainable Power Group LLC, will be purchasing the real property from the current property owner (Westlands Water District) prior to the start of construction. Given that the current property owner will no longer have an ownership interest in the real property once construction commences, the owner has not been notified of the proposed reclamation plan.

10.0 References

WWD (Westlands Water District). 2015. Personal communication between Charlotte Gallock of WWD and Carisa Endrizzi-Davis of sPower, Sustainable Power Group – Email correspondence May 19, 2015

Appendix 8D: Pest and Weed Management Plan

PEST AND WEED MANAGEMENT PLAN

**Prepared for
Aspiration Solar G LLC
UCUP No. 3500**

May 2015

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1.0 Introduction

This Pest and Weed Management Plan outlines procedures and strategies for controlling noxious weeds and pests (Recurrent Energy, 2014) both on and off site at the Aspiration Solar B Solar Generating Facility (the Project) proposed by Aspiration Solar B LLC (the Applicant).

The Project would implement practices to manage weeds and pest populations in a manner that ensures the lowest environmental impact whenever feasible and effective options are available.

2.0 Plan Objectives

This Pest and Weed Management Plan is designed to satisfy the requirements of the Supplemental Information Guidelines for solar projects, and to identify methods and frequency to manage weeds, insects, disease, and vertebrate pests that may impact adjacent sites.

3.0 Project Description

The proposed project would be comprised of solar photovoltaic (PV) panels, inverters, transformers, access roads, and electrical equipment including switchyard components, wiring, lighting, and security cameras.

The site would be secured by a 6- to 7-foot-high, chain link perimeter fence, topped with three-strand barbed wire. There would be two points of ingress and egress via locked gates along West Mountain View Avenue.

The panels will be installed on steel posts (e.g., cylindrical pipes, H-beams, or similar), which would be driven into the soil. Only a small amount of impervious surfaces will require installation at the project site for the inverter and transformer foundations, and minimal surface area associated with PV panel and fence posts. Access roads would be compacted native soil, and would not support plant life.

However, the remainder of the site under the shade of the PV panels would be open space, and would be kept vegetated during project operations. Vegetation at the site would be maintained to an appropriate height to minimize fire risk, and as required by the Fresno County Fire Department.

Construction and operations waste would be stored in covered, secured containers and regularly removed from the site to an approved landfill or recycled.

4.0 Weed Management

Weed and vegetation control would be conducted throughout the project site for the duration of project operations. Weed control would consist of any or all of the following methods: chemical, biological (sheep grazing), mechanical, or manual methods. The frequency and method of weed and vegetation control would be determined by the project operator based on fuel load, weed type and location, environmental conditions, and availability of equipment or resource.

4.1 Chemical Management

Herbicides are chemical agents, classified as pesticides, which target the specific control or removal of undesirable plants. Herbicide applications at the project site would include the following provisions:

1. Pesticide use at the project site will always be conducted or overseen by a licensed pesticide applicator.

2. All pesticides used on site shall be substances approved in the state of California and in Fresno County for the control of weeds.
3. Pesticide applications would be conducted strictly according to the label instructions, and applicators would be required to wear personal protective equipment indicated on the label.
4. Pesticides, if stored on site, would be stored in a locked container. Pesticides would not be applied on site when wind speeds exceed 10 miles per hour. If visible drift is noted during a pesticide application, the application will cease until meteorological conditions improve.
5. Pesticides will not be applied to a body of water, if such exists, at the time of application.
6. Pesticides use will target specific weed species and will be applied only if proven as effective for that species.
7. The use of pesticides in the project area shall comply with regulations set forth by the U.S. Environmental Protection Agency and the California Department of Pesticide Regulation.
8. Should a pesticide application be required concurrently or within 2 months prior to sheep grazing, the sheep operator shall be consulted to confirm that herbicide type and application timing will not have a detrimental impact on sheep. All pesticide label restrictions related to livestock grazing shall be adhered to in order to protect the health of grazing animals.

4.2 Biological Management

Targeted grazing could be used to inhibit weed growth and could also result in:

1. Nutrient cycling through deposition of sheep waste;
2. Removal of plant material that encourages regrowth; and
3. Hoof action that agitates topsoil, encouraging seed germination and regeneration of pasture (Rinehart 2006).

If targeted grazing is deemed the preferred method, the project operator would employ sheep operators in the project region, as available, to assist with vegetation management and weed control. The sheep operator would be responsible for providing appropriate fencing, water, and protection for sheep while onsite. The sheep operator would coordinate closely with the project operator to ensure no impacts to project operations occur as a result of grazing.

4.3 Mechanical and Manual Management

Mechanical equipment and manual methods may also be used to support weed and fuel load control efforts onsite. The project operator would make reasonable efforts to work with the local community to identify labor and regional operators of mechanical equipment to support vegetation management requirements. Because mechanical equipment and manual labor can be employed quickly and have fewer impacts than herbicides, mowing or associated vegetation management methods would likely be used to handle immediate weed removal requirements, such as for solar facility operation requirements, public safety, or aggressive weed control.

5.0 Rodent Management

Because the project site will potentially support special status wildlife species during project operations, the project proposes to meet the goal of pest management while protecting sensitive wildlife species.

Due to the joint effort to sustain sensitive wildlife species and reduce the presence of undesirable pest rodents, such as the California vole and the introduced (non-native) Norway rat and roof rat, the project will support ecological pest control practices onsite. Two rodent management methods are proposed: habitat reduction and predator-prey techniques.

5.1 Habitat Reduction

Rodent populations flourish in areas with uncontrolled vegetation growth, as tall, dense stands of weeds provide shelter and food resources for rodents. Establishment of the project would make the site less attractive to rodents compared with current conditions by controlling vegetation growth during project operations. The University of California, Davis Integrated Pest Management guidance (UC Davis 2010) recommends removing weeds, heavy mulch, and dense vegetative cover to make habitat for voles less suitable. The site will be planted with a native seed mix upon commissioning. As describe in Section 4, weeds will be managed on site by mowing, spraying with herbicides, or sheep grazing.

Review of the University of California, Davis guidance for rat control indicates that the solar panels would not provide habitat favored by rats (UC Davis 2003). No potential food sources would be present in the array area, and the panels would not provide cover for their nests.

5.2 Predator-Prey Techniques

To support the potential wildlife habitat value of the site during project operations, the project proposes to manage rodent populations through natural predator-prey techniques.

The site provides potential foraging habitat for two predator species of owl, the Swainson's hawk and Prairie falcon. Burrowing owls prey on small mammals, especially mice, rats, gophers, and ground squirrels, in addition to insects and small reptiles. Major prey species for Central Valley Swainson's hawk include California voles, valley pocket gophers, deer mice, and California ground squirrels (Estep 1989). Implementation of the Weed Abatement Plan would support optimum hunting habitat for predator species by ensuring vegetation does not grow too tall to limit visual spotting of or access to prey.

5.3 Chemical Management

If rodent populations exceed natural pest removal methods, rodents can be controlled with traps. Rodenticides are not proposed.

6.0 Insect Management

The project does not propose to grow agricultural crops. As such, agricultural insect pests would not be attracted to the project site. Mosquito populations would be managed by ensuring that no uncovered standing water on the project site remains for long durations during project operations.

7.0 Disease Management

Insects, particularly mosquitoes, can serve as disease vectors. With the provisions set forth in Section 6, the project would not attract or harbor insects that could serve as disease vectors.

8.0 References

- Estep, J.A. 1989. Biology, movements, and habitat relationships of the Swainson's Hawk in the Central Valley of California, 1986-87. Calif. Dept. Fish and Game, Nongame Bird and Mammal Section Report, 53pp.
- Fresno County Agricultural Commissioner. 2010. Contact Information. Website: <http://www.co.fresno.ca.us/Departments.aspx?id=114>.
- University of California, Davis. 2010 (UC Davis). "Integrated Pest Management for Home Gardeners and Landscape Professionals – Voles (Meadow Mice)." Pest Notes Publication 7439. Website: <http://www.ipm.ucdavis.edu/PDF/PESTNOTES/pnvoles.pdf>.
- _____. 2003. Integrated Pest Management for Home Gardeners and Landscape Professionals – Rats. Pest Notes Publication 74106. Website: <http://www.ipm.ucdavis.edu/PMG/PESTNOTES/pn74106.html>.
- Recurrent Energy. 2014. Pest and Weed Management Plan. Prepared for RE Tranquillity 1 LLC. UCUP 3451. August.
- Rinehart, L. 2006. Pasture, Rangeland and Grazing Management. Publication of National Sustainable Agriculture Information Service. Updated 2008. http://attra.ncat.org/attra-pub/PDF/past_range_graze.pdf.



EXHIBIT 8

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Aspiration Solar G, LLC
- APPLICATION NOS.:** Initial Study Application No. 6978 and Unclassified Conditional Use Permit Application No. 3500
- DESCRIPTION:** Allow a 9-megawatt photovoltaic solar power generation facility with related improvements on an 80-acre portion of a 120-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION:** The project site is located on the west side of Oil City Avenue between Nebraska and Mountain View Avenues, approximately eight miles southwest of the City of Tranquillity (Section 9, Township 16S, Range 15E) (SUP. DIST.: 1) (APN: 038-080-14ST).

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:

This project entails the construction and operation of a photovoltaic (PV) solar power generation facility and related improvements with an output of 9 megawatts. The project is designed to interconnect with the existing Pacific Gas & Electric (PG&E) Giffen Substation via a 0.5-mile Generation-Tie Line ("gen-tie") along Mountain View Avenue.

The project area is located approximately eight miles southwest of the city limits of the City of Tranquillity and consists mostly of agriculture and open land. Existing surrounding land uses include agricultural operations, other solar energy generation facilities, the Giffen Substation, and scattered residential structures (fewer than ten within a two-mile radius of the project site, based on satellite imagery). Additionally, the site of the Tranquillity Solar Project (a 3,700-acre, 400-megawatt solar generation facility

that was approved for development and is expected to begin phased construction within the next year) is located approximately one mile northwest of the proposed project.

The project site consists of disturbed vacant land previously used for agricultural production. Most recently the site has been either fallow or cultivated with winter grains. During the 2014-2015 farming season, the project site was farmed for dryland wheat. There are no existing structures on the project site.

The Applicant describes the project as consisting of a construction phase and an operation phase. The proposed activities at the location during the project's construction phase would include clearing and grading of the project site, truck loading and unloading, installation of a security fence, and installation of PV modules, supports, and associated electrical equipment. The proposed activities at the location during the project's operational phase would include equipment inspection and replacement, cleaning of PV modules, clearing vegetation, and responding to automated alarms based on monitored data during the project's operational phase. For the duration of the operational phase, the facility would be operated on an unstaffed basis and monitored remotely, with regular onsite personnel visitations for security, maintenance, and system monitoring. According to the Applicant, maintenance would occur during daylight hours when possible, but maintenance activities on the PV modules and DC systems would be typically performed at night.

The buildings and structures included in the project proposal consist of PV solar module arrays and related equipment, a series of inverters, a 7-foot high switching station, and a 6-to-8-foot high security fence. The PV solar module arrays would be mounted onto single-axis tracker systems oriented to rotate east to west. The tracker panels would be arranged in rows and be approximately 7 feet in height when in a horizontal position and up to 12 feet high when in a pitched position. The inverters would be approximately 8 feet tall. As part of the proposed gen-tie connection, the proposal would include an elevated gen-tie line running approximately one-half mile east-to-west along Mountain View Avenue from the project site to the PG&E Giffen Substation. Approximately ten poles not more than 60 feet in height would be added along the length of the gen-tie line.

These structures and landscaping elements match in height, design, and material with other developments in the vicinity. There is no scenic vista within the vicinity of the project site to be impacted by this proposal. The project will have a less than significant impact on the visual character or quality of the site and its surroundings.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the Applicant, the proposal would include lighting for security purposes located at the entry gate, essential equipment areas (invertors and metering station), and along the perimeter fence. Night-lighting would be limited to lighting required by applicable lighting regulations for safety and security, which would be

shielded and directed downward to avoid lighting spillover. The types of lighting devices would consist of motion sensor or manual switch lighting for entry lighting to the on-site equipment structures as applicable and light-sensor or motion sensor lighting for the main access gate or gates. As such, all outdoor lighting shall be required to be hooded and directed so as to not shine towards adjacent properties and public streets. This requirement will be included as a Mitigation Measure. With implementation of this measure, impacts associated with new sources of light would be less than significant.

* **Mitigation Measure:**

1. *All outdoor lighting shall be hooded and directed downward as to not shine toward adjacent properties and public streets, and shall be of minimum brightness consistent with safety.*

In regard to potential glare impacts, solar panels are notable for creating reflections or glare observed by drivers. This would be a potential impact for motorists along West Mountain View Avenue. However, as discussed in Section XVI.D, the affected portion of West Mountain View Avenue is rural and not expected to have significant daily traffic volumes. Therefore, potential glare impacts would not affect a highly traveled road, and therefore, would be less than significant.

II. AGRICULTURAL AND FORESTRY RESOURCES

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

Supplemental project information for the proposed solar power generation facility in compliance of the "Solar Facility Guidelines" (Supplemental Information), approved by the Fresno County Board of Supervisors on May 3, 2011, and revised on May 21, 2013, was submitted by the Applicant on June 1, 2015 and reviewed by various agencies and departments.

As noted in response to Item No. 1 of the Supplemental Information related to Agricultural History, the project site has been owned by Westlands Water District (WWD) since 2004. According to a representative from the WWD, the project site land was acquired by WWD as part of their participation in the so-called Peck Settlement Agreement (entered into between the United States, WWD, and the Peck Plaintiffs) under the land retirement program, and the project site is subject to a non-irrigation covenant as stipulated in the Peck Settlement Agreement. Since the end of the 2004 crop year, the property has been fallow or dry cultivated with grains.

As noted in response to Item No. 4 of the Supplemental Information related to Soils, the soil composition at the project site is primarily of Calflax Clay Loam, with some Tranquillity Clay and Ciervo Clay also present. According to the State's Farmland Mapping and Monitoring Program, the entire project site is designated as Farmland of Statewide Importance.

This proposal was reviewed by the Fresno County Department of Agriculture. In its comments, the Department of Agriculture stated it opposes this and all projects that will remove prime agricultural lands from production. The comments went on to state that the Fresno County "Right to Farm" Ordinance shall be presented to the Applicant so that any necessary mitigation measures can be considered by the facility to minimize any potential discomfort or risk to employees, and that the conditional use designation should acknowledge the need to control weeds and rodents within the project area to prevent this project from becoming a nuisance to neighboring properties. In compliance with the "Solar Facility Guidelines" requirements, the Applicant submitted a Pest and Weed Management Plan (see application materials attachment). Additionally, a requirement that the Applicant sign a Right-to-Farm Agreement has been included as a Mitigation Measure for the project.

The Applicant elected to conduct an evaluation of the using the California Agricultural Land Evaluation and Site Assessment Model (LESA), although neither the Fresno County Department of Agriculture (Agricultural Commissioner's Office) nor any other reviewing Agency expressed a need for LESA for the project. LESA was developed by the State Department of Conservation (DOC) and relies on soil source quality, project size, water resource availability, surrounding agricultural lands and surrounding protected resource lands as a methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process. For a given project, each of these factors is separately rated on a 100 point scale. The factors are then weighted relative to one another and combined, resulting in a single numeric score for a given project, with a maximum attainable score of 100 points. It is this project score that becomes the basis for making a determination of a project's potential significance, based upon a range of established scoring thresholds.

Here, the project site was determined to have a subscore of 3.4 for the LE factors and a subscore of 24.3 for the SA factors, giving it a total LESA Score of 27.7. Based on LESA thresholds, a score between 0 to 39 points is not considered significant. Therefore, under the DOC's LESA Model, the conversion of the proposed project site from agricultural lands to a non-agricultural land use would not be significant. Further,

this proposed development will not convert the project site permanently to a non-agricultural use (solar power generation facility) as the subject parcel can be restored to an agricultural use after the proposed 25 years of solar power generation (or sooner if abandoned) in accordance with the Applicant's Reclamation Plan. As such, impacts resulting from this proposal on the subject parcel are limited in scope.

This proposal is not in conflict with agricultural zoning, and is an allowed use on land designated for agriculture with discretionary approval and adherence to applicable General Plan Policies. The project site is not located on forest land, and is not subject to a Williamson Act Contract. With adoption of the Mitigation Measure listed below, the impact of the project on Agricultural and Forestry Resources will be less than significant.

* **Mitigation Measure:**

1. *A Covenant Running with the Land Regarding Right to Farm Notice shall be executed by the Owner/Operator and recorded with the Fresno County Recorder's Office.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the San Joaquin Valley Air Pollution Control District's (Air District) initial comments on the project, the proposed facility meets the applicability threshold within District Rule 9510 of 9,000 square feet of new development, which requires submittal of an Air Impact Assessment (AIA) Application no later than applying for final discretionary approval. Additionally, the Air District has indicated that the proposal may be subject to the following District Rules: Regulation VIII (Fugitive PM₁₀ Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations) and Rule 4002 (National Emission Standards for Hazardous Air Pollutants) in the event an existing building will be renovated.

An Air Impact Assessment (AIA) Application was prepared and submitted by the Applicant to the Air District on June 18, 2015. The AIA was approved by the Air District on July 31, 2015. In its approval of the AIA, the Air District has required that this project shall adhere to the measures listed below, which will be included as Project Notes:

1. For each project phase, maintain records of (1) the construction start and end dates and (2) the date of issuance of the first certificate of occupancy, if applicable.
2. For each project phase, all records shall be maintained on site during construction and for a period of ten years following either the end of construction or the issuance of the first certificate of occupancy, whichever is later. Records shall be made available for District inspection upon request.

Compliance with Air District Rules will reduce air quality impacts of this proposal to a less than significant level.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); 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 Applicant's environmental consultant, Aspen Environmental Group, provided an initial biological site evaluation which was included with the project information packet provided to reviewing agencies in June of 2015. This information was also provided to

the United States Fish and Wildlife Service (USFWS) for review. To date, the USFWS have not provided any concerns regarding this proposed project.

The California Department of Fish and Wildlife (CDFW) did respond to the initial project routing and according to their comment and response letter dated July 14, 2015, CDFW recommended that the proposed project's proponents consult with United States Fish and Wildlife Service (USFWS) to review this project's potential impacts to the Federally Endangered Species-listed San Joaquin Valley Kit Fox (SJVKF). CDFW also recommended baseline biological surveys for Burrowing Owl (BUOW) burrows and San Joaquin Valley Kit Fox (SJKF) dens on and adjacent to the project site as well as surveys for Swainson Hawk (SWHA) nest sites within one-half mile of the project site be conducted to provide a measureable basis for Mitigation Measures that will be required to reduce potentially significant negative impacts to the endangered species that appear to have suitable habitat within the project's Area of Potential Environmental Impact. CDFW further recommended that Fresno County conduct a Cumulative Impacts Assessment to provide a basis for additional mitigation measures to be included in this or similar projects within the proposed project's vicinity to reduce potential cumulative environmental impacts to less than significant levels. Avoidance, minimization, and mitigation measures are expected to be implemented in order to reduce possible impacts to special-status animal species including Burrowing Owl, San Joaquin kit fox, Swainson's Hawk, and nesting birds.

Based on CDFW's response, Aspen Environmental Group prepared an updated Biological Evaluation which recommends the Mitigation Measures listed below.

With adoption and adherence to the recommended Mitigation Measures, any potential impacts on biological resources during the life of the proposed solar project will be reduced to less than significant levels. Further, this proposal will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

* **Mitigation Measures**

1. General Wildlife Measures

- a. *A qualified biologist will be present during any initial vegetation clearing or ground disturbance. A "qualified biologist" is defined as a person with appropriate education, training, and experience to conduct pre-construction clearance surveys, monitor construction activities, provide worker education programs, and supervise or perform other related actions.*
- b. *No pets will be permitted on the proposed Project site. Workers will not be permitted to feed, harm, approach, harass, or handle wildlife at any time, except to move animals out of harm's way, and only as directed by a supervisor. Workers may not handle listed or special-status species without authorization from State or federal wildlife agencies, and may not*

handle bird nests. This condition will not exempt workers, including the Biological Monitor, from any safety policies with regard to venomous reptiles.

- c. All trash and food materials will be properly contained within vehicles or closed refuse bins while on any site, and will be regularly removed from the site (at least on a weekly basis) for proper disposal. All refuse from construction activities will be removed from the work site upon completion of work. No raw cement, concrete or washings thereof, asphalt, paint, oil, solvents, or other petroleum products, or any other substances that could be hazardous to vegetation or wildlife resources, shall be disposed of on-site or allowed to spill onto soil. Cleanup of any spilled material shall begin immediately.*
- d. Employees will be trained to ensure that all workers on-site (including contractors) are aware of all applicable mitigation measures for biological resources. Specifically, workers will be required to: (1) limit all activities to approved work areas; (2) report any San Joaquin kit fox, burrowing owl, or other special-status species, or bird nest observation in the work areas and access routes to the supervisor or Biological Monitor; (3) avoid contact with any wildlife that may approach a work area and be aware of potential venomous reptile bites from carelessness or unnecessary harassment; (4) pick up and properly dispose of any food, trash or construction refuse; and (5) report any spilled materials (oil, fuel, solvent, engine coolant, raw concrete, or other material potentially hazardous to wildlife), to the supervisor or on-site Biological Monitor. During the training, the instructor will briefly discuss special-status species that may occur in the work areas, their habitats, and requirements to avoid or minimize impacts. In addition, all workers will be informed of civil and criminal penalties for violations of the federal ESA, the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act.*
- e. Rodenticides will not be used within the Project site at any time during the life of the Project.*

2. Swainson's Hawk

To avoid incidental take of Swainson's hawk, project construction will be scheduled outside the Swainson's hawk breeding season if feasible. If construction must take place within the breeding season, a qualified biologist shall conduct Swainson's hawk nest surveys according to the "Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley" (SHTAC 2000) during the breeding season prior to starting Project related activities, to identify any active nest within 0.5 miles of the project site. If an active nest is present within 0.5 mile of the Project site, then Project activities will be postponed until September 15 or the young have fledged and are no longer dependent on the nest or parents for survival as determined by a qualified biologist. In addition, the applicant will either (1) provide compensation

lands to mitigate for the loss of Swainson's hawk foraging habitat , according to ratios recommended in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994), or (2) prepare an analysis of foraging habitat availability in the project vicinity, based on the Estep (2011) analysis of Swainson's hawk foraging habitat availability for a project in Kings County. If the study concludes that foraging habitat is not a limiting factor for Swainson's hawk nesting success in the Project vicinity, then no habitat compensation will be required.

3. San Joaquin Kit Fox

To avoid incidental take of San Joaquin kit fox, the proposed Project shall implement the "U.S. Fish and Wildlife Service Standardized recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance" (USFWS 2011) including:

- a. A qualified biologist will survey the site within 30 days of initial site disturbance to verify that no San Joaquin kit fox or active den is present.
- b. An exclusion fence will be constructed around the proposed project area perimeter to prevent San Joaquin kit foxes from entering the site during construction of the facility. The fence will be maintained throughout the construction phase of the project, to ensure that kit foxes do not burrow beneath it.
- c. If a San Joaquin kit fox is found within the proposed Project area during construction, then any Project activities that could affect it will halt pending consultation with CDFW and USFWS. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase, all excavated, steep-walled holes or trenches more than two feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at the construction site for one or more overnight periods will be thoroughly inspected before the pipe is buried, capped, or otherwise used or moved in any way. If a kit fox is injured or killed during Project-related activities, the CDFW and USFWS will be notified immediately.
- d. No firearms will be allowed on the site, except for on-site security purposes.
- e. Upon completion of construction, the perimeter security fence will be designed to allow passage of San Joaquin kit foxes through the proposed Project site, by raising the fence 5 to 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.

4. San Joaquin Antelope Squirrel

To avoid incidental take of San Joaquin Antelope Squirrel (SJAS) the following mitigation measures will be implemented:

- a. A qualified biologist shall conduct surveys for SJAS in areas where burrows exist following the CDFW “Approved Survey Methodologies for Sensitive Species – San Joaquin Antelope Squirrel” (CDFW) and during their most active season, April 1 to September 30.*
- b. Avoid SJAS burrow openings by at least 50 feet by delineating no disturbance buffers on the ground around each opening using flagging, stakes, or other highly visible material before starting Project related activities.*
- c. If avoidance is not feasible, consult with the CDFW to obtain an Incidental Take Permit for SJAS before starting Project related activities.*

5. Burrowing Owl

To avoid incidental take of burrowing owl the following mitigation measures will be implemented:

- a. Burrowing owl surveys will be conducted according to the “Staff Report on Burrowing Owl Mitigation” (CDFG 2012) no more than 30 days in advance of initial clearing to determine burrowing owl presence or absence. This survey may be done concurrently with the San Joaquin kit fox survey, above.*
- b. If one or more burrowing owls are present on the site, outside of the nesting season (September 1 to January 31), ground-disturbing work will proceed only after a 160-foot buffer, or alternate adequate buffer area as agreed to by California Department of Fish and Wildlife, is established by the qualified biologist around the burrow where no work may occur. If active winter burrows are found that would be directly affected by ground disturbing activities, a Burrowing Owl Exclusion Plan will be prepared and implemented to exclude the owls from the site using passive exclusion methods.*
- c. If burrowing owls are present on the site during nesting season (February 1 to August 20, 201531), then construction will be either be postponed until the young fledge from the nest or the nest is no longer active, or no disturbance will be allowed within a 250 foot buffer area, or alternate adequate buffer area as agreed to by California Department of Fish and Wildlife, to be established by a qualified biologist. Occupied burrows will*

not be disturbed during the nesting season unless a qualified biologist approved by CDFW verifies through noninvasive methods that either the owls have not begun egg-laying or incubation, or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

6. Protected Birds

To avoid incidental take of nesting birds the following mitigation measures will be implemented:

- a. Prevent bird death and injury by capping all vertical pipes associated with the solar mounts and fencing as they are installed.*
- b. Construction activities conducted during the bird breeding season, January 1 to August 31, will take place only after a Biological Monitor has surveyed the work area for active bird nests. Pre-activity surveys will be conducted no more than ten days in advance of any ground- or vegetation-disturbing activities. If Project related activities lapse for 10 days or more during the bird breeding season, preconstruction nest surveys will be repeated prior to re-starting construction activities. Project activities may not disturb an active bird nest. If an active bird nest is located on or adjacent to the work site, a Biological Monitor will designate and flag an appropriate buffer area around the nest where construction activities will not be permitted. The buffer area will be based on the bird species and nature of the construction activity. A biological monitor will regularly monitor nesting activity at any nests within or adjacent to the Project site until the nests are no longer active. In addition, the monitor will survey for any new nests that may be built, and flag an appropriate buffer area around these nests. Any variance from these buffers will be made only on recommendation by a qualified wildlife biologist. Construction activities outside of the breeding season would require no nesting bird surveys.*
- c. Transmission facilities will be designed to be avian-safe, following the Suggested Practices for Avian Protection on Power Lines: the State of the Art in 2006 (APLIC, 2006); and all transmission facilities would be evaluated for potential collision risk and, where determined to be high risk, lines would be marked with collision reduction devices in accordance with Reducing Avian Collisions with Power Lines: The State of the Art in 2012 (APLIC, 2012).*

7. Decommissioning

To avoid impacts to biological resources at the time of decommissioning: 1) during decommissioning, Mitigation Measures 1 through 6 will be implemented; and 2) a qualified biologist will conduct a pre-decommissioning survey no more than seven days in advance of decommissioning activities. If a sensitive wildlife

species is identified on or near the site, then CDFW will be notified and consulted prior to decommissioning of the site.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause 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; or
- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not located within proximity of any area designated to be highly or moderately sensitive for archeological resources. Although the subject parcel is located in an area of low archeological sensitivity and has been extensively disturbed, if previously unidentified cultural materials are unearthed during 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 ground disturbing activity, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the project. The Mitigation Measure will reduce potential impacts to cultural resources to a less than significant level.

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground disturbing activity, 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 ground disturbing activity, 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 determined to be 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?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

There are no known or identified active or potentially active faults on or adjacent to the proposed Project site. The nearest known active or potentially active fault is the Nunez fault, which is located approximately 20 miles to the south-southwest. Neither construction nor operation of the proposed Project would expose people or structures to the risk of loss, injury, or death involving rupture of a known earthquake fault.

4. Landslides?

FINDING: NO IMPACT:

The project is not located within a mapped landslide hazard zone.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Changes in topography and erosion could result from grading activities associated with this proposal. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning: 1) an Engineered Grading and Drainage Plan demonstrating how additional storm water run-off generated by the project will be handled without adversely impacting adjacent properties shall be provided for review and approval; and 2) a grading permit or voucher shall be required for any grading proposed with this application. These requirements will be included as Project Notes.

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

FINDING: NO IMPACT:

See Section VI.A.4 above.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed Project is not located in an area with identified expansive soil as shown in the Fresno County General Plan Background Report (Fresno County, 2000). However, due to the high clay content of the soils underlying the proposed Project site, the potential for unidentified expansive soil exists. Both the California Building Code and Fresno General Plan policies require a geotechnical analysis prior to construction on potentially expansive soils (soils with high clay content). The Applicant would conduct a geotechnical analysis prior to construction and would implement the recommendations of that analysis, if any, to protect structures against the potential adverse effects of expansive soil. This impact would be less than significant and no mitigation is required.

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

FINDING: NO IMPACT:

The project would not include the use of septic tanks or alternative wastewater disposal systems. No wastewater facilities would be constructed as part of the project. If sanitation facilities are required during the construction period, temporary portable toilets will be provided for the workers. No impact would occur.

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed Project's direct and indirect emissions were calculated and those calculations and the assumptions used in those calculations are provided in the Applicant's Air Quality Technical Report (see application materials attachments). The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and expressed no concerns relating to greenhouse gas emissions resulting from the project. The project will comply with the Air District Rules as discussed in Section III of this analysis.

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:

Solar facility construction, operation, and decommissioning would require the limited use of hazardous materials that could result in potential adverse health and environmental impacts if these materials were used, stored, or disposed of improperly, causing accidents, spills, or leaks.

This proposal was reviewed by the Fresno County Department of Public Health, Environmental Health Division, which identified the following requirements to be included as Project Notes: 1) prior to occupancy, the Applicant shall complete and submit a Hazardous Materials Business Plan, pursuant to the California Health and Safety Code, Division 20, Chapter 6.95, to the Fresno County Department of Public Health, Environmental Health Division, for review and approval; 2) all hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Title 22, Division 4.5; 3) should any underground storage tank(s) be found during the project, the Applicant shall obtain an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division; 4) any wells that exist or that have been abandoned within the project area, not intended for use by the project, shall be properly destroyed under permit(s) from the Fresno County Department of Public Health, Environmental Health Division, prior to commencement of work; 5) prior to destruction of agricultural wells, a sample of the upper most fluid in the well column shall be sampled for lubricating oil and any such oil found shall be removed from the well prior to placement of fill material for destruction and be handled in accordance with federal, state and local government requirements.

The use of hazardous materials entailed in the project would not generate impacts that amount to a level of significance requiring mitigation beyond what is required by existing regulations.

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

FINDING: NO IMPACT:

No schools are located within one-quarter mile of the project site.

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

FINDING: NO IMPACT:

The project does not sit on a hazardous materials site.

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

- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.

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

FINDING: NO IMPACT:

This proposal will not impair the implementation of or physically interfere with an adopted Emergency Response Plan.

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

FINDING: NO IMPACT:

The project site is not located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Drinking Water Field Operations Branch of the California Department of Public Health, this proposal does not constitute a public water system classified as a Transient Noncommunity Water System, thus not requiring permitting from the Drinking Water Division. Additionally, as discussed in Section VI.E, this proposal was reviewed by the Fresno County Department of Public Health, Environmental Health Division, which expressed no concerns with the project in regard to soils or wastewater disposal.

- 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:

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

and Departments. As noted in Item No. 2 of the Supplemental Information related to Water Source, Water supply for the project site and the surrounding area is provided by the Westlands Water District (who also owns the project site). As discussed in Section II.E, under the Peck Settlement Agreement the project site is subject to a non-irrigation covenant. According to WWD, no agricultural water will be provided for the property, but municipal and industrial water can be used (up to 5 acre-feet per year) during operations for panel washing. There is a moratorium on applying any municipal and industrial water to the ground, so water will not be available from WWD during the construction period or for dust suppression during the operation period.

Per information provided by the Applicant, the water needed during construction of the project would be obtained from a private local groundwater well or trucked to the site through an agreement with a local municipality. Construction water use would be short-term (approximately five months) and would not exceed 22 acre-feet. Operational water use would be limited to approximately 0.5 acre-feet per year for panel washing, and the water would be obtained through a service agreement with WWD.

This proposal was reviewed by the Water/Geology/and Natural Resources Section of the Fresno County Department of Public Works and Planning, which expressed no concerns with the project as it relates to water quantity as the project site is not located in a water short area.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

No significant impact to any waterways is expected from this proposal with adherence to the mandatory construction practices contained in the Grading and Drainage Sections of the County Ordinance Code.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B, Geology and Soils.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in IX.A.

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

FINDING: NO IMPACT:

No housing is proposed with this application.

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

FINDING: NO IMPACT

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the project site is not subject to flooding from the 100-year storm.

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

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

FINDING: NO IMPACT

The 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 not located within an established community.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located on a 120-acre parcel zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) in the County Zoning Ordinance and designated Agriculture in the Fresno County General Plan. The subject proposal will strictly be confined within the AE-20 Zone District and meets the following policies from the General Plan:

General Plan Policy LU-A.3 states that the County may allow by discretionary permit in areas designated Agriculture certain agricultural uses and agriculturally-related activities, including certain non-agricultural uses, subject to the following Criteria: a) The use shall provide a needed service to surrounding agricultural area, which cannot be provided within urban areas; b) The use should not be sited on productive

agricultural lands if less productive land is available in the vicinity; c) The use shall not have a detrimental impact on water resources or the use or management of surrounding properties within one quarter-mile radius; d) A probable workforce should be located nearby or be readily available.

Regarding subpoint “a”, the proposed solar generation facility will operate more efficiently in a non-urban area due to the property size required to produce electricity with solar panels and the availability of large undeveloped land in the subject area. Regarding subpoint “b”, the project site is comprised entirely of agricultural land that is within the Westlands Water District’s land retirement program due to chronic water shortages and long-standing drainage issues. Regarding subpoint “c”, the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the project and expressed no concerns with the project as it relates to water quantity, as the project site is not located in a water short area. Regarding subpoint “d”, since the facility would be remotely operated during the project’s operational phase, a nearby or readily available workforce would only be required for the construction phase of the project and decommission of the project. For these phases, the cities of Tranquillity and San Joaquin, which are located approximately eight miles away from the project site, have the ability to provide an adequate workforce.

General Plan Policy LU-A.12 states that in adopting land use policies, the County shall seek to protect agricultural activities from encroachment of incompatible land uses. General Plan Policy LU-A.13 states the County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations. In addition, the “Solar Facility Guidelines” (Supplemental Information) approved by the Fresno County Board of Supervisors on May 3, 2011 and revised on May 21, 2013 require measures to create a buffer between proposed solar facilities and adjacent agricultural operations. In this instance, the proposed solar power generation facility will have eight-foot tall chain-link perimeter fencing topped with barbed wire, and provide a minimum of a 50-foot setback for all structures along the outer boundaries of the site’s western and southern boundaries. Additionally, the project site will be restored to an agricultural use after the proposed 25 years of solar power generation in accordance with the Applicant’s Reclamation Plan.

General Plan Policy LU-A.14 states that the County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agriculture land and that mitigation be required where appropriate. The proposal here was reviewed by the County Agriculture Commissioner’s office, and there were no concerns expressed regarding the project.

Based on the aforementioned information, any potential conflicts with applicable General Plan policies would be less than significant.

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

FINDING: NO IMPACT:

This proposal will not conflict with any habitat conservation plan or natural community conservation plan. No such plans were identified in the analysis.

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 levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Potential sources of noise during the construction phase of the project include noise from the use of heavy construction-related equipment and noise from traffic generation; the use of heavy equipment may also potentially generate some amount of localized ground-borne vibration. Potential sources of noise during the proposed solar facility's operational phase that have been identified include inverter noise, tracking motor noise, noise from the washing of panels, other maintenance activities, and from clearing of vegetation. The nearest sensitive receptors to the project site are residential homes two miles southeast of the site.

The proposal was reviewed by the Fresno County Department of Public Health, Environmental Health Division, which expressed no concerns regarding noise that would be significant enough to require mitigation measures. However, development of the proposed solar power generation facility will be subject to conformance with the Fresno County Noise Ordinance related to construction noise, limiting noise-generating construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and

7:00 a.m. to 5:00 p.m. Saturday and Sunday. This requirement will be included as a Project Note.

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

FINDING: NO IMPACT:

The project site is not located in the vicinity of an airport and is not impacted by airport noise.

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:

This proposal will not result in an increase in housing, nor will it otherwise induce population growth.

XIV. PUBLIC SERVICES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Fire Protection District, the project shall comply with the latest California Code of Regulations Title 24 – Fire Code and County-approved site plans shall be approved by the Fire District prior to issuance of building permits by the County. This requirement will be included as a Project Note.

- 2. Police protection?

FINDING: NO IMPACT:

The Fresno County Sheriff's Office reviewed the proposal and expressed no concerns with the project as it relates to policing services.

3. Schools?
4. Parks?
5. Other public facilities?

FINDING: NO IMPACT:

No impacts on the provision of schools, parks, or other public facilities were identified in the project analysis.

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 such impacts were identified in the project analysis.

XVI. TRANSPORTATION/TRAFFIC

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Access to the project site would come from Mountain View Avenue. Construction of the solar generation facility is expected to be completed over a period of 5 months. As indicated in materials submitted by the Applicant, the proposed project would result in a maximum of 182 daily trips, broken down as 32 truck trips (utilizing a 1.5 passenger vehicle equivalent) and 150 passenger vehicle trips. Maximum daily traffic is expected to occur during the project's initial construction phase. Truck trips would likely be distributed throughout the workday. Worker commute trips are assumed to come from the City of Fresno, with 75 trips in the morning and 75 trips in the afternoon hours. Once operational, maintenance of the proposed project site would generate negligible daily trips, resulting in a less than significant increase in ADT over existing conditions. Traffic and transportation impacts from decommissioning activities would be similar to those described earlier for the construction period. Construction of the gen-tie line may require temporary

roadway or lane closures/disruptions on Mountain View Avenue that could result in short-term traffic flow impacts.

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no traffic-related concerns with the project and no need for a traffic impact study. Further, the affected portion of Mountain View Avenue is rural and not expected to have significant daily traffic volumes.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

A controlled main access gate would be located at the site on Mountain View Avenue and would provide all construction and operational traffic egress and ingress. Construction vehicle queuing is expected to be minimal at this access location. Because this rural roadway is not heavily traveled and has adequate line-of-sight in all directions, construction-related egress and ingress from the project site into public roadways is not anticipated to create any hazards to the public. However, to ensure any temporary lane closures or disruptions to Mountain View Avenue do not increase hazards to motorists, the Mitigation Measure listed below is proposed.

* **Mitigation Measure:**

1. *Prior to the issuance of grading or building permits, the Applicant shall prepare and submit a Roadway Disruption Control Plan to the County of Fresno for review and approval. The Plan shall include detailed information on the following: 1) Locations and duration of any public travel lane/roadway closures or disruptions; 2) Placement of temporary signing and traffic control measures, as required, to ensure safe and adequate traffic flow; 3) Ways to ensure access for emergency vehicles through affected roadway segments.*

E. Would the project result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Construction of the solar installation and on-site infrastructure would not restrict or impede emergency access to the project site. Construction of the gen-tie line may require temporary roadway or lane closures/disruptions on Mountain View Avenue that could temporarily restrict or impede emergency access along the affected roadway

segment. However, the Mitigation Measure provided in Section XVI.D would reduce potential such impacts to a less than significant level.

- 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: LESS THAN SIGNIFICANT IMPACT:

The project will not conflict with any adopted 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 new water or wastewater treatment facilities?

FINDING: NO IMPACT

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

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

FINDING: NO IMPACT

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT

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

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

FINDING: NO IMPACT

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Construction and decommissioning of the project would generate waste that may include cardboard, wood pallets, copper wire, scrap steel, common trash, and wood wire spools. Maintenance activities would also produce a small amount of solid waste such as broken and rusted metal, defective or malfunctioning modules, electrical hardware, empty containers, and any refuse commonly generated by workers. The American Avenue Landfill serves the project area and would have sufficient capacity to accommodate the project's non-hazardous waste disposal needs.

Once operational, the proposed solar power generation facility will not utilize employees for daily activities; personnel would only be on-site for periodic maintenance such as solar panel washing. Considering the number of employees to be present at the facility on a regular basis, this proposal will not have a significant impact on area landfills. Further, as discussed in Section VIII.B, all hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed solar power generation facility will adhere to permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Valley Air Pollution Control District, and the California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the analysis other than Aesthetics, Agricultural and Forestry Resources, Biological Resources, Cultural Resources, and Transportation and Traffic, which will be addressed with the Mitigation Measures discussed in Section I.D, Section II.E, Section IV.A through IV.F, Section V.D, and Section XVI.D.

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 project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Conditional Use Permit Application No. 3500, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Mineral Resources, Population and Housing, or Recreation.

Potential impacts related to Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Waste, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, and Utilities and Services have been determined to be less than significant.

Potential impacts to Aesthetics, Agricultural and Forestry Resources, Biological Resources, Cultural Resources, and Transportation and Traffic 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.

DB

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EXHIBIT 9

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. <small>CLK-2046.00 E04-73 R00-00</small>		
Agency File No: IS 6978	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION	County Clerk File No: E-		
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721	
Agency Contact Person (Name and Title): Daniel Brannick, Planner		Area Code: 559	Telephone Number: 600-4297	Extension: N/A
Applicant (Name): Aspiration Solar G, LLC		Project Title: Conditional Use Permit Application No. 3500		
Project Description: Allow a 9-megawatt solar power generation facility with related improvements on an 80-acre portion of a 120-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.				
Justification for Negative Declaration: <p>Based upon the Initial Study prepared for Conditional Use Permit Application No. 3500, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Mineral Resources, Population and Housing, or Recreation.</p> <p>Potential impacts related to Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Waste, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, and Utilities and Services have been determined to be less than significant.</p> <p>Potential impacts to Aesthetics, Agricultural and Forestry Resources, Biological Resources, Cultural Resources, and Transportation and Traffic have been determined to be less than significant with the identified Mitigation Measures.</p>				
FINDING: The proposed project will not have a significant impact on the environment.				
Newspaper and Date of Publication: Fresno Business Journal –			Review Date Deadline: Planning Commission –	
Date:	Type or Print Signature: Eric VonBerg Senior Planner		Submitted by (Signature): Planner	

State 15083, 15085

County Clerk File No.: _____

LOCAL AGENCY MITIGATED NEGATIVE DECLARATION