



PLANNING COMMISSION AGENDA

Room 301, Hall of Records
2281 Tulare Street
Northwest Corner of Tulare & M
Fresno, CA 93721-2198

Contact: Planning Commission Clerk
Phone: (559) 600-4497
Email: knovak@fresnocountyca.gov
Call Toll Free: 1-800-742-1011 – Ext. 04497

Web Site: <http://www.co.fresno.ca.us/PlanningCommission>

AGENDA October 11, 2018

8:45 a.m. - CALL TO ORDER

INTRODUCTION

Explanation of the REGULAR AGENDA process and mandatory procedural requirements. Staff Reports are available on the table near the room entrance.

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA

Items listed under the Consent Agenda are considered to be routine in nature and not likely to require discussion. Prior to action by the Commission, the public will be given an opportunity to comment on any consent item. The Commission may remove any item from the Consent Agenda for discussion.

1. **VARIANCE NO. 4022 FIRST TIME EXTENSION** filed by **STRAHM ENGINEERING ASSOCIATES, INC.** on behalf of **JUDITH ADAIR** and **OPC FARMS, INC.**, proposing to grant a first one-year time extension to exercise Variance No. 4022 which authorizes a Property Line Adjustment (PLA) in the R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay) Zone District in order to locate an existing single-family residence with existing deck completely within Lot No. 175 of Shaver Lake Point Subdivision No. 2. The PLA will occur between Lot No. 175 and Lot No. 176 of Shaver Lake Point Subdivision No. 2. The subject property is located on the north side of Lakeview Avenue, between Dalton Avenue and Cascade Avenue, within the unincorporated community of Shaver Lake (44390 Lakeview Avenue, 44376 Lakeview Avenue) (SUP. DIST. 5) (APNs 120-281-24, 120-281-23). Staff has determined that the subject proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(b)(3).

NOTE: *The sole purpose of the public hearing for this item is to address the time extension request.*

-Contact person, Jeremy Shaw (559) 600-4207, email: jshaw@fresnocountyca.gov

-Staff Report Included

-Individual Noticing

2. **TENTATIVE TRACT MAP NO. 4934 – TIME EXTENSION** filed by **JPJ, Inc.**, proposing to allow a sixth and final one-year discretionary Time Extension to exercise Vesting Tentative Tract Map No. 4934, which authorizes the division of 77.80 acres into 200 lots with a minimum lot size of 7,260 square feet in the R-1-C(c) (Single-Family Residential, 6,000 square-foot minimum parcel size, Conditional) and O(c) (Open Conservation, Conditional) Zone Districts. The subject site is located within the Millerton Specific Plan area, south of Millerton Road

between Winchell Cove Drive and the Friant-Kern Canal, approximately two miles east of the unincorporated community of Friant (SUP. DIST. 5)(APN 300-542-13).

NOTE: *The sole purpose of the public hearing for this item is to address the time extension request.*

-Contact person, Jeremy Shaw (559) 600-4207, email: jshaw@fresnocountyca.gov

-Staff Report Included

-Individual Noticing

3. **CLASSIFIED CONDITIONAL USE PERMIT NO. 3348 – TIME EXTENSION** filed by **LAKHVINDER PAUL**, proposing to grant the second one-year time extension to exercise Classified Conditional Use Permit No. 3348, which authorizes the addition of two gas pumps (four fueling positions), a 760 square-foot canopy, and two 10,000-gallon above-ground storage tanks, and convert 800 square feet of the existing convenience store to a barber shop on a 2.32-acre parcel in the C-1 (Neighborhood Shopping Center) Zone District. The project site is located on the northeast corner of Belmont and Temperance Avenues, approximately 48 feet northeast of the nearest city limits of the City of Fresno (Sup. Dist. 5) (APN 310-143-46).

NOTE: *The sole purpose of the public hearing for this item is to address the time extension request.*

-Contact person, Chrissy Monfette (559) 600-4245, email: cmonfette@fresnocountyca.gov

-Staff Report Included

-Individual Noticing

4. **UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3477 - TIME EXTENSION** filed by **DORAN HOLE**, proposing to grant a second one-year time extension to exercise Unclassified Conditional Use Permit No. 3477, which authorized a 0.999-MW photovoltaic solar generation facility (PVSGF) with related improvements on a 10.00-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection from the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line. The project site is located adjacent to Parlier Avenue, between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (Sup. Dist. 4) (APN 373-360-19).

NOTE: *The sole purpose of the public hearing for this item is to address the time extension request.*

-Contact person, Ejaz Ahmad (559) 600-4204, email: eahmad@fresnocountyca.gov

-Staff Report Included

-Individual Noticing

REGULAR AGENDA

1. **PUBLIC PRESENTATIONS** (This portion of the meeting is reserved for persons desiring to address the Planning Commission on any matter within the Commission's jurisdiction and not on this Agenda.)
2. **INITIAL STUDY APPLICATION NO. 7440 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3608** filed by **COMPLETE WIRELESS CONSULTING**, proposing to allow the construction and operation of a new 120-foot telecommunication tower on a 50-foot by 50-foot lease area on a 4.85-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the east side of South Grantland Avenue, approximately 1,650 feet north of its intersection with West Mount

Whitney Avenue, within the unincorporated community of Lanare, addressed as 20620 S. Grantland Avenue (APN 053-041-41S) (Sup. Dist. 4). Adopt the Negative Declaration prepared for Initial Study Application No. 7440 and take action on Unclassified Conditional Use Permit No. 3608 with Findings and Conditions.

-Contact person, Chrissy Monfette (559) 600-4245, email: cmonfette@fresnocountyca.gov

-Staff Report Included

-Individual Noticing

3. **INITIAL STUDY APPLICATION NO. 7442 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3610** filed by **FOREFRONT POWER, LLC**, proposing to allow a one-megawatt photovoltaic solar power generation facility with related improvements on an approximately 16-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the northwest corner of Phelps Avenue and S. San Mateo Avenue approximately 875 feet east of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 070-070-62S). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7442, and take action on Unclassified Conditional Use Permit Application No. 3610 with Findings and Conditions.

-Contact person, Ejaz Ahmad (559) 600-4204, email: eahmad@fresnocountyca.gov

-Staff Report Included

-Individual Noticing

4. **INFORMATION/DISCUSSION ITEM:**

Report from staff on prior Agenda Items, status of upcoming Agenda, and miscellaneous matters.

-Contact person, Marianne Mollring (559) 600-4569, email: mmollring@fresnocountyca.gov

Requests for disability-related modification or accommodation reasonably necessary in order to participate in the meeting must be made to Suzie Novak, Planning Commission Clerk, by calling (559) 600-4497 or email knovak@fresnocountyca.gov, no later than the Monday preceding the meeting by 9:00 a.m.

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County of Fresno

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

Planning Commission Staff Report Consent Agenda Item No. 1 October 11, 2018

SUBJECT: Variance No. 4022 - First Time Extension

Grant a first one-year time extension to exercise Variance No. 4022, which authorizes a Property Line Adjustment (PLA) in the R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay) Zone District, in order to locate an existing single-family residence with existing deck completely within Lot No. 175 of Shaver Lake Point Subdivision No. 2. The PLA will occur between Lot No. 175 and Lot No. 176 of Shaver Lake Point Subdivision No. 2.

LOCATION: The subject property is located on the north side of Lakeview Avenue, between Dalton Avenue and Cascade Avenue, within the unincorporated community of Shaver Lake (44390 Lakeview Avenue, 44376 Lakeview Avenue) (SUP. DIST. 5) (APNs 120-281-24 and 120-281-23).

OWNER/APPLICANT: Judith A. Adair, Trustee and OPC Farms, Inc.

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

Marianne Mollring, Senior Planner
(559) 600-4227

RECOMMENDATION:

- Approve a first one-year Time Extension for Variance No. 4022; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Planning Commission Resolution and Staff Report dated June 8, 2017
5. Variance Time Extension Request Letter

ENVIRONMENTAL ANALYSIS:

It has been determined pursuant to Section 15305 of the California Environmental Quality Act (CEQA) guidelines that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

PUBLIC NOTICE:

Notices were sent to 157 property owners within 1,320 feet of the subject parcels, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

The Fresno County Zoning Ordinance requires that a Variance shall become void when substantial development has not occurred within one (1) year after approval of the Variance. The Zoning Ordinance authorizes the Planning Commission to grant a maximum of two (2) one-year Time Extensions when it can be demonstrated that circumstances beyond the control of the Applicant have caused delays which do not permit compliance with the original time limitation. The request for time extension must be filed prior to the expiration of the Variance.

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

BACKGROUND INFORMATION:

Variance No. 4022 was approved by the Planning Commission on June 8, 2017 and became effective 15 days later as prescribed by law.

The Applicant filed the time extension request on July 26, 2018, just after the expiration of the Variance proposal due to an oversight. Staff determined that the request was not substantially late; that the Applicant is making progress on the Property Line Adjustment; and, that the request for a one-year extension of the Variance to complete the Property Line Adjustment should be considered by the Planning Commission. If this first time extension request is granted, the Applicant will have until June 8, 2019, to complete the mapping action.

ANALYSIS/DISCUSSION:

Variance No. 4022 was approved by the Planning Commission on June 8, 2017 based on the determination that the required findings could be made. Attached is a copy of the Planning Commission Resolution (Exhibit 4) documenting the Conditions imposed on the project.

According to the Applicant’s Time Extension request letter (Exhibit 5), additional time is needed to finalize an access agreement with the neighboring property owner in order to complete the Property Line Adjustment associated with this Variance.

Approval of a Time Extension request for a Variance is appropriate if circumstances beyond the control of the Applicant have caused delays which do not permit compliance within the one-year time limit established by the Zoning Ordinance. It should be noted that the Planning Commission’s jurisdiction in evaluating this request is limited to determining whether the Applicant should be granted an additional year to exercise the Variance as approved. No reviewing agencies or departments expressed any concerns with this proposed time extension request.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the first one-year Time Extension for Variance No. 4022 should be approved based on factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to June 8, 2019.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

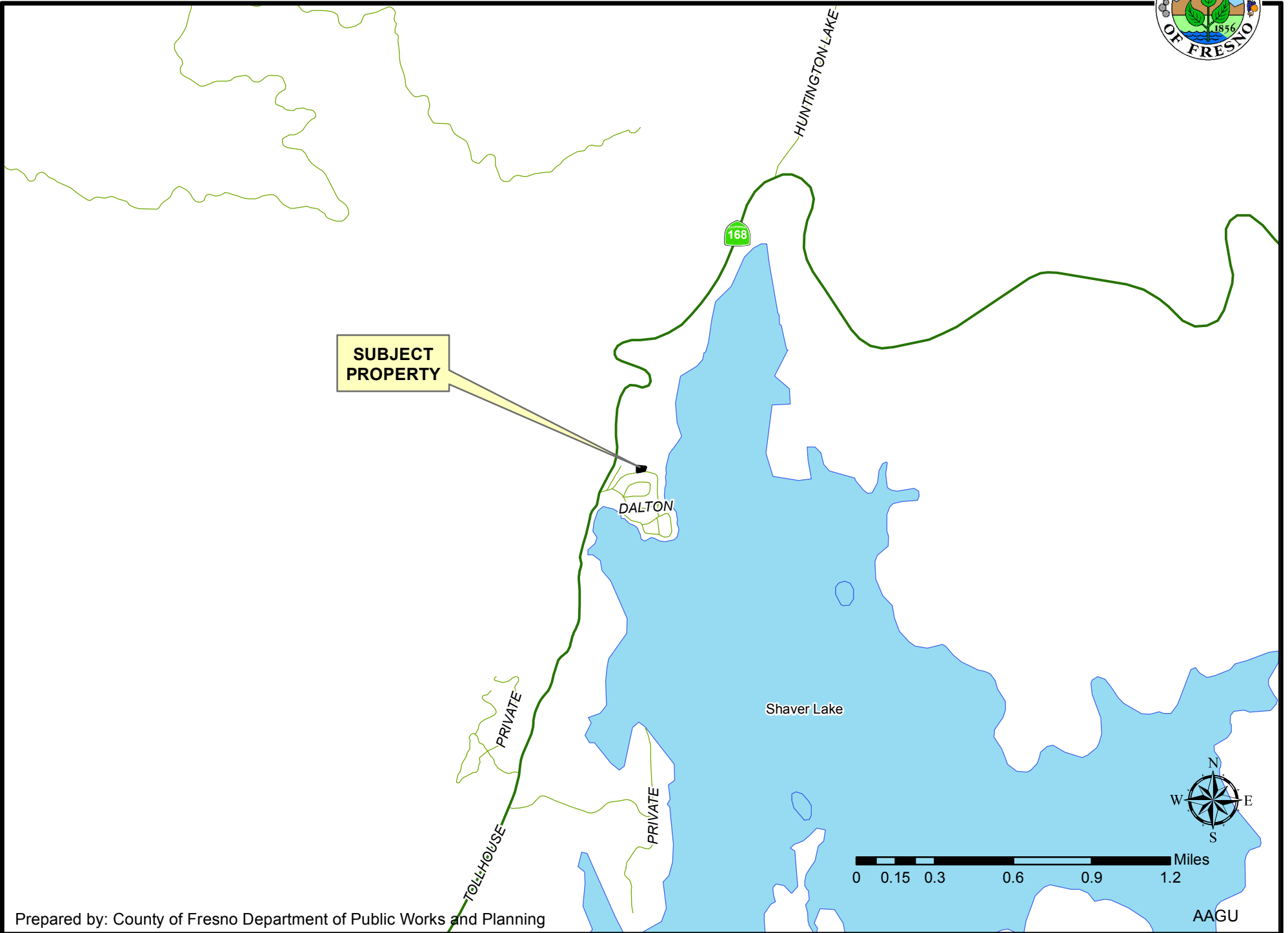
- Move to approve the first one-year Time extension for Variance No. 4022; and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

Alternative Motion (Denial Action)

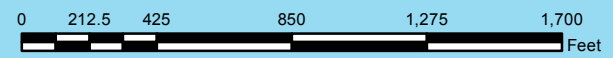
- Move to deny the first one-year Time Extension request for Variance No. 4022 (state reasons for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission’s action.

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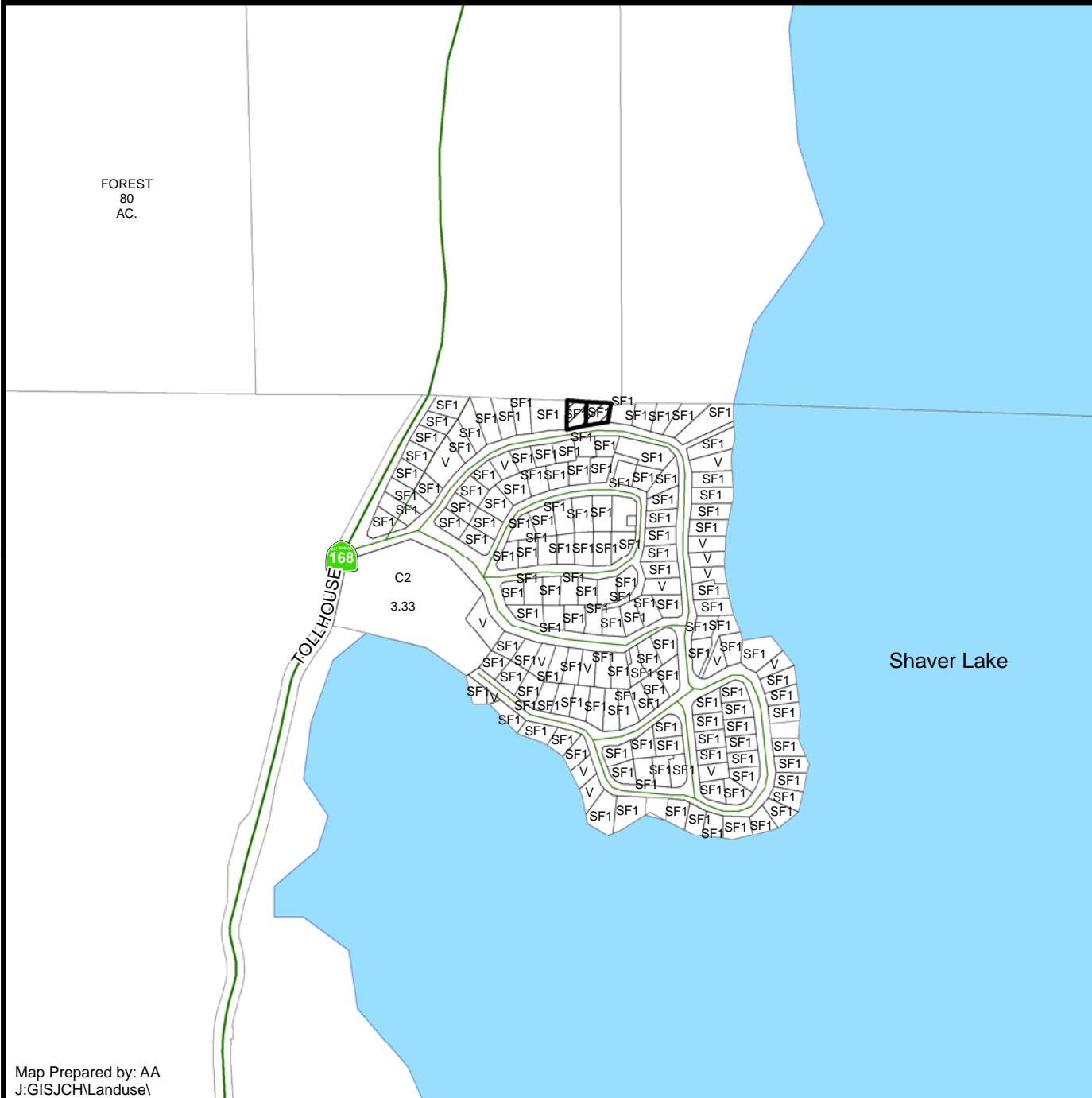
LOCATION MAP



EXISTING ZONING MAP



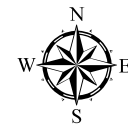
EXISTING LAND USE MAP



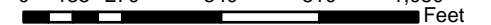
LEGEND
C# - COMMERCIAL
SF#- SINGLE FAMILY RESIDENCE
V - VACANT

LEGEND:

 Subject Property



0 135 270 540 810 1,080 Feet



Department of Public Works and Planning
Development Services Division



Inter Office Memo

DATE: June 8, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12651 - VARIANCE APPLICATION NO. 4022

APPLICANT: Strahm Engineering Associates, Inc.

OWNERS: Joe F. & Judith A. Adair, Trustees; and OPC Farms, Inc.

REQUEST: Authorize a zero-foot side-yard setback to allow a Property Line Adjustment (PLA) in the R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay) Zone District in order to locate an existing single-family residence with existing deck completely within Lot No. 175 of Shaver Lake Point Subdivision No. 2. The PLA will occur between Lot No. 175 and Lot No. 176 of Shaver Lake Point Subdivision No. 2.

LOCATION: The subject property is located on the north side of Lakeview Avenue, between Dalton Avenue and Cascade Avenue, within the unincorporated community of Shaver Lake (44390 Lakeview Avenue, 44376 Lakeview Avenue) (SUP. DIST. 5) (APNos 120-281-24, 120-281-23).

PLANNING COMMISSION ACTION:

At the May 18, 2017 Hearing, during staff's presentation, a Commissioner determined that a potential conflict of interest may be present, which resulted in his recusal and a loss of a quorum. The item was rescheduled to the June 8, 2017 Hearing.

At its hearing of June 8, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Lawson to adopt the recommended Variance Findings and approve Variance Application No. 4022 subject to the Conditions listed in Exhibit "B".

EXHIBIT A

Variance Application No. 4022

- Staff: The Fresno County Planning Commission considered the Staff Report dated June 8, 2017, and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information:
- The owners of both properties associated with this Variance request are in favor of the proposal.
 - This proposal will allow clear title for both properties associated with this Variance request.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of the application.
- One letter received by staff in opposition to the application was presented to the Planning Commission.

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**Variance Application No. 4022
Conditions of Approval and Project Notes**

Conditions of Approval	
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1.	Development shall be in accordance with the Site Plan as approved by the Planning Commission.
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Conditions of Approval reference required Conditions for the project.

Notes	
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The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
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1.	Modification (Property Line Adjustment) of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. For more information, contact the Department of Public Works and Planning, Development Engineering Section at (559) 600-4022.
2.	Building permit records indicate that the existing septic systems located on the subject parcel were installed in 1961. It is recommended that the property owner consider having the existing septic tank pumped and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.



County of Fresno

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

June 29, 2017

Strahm Engineering Associates, Inc.
5100 N. 6th Street #117
Fresno CA 93710

Dear Applicant:

Subject: Resolution No. 12651 - Variance Application No. 4022

On June 8, 2017, the Fresno County Planning Commission approved your above-referenced project with Conditions. A copy of the Planning Commission Resolution is enclosed.

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

The approval of this project will expire one year from the date of approval. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Variance.

If you have any questions regarding the information in this letter please contact me at dchambers@co.fresno.ca.us or 559-600-4205.

Sincerely,

Derek Chambers, Planner
Development Services Division

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Enclosure



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 June 8, 2017

SUBJECT: Variance Application No. 4022

Authorize a zero-foot side-yard setback to allow a Property Line Adjustment (PLA) in the R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay) Zone District in order to locate an existing single-family residence with existing deck completely within Lot No. 175 of Shaver Lake Point Subdivision No. 2. The PLA will occur between Lot No. 175 and Lot No. 176 of Shaver Lake Point Subdivision No. 2.

LOCATION: The subject property is located on the north side of Lakeview Avenue, between Dalton Avenue and Cascade Avenue, within the unincorporated community of Shaver Lake (44390 Lakeview Avenue, 44376 Lakeview Avenue) (SUP. DIST. 5) (APNos 120-281-24, 120-281-23).

OWNERS: Judith Adair and OPC Farms, Inc.
APPLICANT: Strahm Engineering Associates, Inc.

STAFF CONTACT: Derek Chambers, Planner
(559) 600-4205

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Approve Variance No. 4022; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Assessor's Parcel Map
6. Applicant's Submitted Findings
7. Site Plans
8. Public Comment

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Mountain Residential in the County-adopted Shaver Lake Community Plan	No change
Zoning	R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay)	No change
Parcel Size	<p>APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2): 7,490 square feet</p> <p>APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2): 7,440 square feet</p>	<p>APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2): 7,595 square feet after Property Line Adjustment</p> <p>APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2): 7,335 square feet after Property Line Adjustment</p>
Project Site	APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2): 7,490 square-foot parcel; 1,266 square-foot single-family residence with 645 square-foot deck; septic system; water well	No change other than new retaining wall around new parking area on APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2)

Criteria	Existing	Proposed
	APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2): 7,440 square-foot parcel; 2,330 square-foot single-family residence with 876 square-foot attached garage and 452 square-foot deck; septic system	
Structural Improvements	APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2): 1,266 square-foot single-family residence with 645 square-foot deck APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2): 2,330 square-foot single-family residence with 876 square-foot attached garage and 452 square-foot deck	No change other than new retaining wall around new parking area on APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2)
Nearest Residence	APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2): Approximately 14 feet west of the western property line APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2): Approximately 14 feet east of the eastern property line	No change
Surrounding Development	Residential land uses dispersed throughout area	No change
Operational Features	N/A	N/A
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential traffic	No change
Lighting	Residential lighting	No change
Hours of Operation	N/A	N/A

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: No

ENVIRONMENTAL ANALYSIS:

It has been determined pursuant to Section 15305 of the California Environmental Quality Act (CEQA) guidelines that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

PUBLIC NOTICE:

Notices were sent to 157 property owners within 1,320 feet of the subject parcels, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Variance Application (VA) may be approved only if four Findings specified in Zoning Ordinance Section 877 are made by the Planning Commission.

Specifically related to a VA, in order to make Findings 1 and 2, a determination must be made that the property is subject to an exceptional or extraordinary physical circumstance that does not apply to other properties in the same Zone District, and a substantial property right held by other property owners of like-zoned parcels in the area must be identified.

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

BACKGROUND INFORMATION:

This Variance Application was originally scheduled for the Planning Commission's May 18, 2017 hearing; however, one Commissioner recused themselves based on testimony from the Applicant's representative regarding ownership of Assessor's Parcel Number (APN) 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2) which revealed a potential conflict of interest for the Commissioner. As there were five total Commissioners present at the May 18, 2017 hearing, there was no longer a quorum for the hearing after the recusal, therefore this Variance Application was re-scheduled for the Planning Commission's June 8, 2017 hearing. Staff notes that there have been no changes to the Variance Findings or the proposed parcelization originally submitted by the Applicant for the May 18, 2017 hearing. Further, regarding property ownership, staff has confirmed that the owner of APN 120-281-24 (Judith Adair) and the owner of APN 120-281-23 (OPC Farms, Inc.) are agreeable to this Variance request.

This proposal entails a request to authorize a zero-foot side-yard setback for a Property Line Adjustment (PLA 17-08) between Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2) that would result in an existing deck attached to an existing single-family residence being completely located within APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2). The existing deck attached to the existing single-family residence located on APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) crosses over the western property line of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and encroaches onto APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2). As such, a Property Line Adjustment (PLA) is needed to modify the western property line of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) in order to place the

existing deck entirely within APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2). This issue was identified when Plan Check No. 16-0169 was filed on APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) for a proposed parking area with associated retaining wall.

The Shaver Lake Point Subdivision No. 2 Tract was recorded on February 13, 1947. On June 8, 1960, the Shaver Lake Point Subdivision No. 2 Tract was Zoned A-1 (Agricultural). On March 24, 1980, the Shaver Lake Point Subdivision No. 2 Tract was rezoned from A-1 to R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay) by means of Amendment Application No. 3077.

Regarding the parcel identified as APN 120-281-24, said parcel was created as Lot No. 175 of the Shaver Lake Point Subdivision No. 2 Tract. On September 11, 1959, building permits were issued to allow construction of a single-family residence on said parcel. On August 28, 1978, building permits were issued to allow construction of a deck addition onto the single-family residence previously constructed on said parcel, which is the deck that was constructed across the western property line of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and encroaches onto APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2).

Regarding the parcel identified as APN 120-281-23, said parcel was created as Lot No. 176 of the Shaver Lake Point Subdivision No. 2 Tract. On September 5, 1986, building permits were issued to allow construction of a single-family residence on said parcel.

There have been 12 other Variance applications filed within a mile of the subject parcel requesting reduced setback requirements in the R-1(m) Zone District. With the exception of VA No. 3928, which was filed to rectify an existing non-conforming improvement very similar to the subject proposal, these other Variance applications were filed to accommodate new development. The following table provides a brief summary of each of those Variance requests, staff recommendations, and final actions:

Application/Request	Date of Action	Staff Recommendation	Final Action
VA No. 2944: Allow a 10-foot front-yard setback	9/12/1985	Approval	Approved by Planning Commission
VA No.3007: Allow a 13-foot front-yard setback and a 9-foot rear-yard setback	2/18/1986	Approval	Approved by Planning Commission
VA No. 3393: Allow a 12.14-foot front-yard setback	2/18/1993	Deferred to Planning Commission	Approved by Planning Commission
VA No. 3448: Allow a zero-foot side-yard setback	5/19/1994	Deferred to Planning Commission	Approved by Planning Commission
VA No. 3494: Allow a ten-foot front-yard setback	7/13/1995	Deferred to Planning Commission	Approved by Planning Commission

Application/Request	Date of Action	Staff Recommendation	Final Action
VA No. 3804: Allow a three-foot front-yard setback and permit 42% lot coverage	2/17/2005	Approval	Approved by Planning Commission
VA No. 3851: Allow a six-foot front-yard setback	10/12/2006	Approval	Approved by Planning Commission
VA No. 3899: Allow an 11-foot front-yard setback	8/13/2009	Approval	Approved by Planning Commission
VA No. 3928: Allow a 1.3-foot side-yard setback	8/23/2012	Approval	Approved by Planning Commission
VA No. 3937: Allow a zero-foot rear-yard setback and 55.2% total lot coverage	12/13/2012	Denial	Approved by Planning Commission
VA No. 3963: Allow a six-foot rear-yard setback and an increase in lot coverage	10/20/2016	Denial	Approved by Planning Commission
VA No. 3988: Allow a single-family residence with 53.7% lot coverage and a zero-foot rear-yard setback	4/28/2016	Denial	Approved by Planning Commission

Although there is a history of variance requests within proximity of the subject parcel, each variance request is considered on its own merit, based on unique site conditions and circumstances.

DISCUSSION:

Findings 1 and 2: There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification; and

Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 20 feet Side: 5 feet Rear: 20 feet	APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2): Front (south property line): 9 feet	APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2): No Existing deck proposed to have no side-yard

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
		<p>Side (east property line): 18 feet Side (west property line): 0 feet Rear (north property line): 13 feet</p> <p><u>APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2):</u> Front (south property line): 5 feet Side (east property line): 14 feet Side (west property line): 18 feet Rear (north property line): 20 feet</p>	<p>setback on west side per PLA No. 17-08</p> <p>Existing single-family residence encroaches 11 feet into front-yard setback; however, said structure was constructed with building permits prior to current setback requirements.</p> <p>Existing single-family residence encroaches 7 feet into rear-yard setback; however, said structure was constructed with building permits prior to current setback requirements.</p> <p><u>APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2):</u> No Existing garage encroaches 15 feet into front-yard setback; however, Zoning Ordinance Section 822.5-E.2.c (referred to by Zoning Ordinance Section 826.5-E.2.c) allows a five-foot front yard setback for garages on hillside lots, which is the situation in this case.</p>
Parking	One parking space for each residence	<p><u>APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2):</u> Two proposed uncovered parking spaces that do not require Variance for construction</p> <p><u>APN 120-281-23 (Lot No. 176 of Shaver</u></p>	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
		<u>Lake Point No. 2</u>): Existing garage attached to existing single-family residence	
Lot Coverage	40 percent	<u>APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2)</u> : 26 percent <u>APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2)</u> : 49 percent	<u>APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2)</u> : Yes <u>APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2)</u> : No Existing structural improvements exceed the maximum lot coverage permitted; however, said improvements were constructed with building permits
Space Between Buildings	Six feet minimum (75 feet minimum between human habitations and structures utilized to house animals)	<u>APN 120-281-24 (Lot No. 175 of Shaver Lake Point No. 2)</u> : N/A (no accessory structures on site) <u>APN 120-281-23 (Lot No. 176 of Shaver Lake Point No. 2)</u> : N/A (no accessory structures on site)	N/A (no accessory structures on the subject parcels)
Wall Requirements	No requirement	No requirement	N/A
Septic Replacement Area	100 percent	No change	Yes
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: The R-1(m) Zone District requires a 20-foot minimum front-yard setback and a five-foot minimum side-yard setback for single-family residences; however, Mountain Overlay zoning allows parking spaces to be located within required setbacks. Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) has an active Plan Check (PC No. 16-0169) for a proposed 400 square-foot parking area with retaining wall to be located within the front-yard setback. The existing deck attached to the existing single-family residence located on APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) crosses over the western property line of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and encroaches onto APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2). As such, a Property Line Adjustment (PLA) is needed to modify the western property line of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) in order to place the existing deck entirely within APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2).

Analysis:

According to the Variance Findings provided for this proposal, Finding 1 is supported by the fact that the existing deck attached to the existing single-family residence was inadvertently constructed across the property line separating Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2). Additionally, the sizes of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2), and the configurations of improvements located thereon, make necessary the use of a zero-foot side-yard setback for the proposed Property Line Adjustment (PLA No. 17-08).

In support of Finding 2, the Variance Findings provided for this proposal assert that the requested Variance will preserve the existing deck and will also allow clear property title without having to destroy the existing deck.

With regard to Findings 1 and 2, staff acknowledges that the deck in question was constructed with building permits and passed final inspection conducted by a County Building Inspector. County records indicate that building permits were issued for the deck in 1978 with the understanding that the deck would maintain a minimum five-foot side-yard setback from the western property line of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2). However, during a 2016 Plan Check (PC No. 16-0169) for a proposed 400 square-foot parking area with retaining wall to be constructed on APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2), it was discovered that the deck crosses over the western property line of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and encroaches onto APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2). As such, a Property Line Adjustment (PLA) is needed to modify the western property line of APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) in order to place the existing deck entirely within APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2). Alternatively, the area of the deck crossing over the property line and encroaching onto the neighboring property would have to be removed.

The R-1(m) Zone District requires a minimum parcel size of 6,000 square feet. Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) is currently 7,490 square feet and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision

No. 2) is currently 7,440 square feet. Should this Variance request be approved, the proposed PLA (PLA No. 17-08) would result in APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) being 7,595 square feet and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2) being 7,335 square feet.

Although the R-1(m) Zone District requires a five-foot minimum side-yard setback, considering that the deck in question was constructed under building permits and received final inspection from County staff, the proposed PLA will not violate minimum parcel size requirements, and alternatives are limited to the destruction of the deck, staff believes that a substantial property right will be preserved by the approval of this Variance request.

Recommended Conditions of Approval:

None.

Conclusion:

Findings 1 and 2 can be made.

Finding 3: The granting of a Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	80.00 acres	Vacant	RC-40	None
South	6,316 square feet	Single-family residence	R-1(m)	56 feet
	6,761 square feet	Single-family residence	R-1(m)	73 feet
	6,821 square feet	Single-family residence	R-1(m)	85 feet
East	7,616 square feet	Single-family residence	R-1(m)	25 feet
West	13,527 square feet	Single-family residence	R-1(m)	23 feet

Reviewing Agency/Department Comments:

Building and Safety Section of the Fresno County Department of Public Works and Planning: Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) has an active Plan Check (PC No. 16-0169) for a proposed 400 square-foot parking area with retaining wall.

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

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

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

Fresno County Department of Public Health, Environmental Health Division: Building permit records indicate that the existing septic system located on APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) was installed in 1961. It is recommended that the property owner consider having the existing septic tank pumped and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system. This recommendation has been included as a Project Note.

California Department of Transportation (Caltrans): No concerns with the proposal.

Analysis:

In support of Finding 3, the Variance Findings provided for this proposal assert that the requested Variance will not change the character of the neighborhood, as any associated impacts would be limited to Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2).

With regard to Finding 3, if approved, the granting of this Variance request will authorize a zero-foot side-yard setback for a Property Line Adjustment (PLA 17-08) between APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2) that would result in an existing deck attached to an existing single-family residence being completely located within APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2).

A primary purpose of setback requirements is to protect the aesthetic character of an area by providing an offset of structures from adjacent properties. Without these requirements, extreme setback variations can occur between buildings on adjacent properties, which can negatively affect the appearance of an area. In this case, the 14-foot separation between the single-family residences located on APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2) will not change as a result of this Variance request. Considering the unchanging nature of the residential land uses located on APN 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2), and the existing residential land uses in the area of the proposal, staff believes that there will be no adverse aesthetic impact and no adverse effects on surrounding properties if the Variance is granted.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy PF-C.17: County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following: A) determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question; B) determination of the impact that use of the proposed water supply will have on other water users in Fresno County; and C) determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability.</p>	<p>This proposal was referred to the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning, which did not identify any concerns with the requested Variance. Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2) are located in a designated water-short area; however, said parcels have existing single-family residences located thereon, and no additional residential development is proposed with this Variance request.</p> <p>Based on these factors, staff believes the proposal is consistent with this Policy.</p>

Reviewing Agencies/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) and APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2) are designated Mountain Residential in the County-adopted Shaver Lake Community Plan. There are no General Plan issues with the subject proposal.

Analysis:

In support of Finding 4, the Variance Findings provided for this proposal state that no change in residential density or building separation is being requested. Additionally, granting this Variance request will not physically change existing improvements located on Assessor's Parcel Number (APN) 120-281-24 (Lot No. 175 of Shaver Lake Point Subdivision No. 2) or APN 120-281-23 (Lot No. 176 of Shaver Lake Point Subdivision No. 2).

The subject parcels are designated Mountain Residential in the County-adopted Shaver Lake Community Plan. The Shaver Lake Community Plan and the General Plan do not have Policies specifically addressing side-yard setback requirements. As such, approval of this Variance request will not be in conflict with the Shaver Lake Community Plan or the General Plan.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

One email was received in opposition to the application.

CONCLUSION:

Based on the factors cited in the analysis, staff is able to make Finding 4. Therefore, staff recommends approval of VA No. 4022.

PLANNING COMMISSION MOTIONS:

Recommended Motion (approval action)

- Move to determine that the required Findings can be made and move to approve Variance No. 4022, subject to the Condition and Notes listed below; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (denial action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Variance No. 4022; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

DC:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\VA\4000-4099\4022\SR\VA4022 SR REVISED.docx

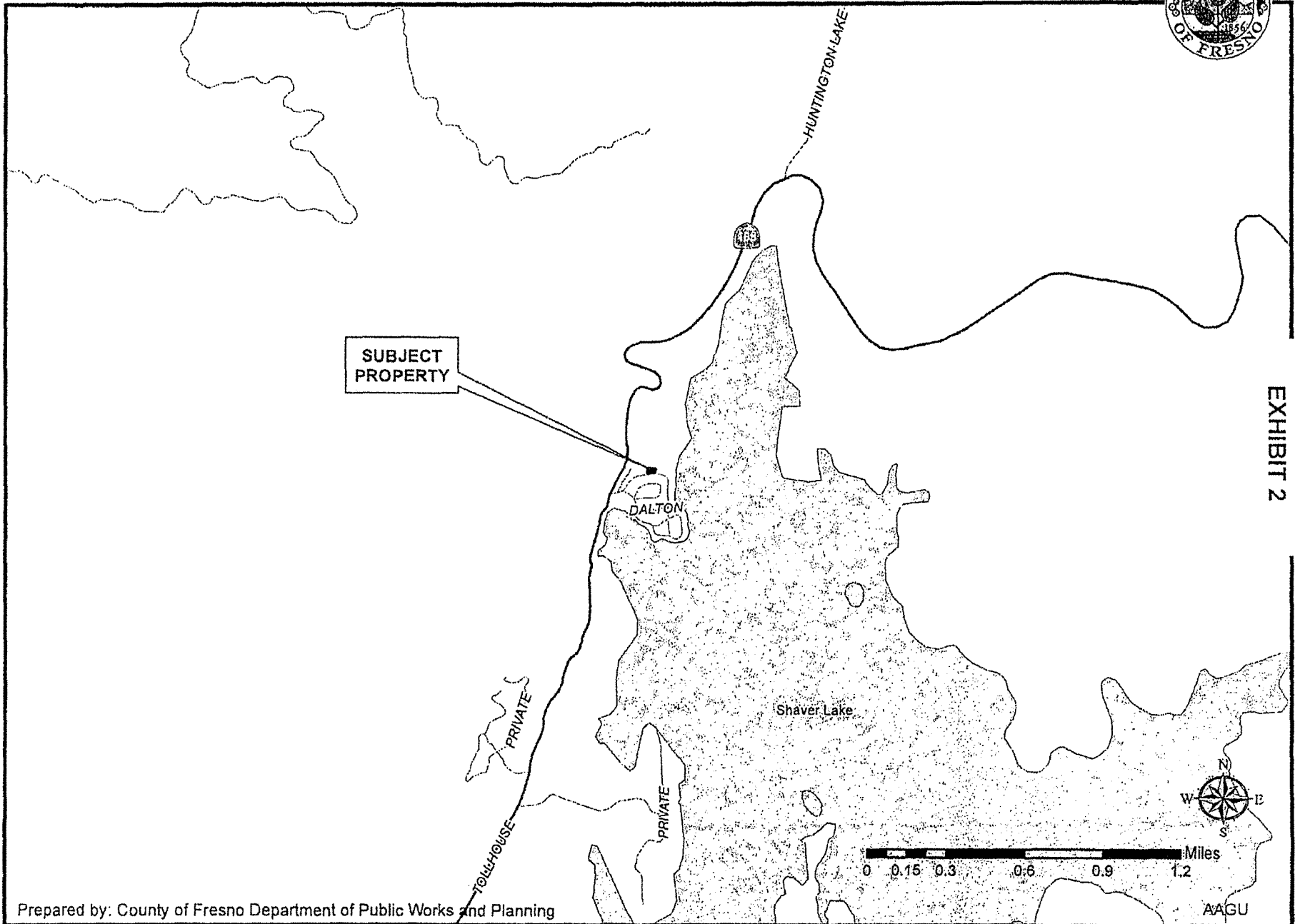
**Variance Application No. 4022
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in accordance with the Site Plan as approved by the Planning Commission.

Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Modification (Property Line Adjustment) of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. For more information, contact the Department of Public Works and Planning, Development Engineering Section at (559) 600-4022.
2.	Building permit records indicate that the existing septic systems located on the subject parcel were installed in 1961. It is recommended that the property owner consider having the existing septic tank pumped and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.

LOCATION MAP



EXISTING ZONING MAP

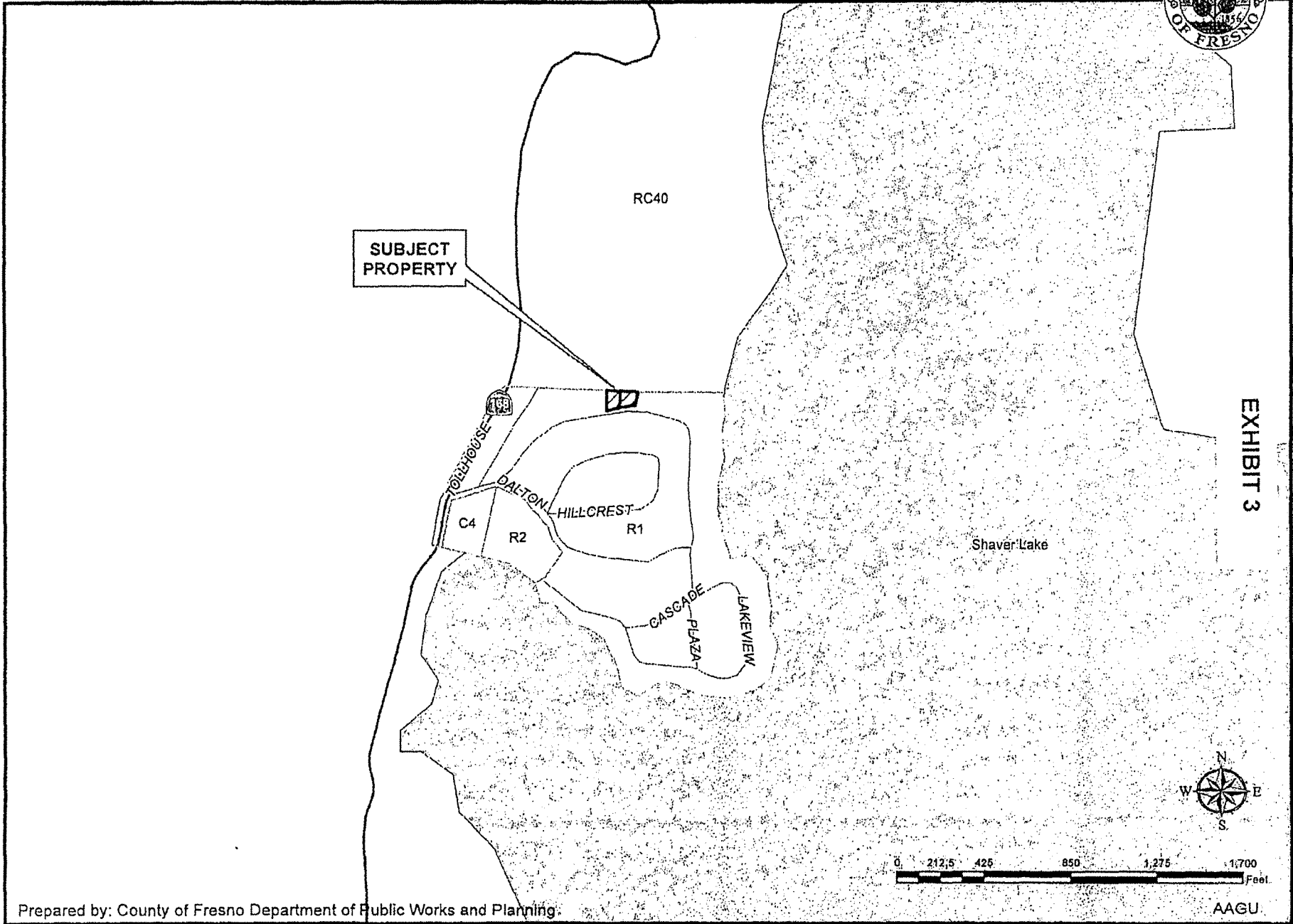


EXHIBIT 3

EXISTING LAND USE MAP



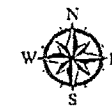
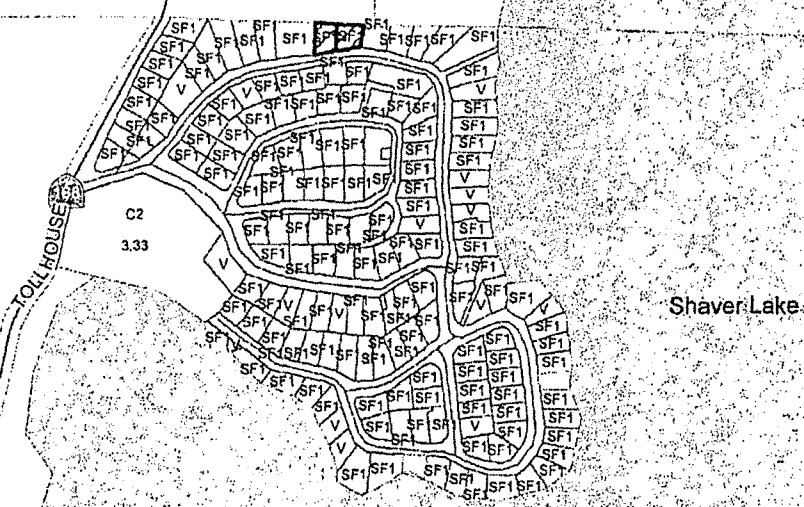
FOREST
80
AC.

LEGEND	
CH	- COMMERCIAL
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT

LEGEND:

 Subject Property

EXHIBIT 4



0 135 270 540 810 1,080 Feet

Department of Public Works and Planning
Development Services Division

--- NOTE ---
 This map is for Assessment purposes only.
 It is not to be construed as portraying
 legal ownership or divisions of land for
 purposes of zoning or subdivision law.

SUBDIVIDED LAND IN POR. SEC. 24, T. 9 S., R. 24 E., M. D. B. & M.

Tax Rate Area
 60-004

120-28

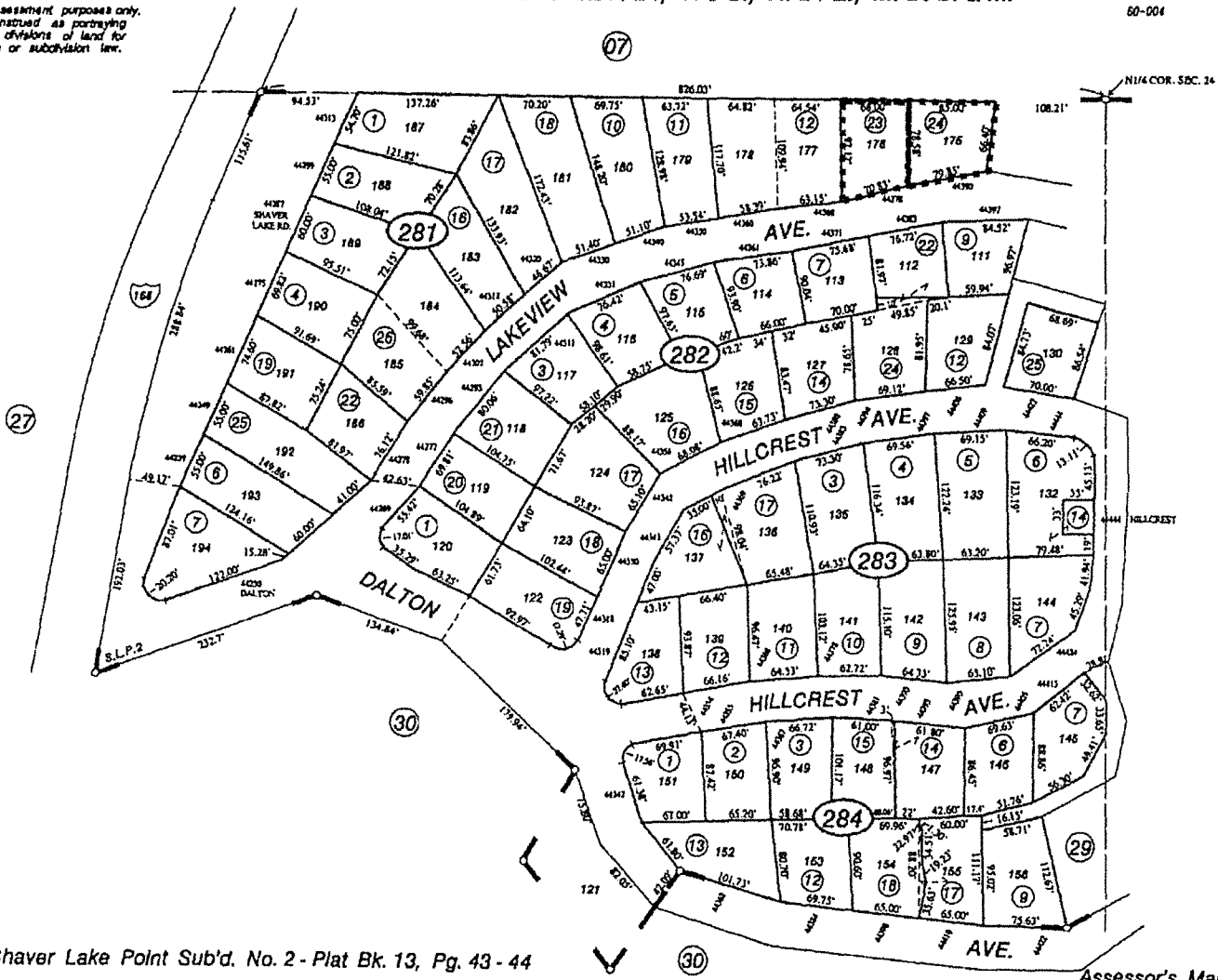


EXHIBIT 5

Shaver Lake Point Sub'd. No. 2 - Plat Bk. 13, Pg. 43 - 44

Assessor's Map Bk. 120 - Pg. 28
 County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
 Assessor's Parcel Numbers Shown in Circles.

EXHIBIT 6

VARIANCE REQUEST

A Variance is requested for zero side yard setback to enable adjustment of the side line common to Lot 175 and Lot 176 as needed to fit the configuration of existing structure and access improvements. Specifically, the zero side yard setback is requested for the structure improvements of Lot 175 which existing structure improvements encroach onto Lot 176. The existing parking pad improvements of Lot 176 encroach onto Lot 175 which encroachment does not require the zero side yard setback for Lot 176. The proposed Property Line Adjustment would result in the improvements serving their respective lot(s) being within the appropriate lot as desired for clear property title condition.

Findings Necessary For The Granting Of A Variance

1. Exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.

The Variance justification circumstances are that improvements were previously inadvertently constructed across the common lot line, which circumstances do not exist generally for other properties in the vicinity, and that the size of the two lots and the configuration of the existing improvements make necessary use of zero setback side yards. The zone district setback spacing between buildings, lot dimensions and area requirements will be respected.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.

Granting of the Variance will enable preservation of the existing improvements within respective to be reconfigured ownership areas for clear property title without destruction of existing improvements which improvements configuration necessitates the zero setback property line adjustment.

3. The granting of a variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

Granting of the Variance will have no impact to the existing vicinity conditions and will be restricted to the immediately involved properties for no injury to property or improvements in the vicinity. The overall setting condition will remain as is for no change / detriment to the public welfare.

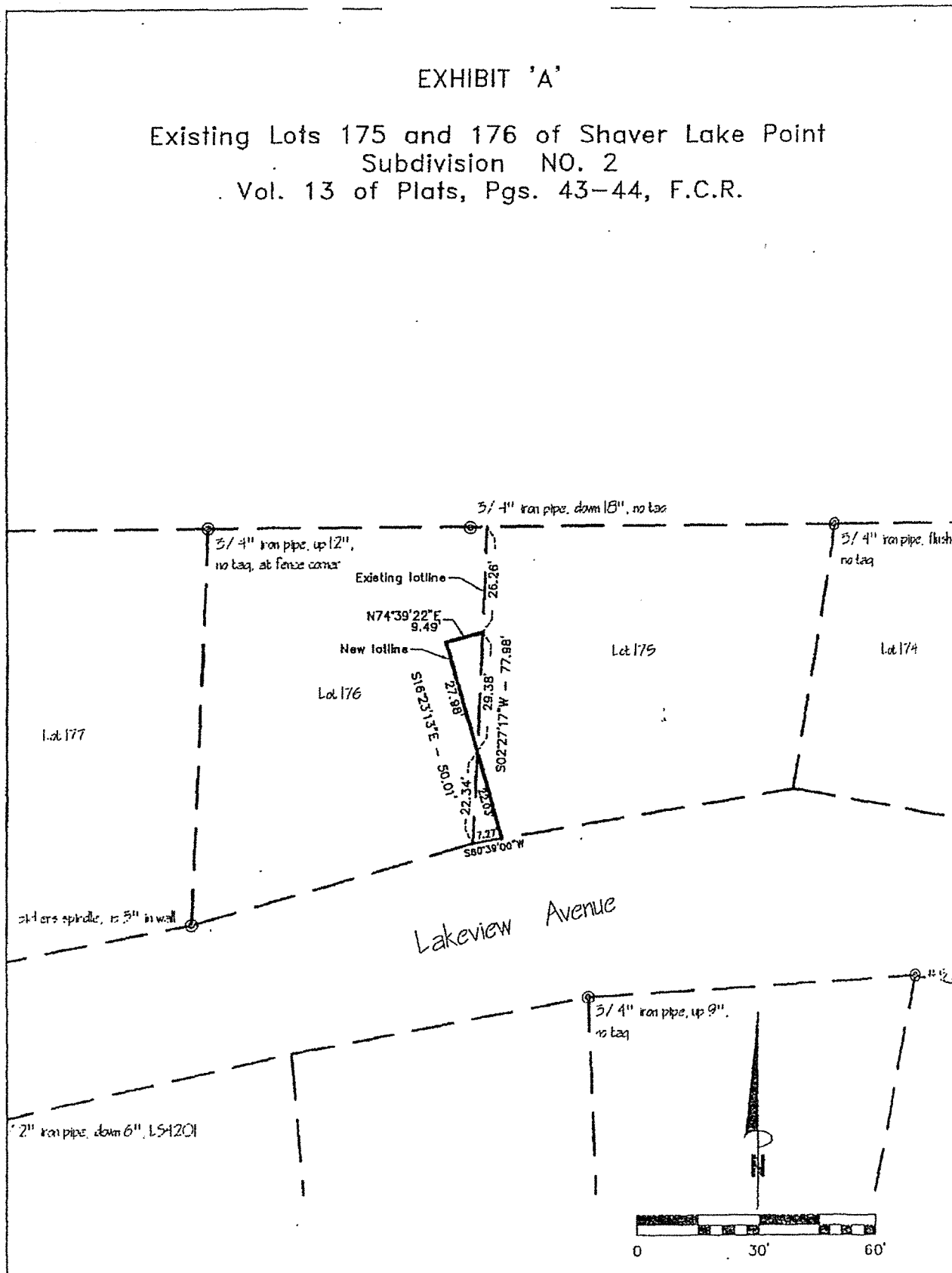
4. The granting of such variance will not be contrary to the objectives of the General Plan.

No change in building density or spacing between buildings is proposed or likely for these built upon lots. Granting of the Variance will not result in physical changes to these improved built upon lots.

EXHIBIT 7

EXHIBIT 'A'

Existing Lots 175 and 176 of Shaver Lake Point
Subdivision NO. 2
Vol. 13 of Plats, Pgs. 43-44, F.C.R.





INTEGRATED DESIGN ENGINEERS
 1400 S. GARDEN AVENUE, SUITE 200
 ANAHEIM, CALIFORNIA 92805
 TEL: 714.938.8888 FAX: 714.938.8889
 WWW.IDE-CA.COM

REVISIONS

NO.	DATE	DESCRIPTION



PROJECT: A NEW PARKING PAD
 NAME: _____
 ADDRESS: _____

DATE: 04.16.2013
 SCALE: AS NOTED
 DRAWING: ACC
 JOB: _____
 SHEET: 0
 SHEET OF 01

SHEET INDEX
 COVER SHEET, ELEVATIONS
 FLOOR PLAN, SUBSEQUENT PLANS
 & DETAILS

PROJECT INFORMATION

(M) PARKING PAD: 233 SQ. FT.

APPLIED CODES
 2013 CBC
 2013 CPC
 2013 CMC
 2013 CEC

GENERAL NOTES

- ALL WORK SHALL CONFORM TO THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE AND ALL RELATED LOCAL ORDINANCES AND ALL APPLICABLE COUNTY AND CITY ORDINANCES AND ALL APPLICABLE LOCAL ORDINANCES AND ALL APPLICABLE LOCAL ORDINANCES AND ALL APPLICABLE LOCAL ORDINANCES.
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SITE PLAN NOTES

- ALL CONSTRUCTION WORK AND INSTALLATIONS SHALL CONFORM TO THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE AND ALL RELATED LOCAL ORDINANCES AND ALL APPLICABLE COUNTY AND CITY ORDINANCES AND ALL APPLICABLE LOCAL ORDINANCES.
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COVER

NO.	DATE	DESCRIPTION

SITE & GRADING NOTES

- ALL CONSTRUCTION WORK AND INSTALLATIONS SHALL CONFORM TO THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE AND ALL RELATED LOCAL ORDINANCES AND ALL APPLICABLE COUNTY AND CITY ORDINANCES AND ALL APPLICABLE LOCAL ORDINANCES.
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SITE PLAN NOTES

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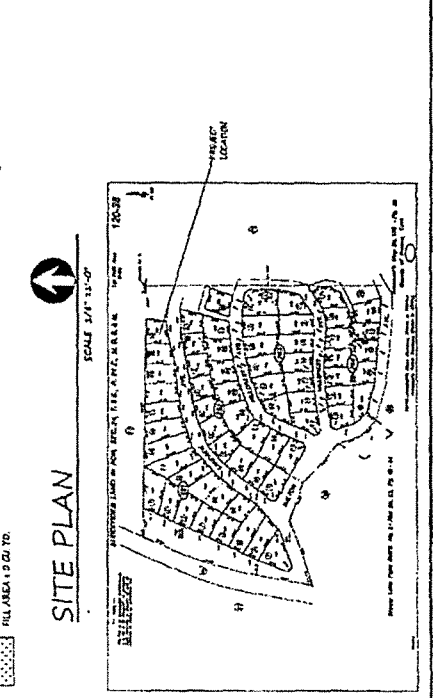
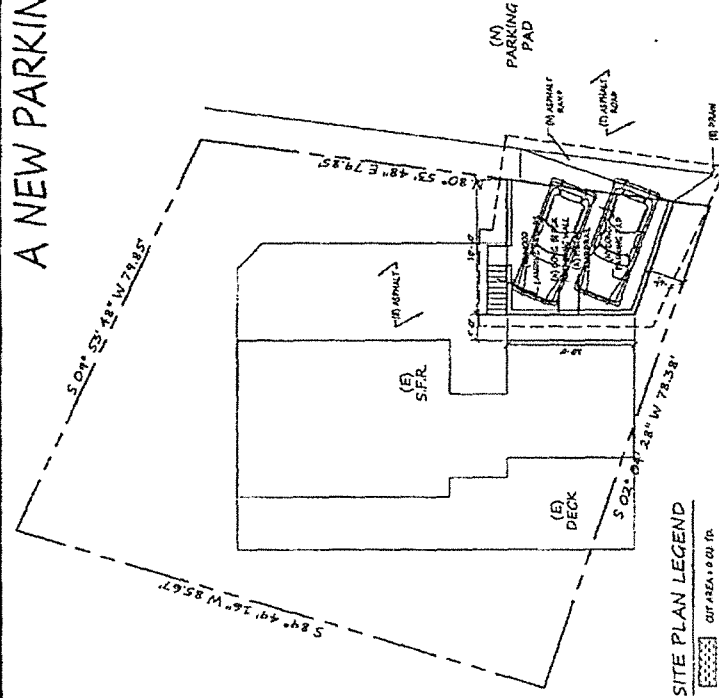


EXHIBIT 8

Chambers, Derek

From: Russel Efird <refird51@gmail.com>
Sent: Tuesday, May 16, 2017 11:20 AM
To: Chambers, Derek
Subject: Variance Application No. 4022

Mr. Chambers,

Once again, a request is being made to reduce the a set back at Shaver Lake Point.

I am against any reduction in setbacks, but especially going to a zero side set back. The current set back is 5 feet which is not very much.

Russel Efird
44439 Dalton
Shaver Lake Point

VA 4022
RECEIVED
COUNTY OF FRESHO
MAY 16 2017
DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

RECEIVED
COUNTY OF FRESNO

AUG 15 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

STRAHM ENGINEERING ASSOCIATES, INC.
5100 N. SIXTH ST., SUITE 117
FRESNO, CA 93710

August 15, 2018

PLAVAR18.815

Fresno County Public Works & Planning – Development Services
2220 Tulare St., Sixth Floor
Fresno, CA 93721

Subject: Variance No. 4022 – PLA No, 17-08 – Variance Time Extension Request

Gentlemen:

A request for a one year time extension for PLA No. 17-08 was made timely. The approval letter for the PLA noted a one year extension could be granted if made timely in writing with application filed and fee paid. There was no reference in the approval letter that a companion time extension request would be required for Variance N. 4022.

Several days after submittal of the PLA time extension request, County staff advice that an application for the variance time extension was also needed. Thereafter an application and fees payment was provided for the variance time extension request – the variance time extension request would have also been made timely had notice of such requirement been included with the PLA approval letter.

Approval of the variance ahead of the property line adjustment date escaped consideration with attention being focused on the PLA approval letter.

Need for the PLA time extension became apparent when considerably more time and effort than contemplated transpired in reaching agreement for access easements related to the property line adjustment.

Your consideration would be greatly appreciated.

Sincerely,

STRAHM ENGINEERING ASSOCIATES, INC.



Rod Strahm, P.E.

cc: Steve Rau

EXHIBIT 5



County of Fresno

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

Planning Commission Staff Report Consent Agenda Item No. 2 October 11, 2018

SUBJECT: Vesting Tentative Tract Map No. 4934 - Time Extension

Allow a sixth and final one-year discretionary time extension to exercise Vesting Tentative Tract Map No. 4934, which authorizes the division of 77.80 acres into 200 lots with a minimum lot size of 7,260 square feet in the R-1-C(c) (Single-Family Residential, 6,000 square-foot minimum parcel size, Conditional) and O(c) (Open Conservation, Conditional) Zone Districts.

LOCATION: The subject site is located within the Millerton Specific Plan area, south of Millerton Road between Winchell Cove Drive and the Friant-Kern Canal, approximately two miles east of the unincorporated community of Friant (SUP. DIST. 5) (APN 300-542-13).

OWNER/APPLICANT JPJ, Inc.

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

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Approve a sixth and final one-year time extension for Vesting Tentative Tract Map No. 4934; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Land Use Map
3. Existing Zoning Map
4. Planning Commission Resolution and Staff Report dated September 7, 2000
5. Applicant's letter requesting the one-year time extension

ENVIRONMENTAL DETERMINATION:

The subject property is located within the boundaries of the Millerton New Town Specific Plan. An Environmental Impact Report (EIR) and Mitigation Measures & Monitoring Program Matrix was certified as having been prepared and considered by the decision-making body in accordance with the California Environmental Quality Act (CEQA) when the Specific Plan was adopted in 1984. Several additional environmental studies have been prepared in the interim.

An Environmental Assessment/Initial Study (Environmental Assessment No. 4610) was prepared for Vesting Tentative Tract Map No. 4934 under the provisions of CEQA, resulting in the determination that the previously-certified EIR and Addendum for the Millerton New Town Specific Plan remain adequate for the project. Section 15162(b) of the CEQA Guidelines states that once an EIR and/or Mitigated Negative Declaration has been certified for a project, no subsequent EIR or Mitigated Negative Declaration shall be prepared unless: 1) substantial changes are proposed to the project; 2) substantial changes occur with respect to the circumstances under which the project is undertaken; or 3) new information of substantial importance is presented which was not known and could not have been known at the time the previous Mitigated Negative Declaration was adopted. This project was routed to all those agencies who reviewed the original project and no agency provided comments or information that the circumstances noted in the above Conditions are present. Therefore, it has been determined that no further CEQA documentation is required for the subject proposal.

PUBLIC NOTICE:

Notices were sent to 52 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

The State Subdivision Map Act provides that prior to the expiration of a Tentative Map, a subdivider is entitled to file a "Final Map" for recording with the County if it conforms to the approved Tentative Map and certain mandatory requirements. Except for special circumstances specified in the Map Act, a Tentative Map expires two years after its approval unless extensions are granted by the local agency. Such extensions may not exceed a total of six years. Under the terms of the Fresno County Subdivision Ordinance, time extensions may be granted by the Planning Commission upon application by the subdivider prior to the expiration date.

Starting in 2008, the State of California passed five separate Bills to give subdividers time extensions for Tentative Maps that met certain criteria. These Bills are: a) Senate Bill (SB) 1185 (approved 2008; Map Act Section 66452.21) which granted an automatic one-year time extension; b) Assembly Bill (AB) 333 (approved 2009; Map Act Section 66452.22) which granted an automatic two-year time extension; c) Assembly Bill (AB) 208 (approved 2011; Map Act Section 66452.23) which granted an automatic two-year time extension; d) Assembly Bill (AB) 116 (approved 2013; Map Act Section 66452.24) which granted an automatic two-year time extension; and e) Assembly Bill (AB) 1303 (approved 2015; Map Act Section 66452.25) which granted a two-year time extension. Projects in Fresno County are eligible for time extensions under AB 1303 based on the County's annual mean income, annual non-seasonal unemployment, and poverty status statistics compared to statewide averages.

Granting an extension of a Tentative Map is discretionary, although the Planning Commission's discretion is limited to questions of time. The Commission cannot Condition the grant of extension unless the Applicant agrees to such additional Conditions. If the Applicant does not agree to such additional Conditions, the Commission may deny the extension if it finds, based on the evidence, that the project will be injurious to public health, safety or general welfare if the additional Conditions are not imposed.

BACKGROUND INFORMATION:

On September 7, 2000, the Planning Commission approved Vesting Tentative Tract Map No. 4934, Classified Conditional Use Permit No. 2935, and Site Plan Review No 7044, authorizing the development of a 77.8-acre planned residential development consisting of 200 single-family residential lots with a minimum lot size of 7,260 square feet.

The first one-year time extension for Vesting Tentative Tract Map No. 4934 (beyond the initial two years) was approved by the Planning Commission on October 24, 2002, and extended the expiration date to September 7, 2003. On December 16, 2003, the Board of Supervisors upheld the Planning Commission's approval of a second one-year time extension, extending the expiration date to September 7, 2004. On December 16, 2004, the Planning Commission approved the third one-year time extension, subject to a condition that required establishment of a funding mechanism to support the cost for sheriff's protection services to achieve a ratio of two sworn officers per 1,000 residents for the affected properties. The approval extended the expiration date to September 7, 2005. The fourth one-year time extension was approved on November 3, 2005 and extended the expiration date to September 7, 2006. However, as review of the surface water allotments to Millerton New Town conducted by the U.S. Bureau of Reclamation constituted a moratorium from the period of February 4, 2005 until February 25, 2007, staff determined that the tentative map would expire on September 26, 2008.

Subsequent to staff's determination that the Tentative Map would expire on September 26, 2008, Senate Bill (SB) 1185, effective July 15, 2008, granted an automatic one-year time extension for the Tentative Map, resulting in a new expiration date of September 26, 2009; Assembly Bill (AB) 333, effective July 15, 2009, granted an automatic two-year time extension for the Tentative Map, resulting in a new expiration date of September 26, 2011; Assembly Bill (AB) 208, effective July 15, 2011, granted another automatic two-year time extension for the Tentative Map resulting in a new expiration date of September 26, 2013; and Assembly Bill (AB) 116, effective July 11, 2013, granted an automatic two-year time extension for the Tentative Map resulting in a new expiration date of September 26, 2015. The previous application for a fifth one-year extension was granted by the Planning Commission and extended the expiration date to September 26, 2016. AB 1303, effective October 10, 2015, automatically granted a two-year time extension, extending the expiration date to September 26, 2018. This current sixth and final one-year time extension request was filed by the Applicant on August 1, 2018, and if approved will extend the Vesting Tentative Tract Map No. 4934 expiration date to September 26, 2019.

The Commission may impose conditions when approving a time extension request for a vesting tentative tract, or may deny such a request only if such conditions could have been lawfully imposed as a condition to the approval of the map and it determines either of the following: (1) a failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both; or (2) the condition or denial is required in order to comply with state or federal law.

The State Subdivision Map Act provides up to six discretionary one-year time extensions. The subject application has been approved five times under these provisions with this one discretionary time extension remaining.

ANALYSIS/DISCUSSION:

Tentative Tract Map No. 4934 was originally approved in on September 7, 2000 concurrently with Conditional Use Permit (CUP) No. 2956 and Site Plan Review No. 7044 based on a determination that the required CUP findings could be made. Attached is a copy of the original Staff Report and Planning Commission Resolution dated September 7, 2000 (Exhibit 4). According to the Applicant, the subject request is necessary in working with the County, U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife to allow the project to proceed to Final map. Further, the Applicant has participated in completing the surface water treatment plant to serve the subject tract, obtained a fee schedule for County Service Area (SCA) 34C, participated in the construction of a tertiary wastewater treatment plant, and is working on procedures and operation regarding use of reclaimed water for the tract (Exhibit 5).

The current time extension request was routed to the same agencies that reviewed the original project and previous time extensions. None of those agencies identified any change in circumstances or the need for additional conditions, and did not express any concerns with the proposed extension of time.

The existing zoning on the parcel is R-1(c), R-1-C(c) (Single-Family Residential, 9,000 square-foot minimum parcel size, Conditional), and O(c) (Open Conservation, Conditional). The portion of the proposed subdivision east of Marina Drive is designated Medium-Density Residential and is zoned R-1(c). The portion of the proposed subdivision west of Marina Drive is designated Medium-Low-Density Residential and zoned R-1-C(c). The R-1 and R-1-C zoning districts are consistent with the Medium-Density Residential and Medium-Low-Density Residential land use designations, respectively.

The Specific Plan indicates that areas designated Medium-Density Residential (east of Marina Drive) shall be developed at a density not to exceed one dwelling unit per 6,000 square feet (net) or seven units per acre (gross). In addition, the Plan indicates that areas designated Medium-Low-Density Residential (west of Marina Drive) shall be developed at a density not to exceed one dwelling unit per 10,000 square feet (net) or 3.5 units per acre (gross). The approved project includes 87 residential lots on approximately 23 acres that are designated Medium-Density Residential and 113 lots on approximately 33 acres that are designated Medium Low Density Residential. The resulting densities would be 3.5 and 3.4 units per gross acre for the Medium-Density Residential and Medium-Low-Density Residential designation, respectively, which is consistent with the Specific Plan.

The Plan also requires that a minimum of three percent of the area not over 30 percent slope shall be left in natural open space. The approved project includes five outlots totaling 21.26 acres to remain as open space, which comprises approximately 27.3 percent of the project site. Previous staff analysis determined that these outlots, in combination with the proposed 50-foot landscaping buffer and developed access to community-wide open space areas, meet the intent of the General Plan, and found that the proposal was consistent with that policy. Since the initial approval, there have been no significant changes to the project site or project description that would invalidate that determination.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the sixth and final one-year time extension for Vesting Tentative Tract Map No. 4934 should be approved, based on the factors cited in the analysis above. Approval of this time extension will extend the expiration date to September 26, 2019.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to approve the sixth and final one-year time extension request for Vesting Tentative Tract Map No. 4934; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

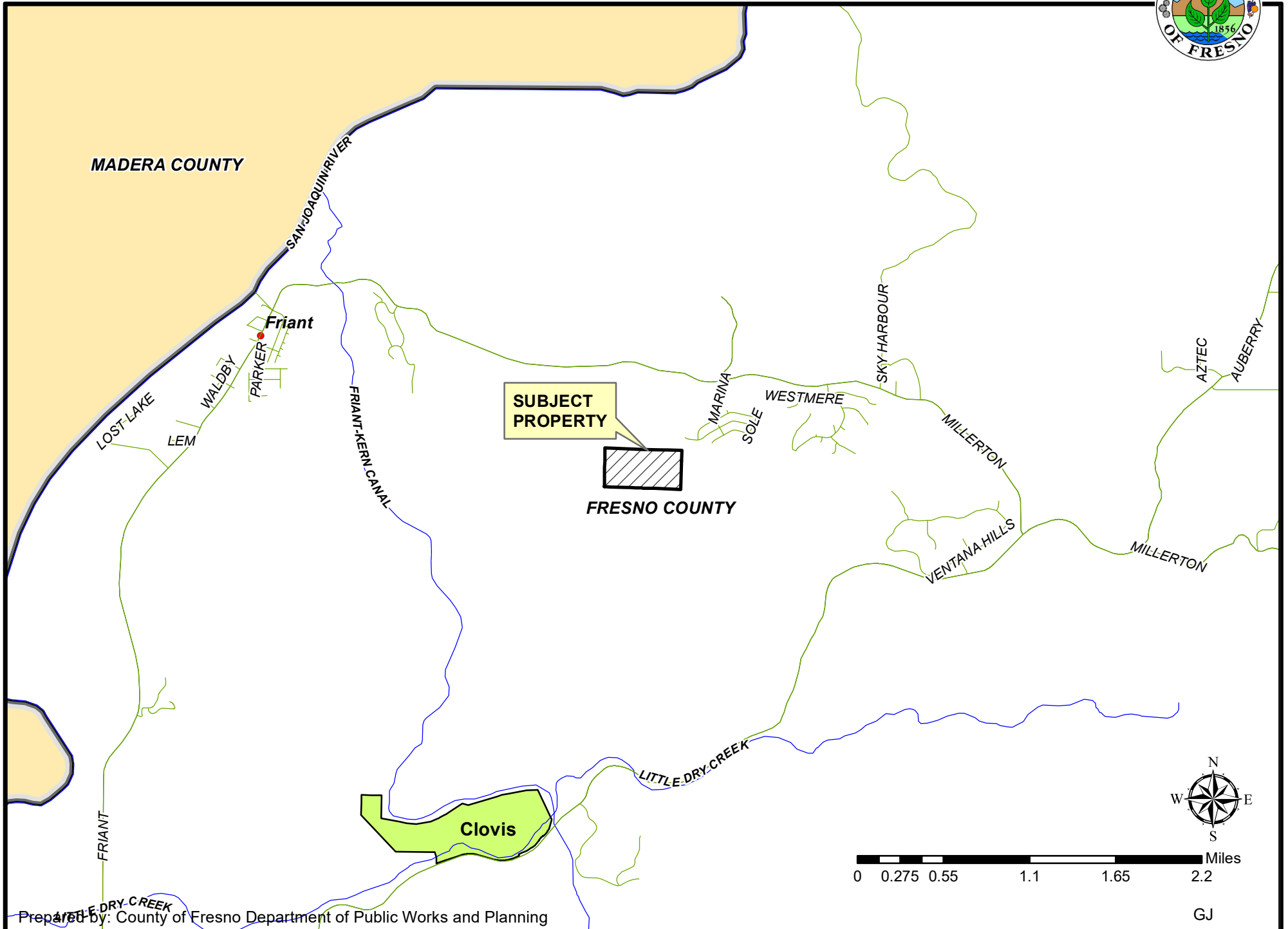
Alternative Motion (Denial Action)

- Move to deny the two-year time extension request for Vesting Tentative Tract Map No. 4934 (state reasons how approval of the time extension request would pose a health and safety issue to the residents of the subdivision or the immediate community of both; or state how denial of the time extension request is required in order to comply with State or Federal law); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

JS:ksn

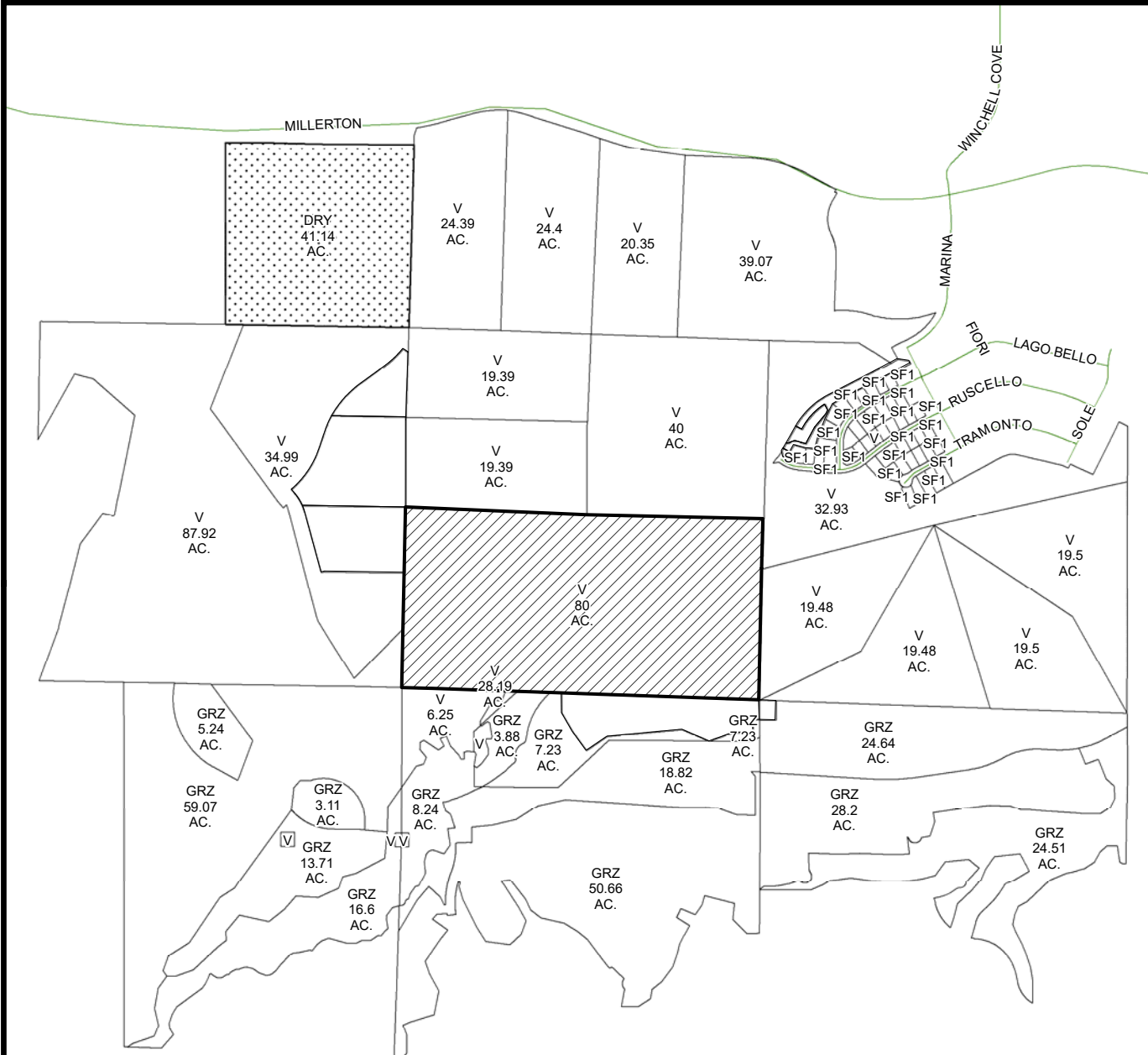
G:\4360Devs&PIn\PROJSEC\PROJDOCS\TT\4900-4999\4934\EXT 6\SR\TT 4934 EXT 6 SR.docx

LOCATION MAP



Prepared by: County of Fresno Department of Public Works and Planning

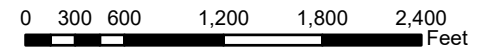
EXISTING LAND USE MAP



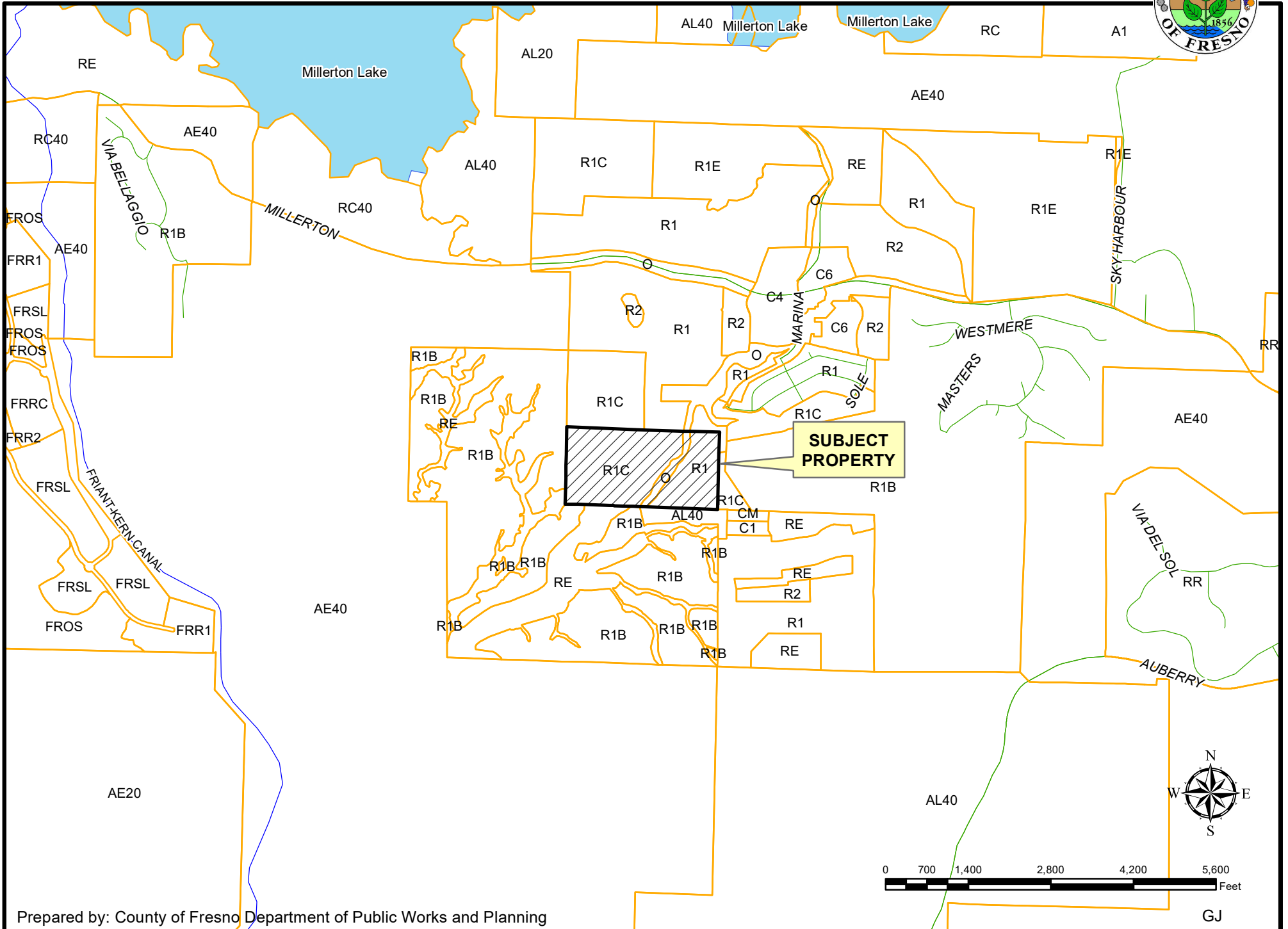
LEGEND
V - VACANT
SF# - SINGLE FAMILY RESIDENC
GRZ - GRAZING
DRY - DRY FARMING

LEGEND:

-  Subject Property
-  Ag Contract Land



EXISTING ZONING MAP





Inter Office Memo

DATE: September 7, 2000

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 11697 – ENVIRONMENTAL ASSESSMENT APPLICATION NO. 4610, CLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 2935, VESTING TENTATIVE SUBDIVISION MAP NO. 4934 AND SITE PLAN REVIEW APPLICATION NO. 7044

APPLICANT: The Clarksfield Company, Inc.

REQUEST: Allow a planned residential development consisting of 200 single-family homesites on a 77.80-acre parcel in the R-1-C(c), R-1(c) and the "O"(c) Districts.

LOCATION: The subject property is located within the Millerton Specific Plan on south side of Millerton Road, between the Brighton Crest Subdivision and the Friant-Kern Canal, approximately 2.5 miles east of the unincorporated community of Friant (APN: 300-061-04) (SUP. DIST.: 5)

PLANNING COMMISSION ACTION:

At its hearing of September 7, 2000, the Commission considered the Staff Report, the Subdivision Review Committee Report, and testimony (summarized on Exhibit "A").

A motion was made by Commissioner King and seconded by Commissioner Eaton to determine that the previously certified Final Environmental Impact Report for the Millerton Specific Plan is adequate for the project under the provisions of Section 15162 of the CEQA Guidelines, adopt the recommended findings of fact in the Staff Report and Subdivision Review Committee Report, and approve Classified Conditional Use Permit Application No. 2935, Vesting Tentative Subdivision Map No. 4934, and Site Plan Review Application No. 7044, subject to the conditions listed in Exhibit "B".

This motion passed on the following vote:


VOTING: Yes: Commissioners King, Eaton, Ferguson, Johnson, Molen, Moore, Peters, Price, Tokmakian

No: None

Absent: None

CAROLINA JIMENEZ-HOGG, Director
Planning & Resource Management Department
Secretary-Fresno County Planning Commission

By:


Leona Franke James, Manager
Development Services Division

- NOTES:
1. The Planning Commission action is final unless appealed to the Board of Supervisors within 15 days of the Commission's action.
 2. The approval of this project will expire two years from the date of approval unless a final map is recorded. When circumstances beyond the control of the applicant do not permit compliance with this time limit, the Commission may grant an extension. Application for such extension must be filed with the Planning & Resource Management Department before the expiration of the Vesting Tentative Tract Map

EXHIBIT "A"

Staff: The Fresno County Planning Commission accepted the Staff Report and the Subdivision Review Committee Report dated September 7, 2000.

Applicant: The applicant's representative presented information in support of the project as summarized below:

- Since the last time I was before the Commission, Tentative Tract Map No. 4870 for 165 lots has been approved.
- We are in agreement with the staff report and conditions.
- All water for this project has been secured through a contract with the Deer Creek & Tule Creek Water Authority.
- The Wetland and Open Space Mitigation and Management Plan and the Monitoring Plan [WOSMMP] have been approved by the Army Corp of Engineers and the Department of Fish and Game. The subdivision has been designed around the existing wetlands.
- The White Fox Creek is preserved in an open space easement, which incorporates pedestrian trails and bike paths. The road crossing Fox Creek will be a culvert type bridge.
- This tract incorporates a combination of both curvilinear streets and neighborhoods with the traditional lot and block design.

Others: No other persons presented information in support of or in opposition to the proposal.

Correspondence: Three letters were received in support of the request.

EXHIBIT "B"

Conditions of Approval
Environmental Assessment Application No. 4610
Classified Conditional Use Permit Application No. 2935
Vesting Tentative Subdivision Map No. 4934
Site Plan Review Application No. 7044

Classified Conditional Use Permit Application No. 2935

1. Development shall be in accordance with the site plan and project description as it pertains to property development standards, landscaping, fencing, lighting, circulation, grading, infrastructure, except as may be modified below.
2. The conditions of the Subdivision Review Committee Report for Tentative Tract Map No. 4934 shall be complied with.
3. This Conditional Use Permit shall be tied to Tentative Tract Map No. 4934; if the tract is denied or expires, the Conditional Use Permit shall also be denied or expire.

NOTE: In accordance with Section 873 – I of the Zoning Ordinance, a conditional use permit to authorize a tentative subdivision map automatically assumes the life span of the tract map.

4. For those areas zoned R-1-C, the property development standards of the R-1-C shall apply except for lot size as described in the table labeled "Residential Development Standards" on page 5 of the operational statement.
5. All mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR (Exhibit 6) that are applicable to the proposed development shall be complied with unless the Fresno County Ordinance Code or Improvement Standards requires a higher standard, in which case the higher standard shall be met. Prior to any development, the applicant shall enter into an agreement with Fresno County for the purpose of reimbursing the County for all costs incurred by the County in complying with the mitigation and monitoring requirements of CEQA (Public Resources Code Section 21081.6). These costs shall include, but are not limited to, staff and consultant services.
6. An Infrastructure Plan for water, sewer, and drainage that addresses the policies in Sections 806-07:5.01, 5.02, 5.03, and 5.04 of the Millerton Specific Plan, together with the terms of the Use and Allocation of Capacities and Reimbursement Agreement dated January 29, 1991, shall be adopted by Fresno

County prior to approval of a Final Map. All appropriate infrastructures required for this project by the approved Infrastructure Plan shall be constructed and accepted by County Service Area No. 34 prior to issuance of building permits.

7. South of the commercial area and government center, Marina Drive shall be constructed as a two-lane undivided road in an 84-foot right-of-way with provisions for the future addition of two travel lanes when traffic volumes warrant. Development of Marina shall be in accordance with Figure 7 of the Millerton Specific Plan.
8. Left-turn lanes shall be provided on Marina Drive at all intersections.
9. The grading standards specified in Section 806-04:2.03d of the Millerton Specific Plan shall be met.
10. Prior to approval of a Final Map, drainage plans shall demonstrate compatibility with adjacent properties in the sub-watershed. Off-site control measures may be required to mitigate drainage impacts. The drainage standards specified in Section 806-04:3.02a, b, and c shall be complied with.
11. The water conservation standards specified in Section 806-04:6.03a-d and g-j of the Millerton Specific Plan shall be met.
12. Fire protection measures and facilities shall be provided as required by Section 806-05:3.03 of the Millerton Specific Plan, subject to a determination of applicability by the fire district having jurisdiction of the area.
13. Traffic and Circulation standards shall be provided as required by Section 806-02:1.03 of the Millerton Specific Plan and as set forth in the Mitigation Matrix as item 2a through 2i and 2k.

Vesting Tentative Subdivision Map No. 4934

1. SEWER AND WATER:

- a. Sewer and water services shall be provided by a community system designed in accordance with County standards and the applicable mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR.
- b. Prior to issuance of any building permit, the wastewater and water facilities required to serve this project shall be completed and accepted by the Resources Division of the Planning & Resource Management Department.

2. ROADS

- a. MARINA DRIVE:

1. Marina Drive shall be constructed to a 45 M.P.H. public road standard in accordance with County Improvement Standards and the Millerton Specific Plan, (two travel lanes with shoulder/bike lanes to connect to Millerton Road; 40 feet of base and pavement).
2. Right-of-way, utility easements, and landscape easements shall be provided along Marina Drive in accordance with the Millerton Specific Plan.
3. Marina Drive shall be intersected by all roads as near to right angles as practicable in accordance with the County Improvement Standards.
4. Thirty foot by thirty-foot corner cutoffs shall be provided at all intersections.
5. A temporary turnaround at the south end of the Marina Drive shall be provided.
6. Relinquishment of direct access for all abutting lots along Marina Drive shall be provided.
7. A non-access barrier acceptable to the Director of the Department of Public Works shall be provided.
8. Class III Bicycle path (Bike Route) shall be signed along Marina Drive.

b. INTERIOR ROADS:

1. Interior Roads shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standards and the Millerton Specific Plan (36 feet of base and pavement between curbs).
2. Interior Roads shall provide right-of-way, utility easements and landscape easements in accordance with the Millerton Specific Plan.
3. A County Standard B-2 rural residential cul-de-sac shall be provided at the end of each road.
4. Interior Roads shall provide proposed County Improvement Standard A-26 knuckles for Avenues K - L and D - F.

5. Interior Roads shall intersect as near to right angles as practicable in accordance with the County Improvement Standards.
6. Interior Roads shall provide adequate sight distance at all intersections together with necessary property corner cutoff rights-of-way (20 foot by 20 foot minimum).
7. Offset road intersections shall have a minimum separation of 125 feet between roads.
8. Interior Roads shall provide one foot restricted access strips at the end of the stub roads.

c. **ROADS GENERAL:**

1. All slope easements shall be provided outside of the right-of-way where necessary.
2. Asphalt dikes shall be provided where necessary for erosion control.
3. Warning signs, markers, guardrails, and barricades shall be included in the design in accordance with County Improvement Standards.

3. **STREET NAMES:**

The internal roads within the subdivision shall be named. The subdivider shall submit a name to the Street Names Committee for review and approval prior to the final map approval.

4. **DRAINAGE AND EROSION CONTROL:**

- a. Hydrologic and hydraulic analyses shall be prepared and submitted for approval in accordance with standard engineering practices to demonstrate that the proposed tract will not result in any increase in flood levels or significantly change the existing drainage characteristics of those parcels adjacent to the development.
- b. All storm water run-off generated by the proposed development shall be retained on-site within drainage ponds or other facilities acceptable to the Director of Public Works. Any detention facilities within the natural drainage courses will be required to be reviewed and approved by California State Department of Fish and Game and State Water Resources Control Board.
- c. Ponds in excess of eighteen inches in depth shall be fenced.

- d. Provide erosion control measures to all exposed slopes in accordance with County Improvement Standards.
- e. If natural drainage swales are piped, easements for the pipelines and a maintenance organization to maintain the pipelines will be required.
- f. Perennial streams traverse the subject property according to the USGS QUAD maps. Drainage control measures shall be provided to collect and divert runoff to prevent erosion and siltation of natural drainage channels in such a manner as to maintain natural drainage characteristics down stream of the project.

5. FLOOD PRONE AREAS:

- a. The tract lies partially within a flood hazard area. Any development within the areas identified as flood prone shall be in accordance with Fresno County Flood Hazard Ordinance.
- b. Property subject to inundation from the 1% flood shall be identified by the hydrologic study and shall be indicated on an additional map sheet of the final map.
- c. Lots or portions thereof within the limits of inundation shall be provided with a minimum of 3,000 square feet of building area above the Base Flood elevation prior to recordation of the final map.

6. MANTENANCE:

- a. A Zone of Benefit in County Service Area 34 or other method acceptable to the Director of the Department of Public Works shall be provided for the maintenance of the new roads and drainage facilities.
- b. The subdivider will be required to secure the maintenance of the new roads for a period of two years after the acceptance thereof.

7. FIRE PROTECTION:

- a. The design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Public Works after consideration of the recommendations of the fire district having jurisdiction of the area.

8. EMERGENCY ACCESS ROADS (If required):

- a. Emergency Access Roads shall be contained within easements and shall connect to public roads.

- b. Emergency Access Roads shall be improved to a standard to provide traversability for emergency equipment as determined by the Director of the Public Works Department after consideration of the recommendations of the fire district having jurisdiction of the area.
- c. Crash gates shall be provided at both ends of the easements.

9. OUTLOTS:

- a. The use of all Outlots shall be designated on the recorded map.
- b. Ownership of all Outlots shall be by CSA 34 for the benefit of all owners, as an undivided interest by all the lot owners, or by other method approved by the Director. No Outlot shall be developed, except as allowed by the Fresno County Zoning Ordinance, nor shall any Outlot be divided or be encumbered by a mortgage or other lien as security for a debt without the prior written consent of the Board of Supervisors, and 66-2/3 percent of the owners and mortgagees. The County is the intended beneficiary of this provision and shall have the right to enforce this provision by all available remedies, legal and equitable. This condition shall be included in a recorded covenant to run with the land.

10. UTILITIES:

- a. All utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance.
- b. Any existing utilities within or adjacent to this tract not in conformance with these requirements shall be removed or placed underground.

11. OTHER IMPROVEMENTS:

All other improvements shall be in accordance with the County standards.

12. OTHER CONDITIONS:

- a. All conditions of Classified Conditional Use Permit Application No. 2935 shall be complied with.
- b. All mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR (Exhibit 6) that are applicable to the proposed development shall be complied with unless the Fresno County Ordinance Code or Improvement Standards requires a higher standard, in which case the higher standard shall be met. Prior to any development, the applicant shall enter into an agreement with Fresno County for the purpose of reimbursing the County for all costs incurred by the County in complying with the mitigation and monitoring requirements

of CEQA (Public Resources Code Section 21081.6). These costs shall include, but are not limited to, staff and consultant services.

- c. Prior to recordation of the final map, a zone of benefit within County Service Area 34 shall be established for the project.
- d. Prior to recordation of the final map, an agreement between the developer and CSA shall be entered in which the developer is responsible for all costs associated with the operation, maintenance, and administration of the CSA until such time as these costs can be met by the CSA through assessments or fees.
- e. Prior to recordation of the final map, all services proposed to be provided by the CSA and the level of each service shall be identified in a Service Plan prepared by an engineer.
- f. Prior to recordation of the final map, the tiered rate structures for the use of water for domestic and landscape/irrigation purposes shall be submitted for review and approval. The tiered rate structure for landscape/irrigation water shall be significantly tiered to discourage the over-use of landscape/irrigation water and shall also outline when the landscape/irrigation water shall be disconnected and the procedures to be implemented for disconnection and enforcement.
- g. Prior to recordation of the final map, a preliminary budget shall be completed for the operation and maintenance of the CSA including contingencies and reserves. An estimate of these costs shall be prepared by the developer's engineer and will be subject to review by the County.
- h. The water and wastewater facilities shall be designed and constructed in accordance with the approved Infrastructure Plans.
- i. Prior to issuance of any building permit, the wastewater and water facilities shall be completed and accepted by the Resources Division of the Planning & Resource Management Department.

NOTE: If the Brighton Crest Wastewater treatment facility is to be utilized, the approval of a conditional use permit will be required.

AGENDA ITEM NO. 3

**SUBDIVISION REVIEW COMMITTEE REPORT
TO
THE FRESNO COUNTY PLANNING COMMISSION
Vesting Tentative Subdivision Map No. 4934
Environmental Assessment Application No. 4610
September 7, 2000**

Project Analyst: David Deel (559) 262-4321

Date Filed: March 20, 2000

Date of Subdivision Review Committee Meeting: August 18, 2000

Subdivider: The Clarksfield Company, Inc.

Engineer: Mark W. Greenwood

Location: South side of Millerton Road between the Brighton Crest Subdivision and the Friant-Kern Canal within the Millerton Specific Plan

Nearest City Limits: The unincorporated community of Friant is located approximately 2.5 miles to the west.

Number of Acres: 77.80-acres

Number of Lots: 200

Minimum Lot Size: 7,260 square feet

Proposed Source of Water: Community water system (County Service Area No. 34)

Proposed Means of Sewage Disposal: Community sewer system (County Service Area No. 34)

Drainage: Extended detention basins to natural channels (White Fox Creek)

Zoning on Subject Property: R-1-C(c) (Single-Family Residential, 9,000 square-foot minimum parcel size, conditional), R-1(c)(Single-Family Residential, 6,000 square-foot minimum parcel size, conditional), O(c) (Open Conservation, conditional) Districts

Proposed Zoning: None

Surrounding Zoning: AE-40, O(c), R-1-B(c), R-1-C(c), R-1(c), R-2(c)

Proposed Use: Single-family residences

Land Use on Subject Property: Vacant

Surrounding Land Use: Grazing, rural homesites, single-family residences, golf course, Lake Millerton State Park, casino

BACKGROUND

Vesting Tentative Subdivision Map No. 4934 is being considered concurrently with Classified Conditional Use Permit Application No. 2935, which proposes to allow the subject property to be developed as a planned residential development consisting of a maximum of 200 single-family residential lots with a minimum lot size of 7,260 square feet. The tentative subdivision map may only be approved if the above-referenced conditional use permit application is also approved.

ENVIRONMENTAL ANALYSIS

An Environmental Impact Report (EIR) and Mitigation Measures & Monitoring Program Matrix (See Exhibit 6) was certified as having been prepared and considered by the decision-making body in accordance with the California Environmental Quality Act (CEQA) when the Specific Plan was adopted in 1984. Several additional environmental studies have been prepared in the interim; the most recent being in December 1999.

Section 15162 of the CEQA Guidelines provides that a new EIR is not required for a project unless specified events have occurred.

An Environmental Assessment/Initial Study (Environmental Assessment No. 4610) was prepared for the project under the provisions of CEQA to determine if the existing EIR is adequate for the current project. In accordance with Sections 15162 and 15183 of the Guidelines, the purpose of the Initial Study was to identify environmental effects peculiar to the parcel or project which were not addressed as significant effects in the EIR or provide substantial new information showing that these effects would be more significant than described in the EIR. Within the context of the review, the Initial Study did not identify any significant effects nor was any new information submitted showing the previously identified effects to be more significant. Based on this assessment, the

Environmental Analysis Staff has concluded that preparation of a subsequent EIR, supplement or addendum to the Millerton Specific Plan EIR is not required and that the existing EIR is adequate for the project.

STAFF ANALYSIS OF REQUIRED FINDINGS

Finding 1: General Plan Consistency

The subject property is 77.80 acres in size and is located within the Millerton Specific Plan. Under this request, the applicant is proposing to subdivide the subject property into 200 residential lots having a minimum parcel size of 7,260 square feet. The tentative map proposes five Outlots ("A", "B", "C", "D" & "E"), totaling 21.26-acres to remain as open space. The portion of the proposed subdivision east of Marina Drive is designated Medium Density Residential and is zoned R-1(c). The portion of the proposed subdivision west of Marina Drive is designated Medium Low Density Residential and zoned R-1-C(c). The R-1 and R-1-C zoning districts are consistent with the Medium Density Residential and Medium Low Density Residential land use designations, respectively.

The Millerton Specific Plan contains policies, standards and criteria that must be addressed through the design of the subdivision or through conditions of approval and mitigation measures. These policies, standards and criteria are addressed in the following discussion:

Land Use Element

The Specific Plan indicates that areas designated Medium Density Residential (east of Marina Drive) shall be developed at a density not to exceed one dwelling unit per 6,000 square feet (net) or seven units per acre (gross). In addition the Plan indicates that areas designated Medium Low Density Residential (west of Marina Drive) shall be developed at a density not to exceed one dwelling unit per 10,000 square feet (net) or 3.5 units per acre (gross). Under this request, the applicant is proposing 87 residential lots on approximately 23-acres that are designated Medium Density Residential and 113 lots on approximately 33-acres that are designated Medium Low Density Residential. The resulting densities would be 3.5 and 3.4 units per gross acre for the Medium Density Residential and Medium Low Density Residential designation, respectively, which is consistent with the Specific Plan.

The Plan also requires that a minimum of three percent of the area not over 30 percent slope shall be left in natural open space. As previously noted, the project proposes five Outlots, totaling 21.26-acres to remain as open space, which comprises approximately 27.3 percent of the project site. The applicant has also incorporated a 50-foot landscape buffer (Outlot "B") along the west side of White Fox Creek. In addition, as part of the Specific Plan, the residents of this project will also have access to the community-wide open space and recreation areas that will be developed for the Millerton Specific Plan. Staff believes this meets the intent of this standard.

Transportation Element

The standards and criteria of the Transportation Element set specific design standards for the interior roads within the subdivision, as well as the system of primary and secondary roads designed to carry local traffic within the Millerton townsite and to connect with the existing County road network. The Plan requires that all road improvements be constructed in accordance with Fresno County Improvement Standards, except if modified by the Plan. The Plan has established special standards for Marina Drive appropriate to its classification as a collector that have been incorporated into the proposed project or have been recommended as conditions of approval. All interior roads of the subdivision will be constructed to County public road standards in accordance with the Specific Plan and provision made for their maintenance.

As discussed in Finding 2 of the Staff Report for Classified Conditional Use Permit No. 2935, the increased traffic generated by the proposed development will have an impact on the circulation system outside the project boundary. In order to address the impact, mitigation measures specified in the EIR for the Millerton Specific Plan will be applied to this development requiring that prior to recordation of a final map, the project will be reviewed to determine the essential circulation system improvements to be installed both in terms of the local street system and the area wide improvements. In addition, the developer will be required to participate on a pro-rata basis in the funding for future improvements of Millerton Road, Marina Drive extensions, and Auberry Road.

Environmental Resources Management Element

The Environmental Resources Management Element of the Millerton Specific Plan addresses land resources, flooding and drainage, open space and recreation, recreation corridors, water conservation, energy conservation, archaeological resources, habitat preservation, and air quality. The policies, standards, and criteria relating to these topics provide guidance in developing the community's overall semi-rural character and are intended to reinforce those other elements of the Specific Plan such as Land Use, Transportation, Community Design, and Public Facilities. The policies, standards, and criteria in this section of the Plan that are applicable to the proposed subdivision have either been addressed by being incorporated in the project design, recommended as conditions of approval, or are mitigation measures of the EIR.

The policies and standards relating to land resources ensure that there will be a proper grading design by requiring that a detailed erosion and drainage control program be developed and that certain grading standards be met. Flooding and drainage policies require that prior to recordation of a final map, drainage plans be submitted that demonstrate compatibility with adjacent properties within the sub-watershed. Open space and recreation policies require that each proposed planned development contain open space free of buildings, streets, driveways, or parking areas. As previously noted, in addition to individual lot yard area, open space will be provided by five outlots and

through a 50-foot wide buffer area along White Fox Creek. Policies, standards, and mitigation measures relating to water and energy conservation, in part, will require that water conservation devices be used and water meters be provided for all residences and that site planning and building design provide for solar access and a street tree planting program. Wildlife habitat and resources occur in the project area that are potentially significant and should be protected. A mitigation measure requires that prior to recordation of a final map, a wetland and open space mitigation and management plan and monitoring program be prepared by the developer and approved by the County in consultation with the California Department of Fish and Game for those areas identified in a report by Hartesvelt Ecological Consulting Services dated September 16, 1998. Mitigation measures for the Specific Plan also have been imposed which will address air quality impacts.

Public Facilities Element

The proposed project will require community facilities and services including a community water system, a community sewer system, fire protection, schools, and law enforcement. The Specific Plan requires that urban services and related infrastructure be implemented in accordance with an approved infrastructure plan to be financed by property owners within its boundaries.

Although projects such as the proposed subdivision can be initially approved, the Specific Plan requires that an infrastructure plan for water, sewer, and drainage be adopted before a final tract map is recorded or a building permit is issued. Currently, an infrastructure plan has been completed and submitted to the County for review, but has not been adopted. Although a site for the wastewater treatment and water treatment facilities has been designated and facilities do exist, they have only been designed to serve the adjacent Brighton Crest subdivision to the east. It should be noted that in order to expand these facilities to serve the proposed residential development, or to construct a new facility, a conditional use permit will need to be approved. In order to ensure that the infrastructure requirements of the Specific Plan are met, staff is recommending that a condition be imposed on concurrent Classified Conditional Use Permit No. 2935 requiring that an infrastructure plan in accordance with the policies of the Specific Plan, be adopted prior to recordation of a final map and the appropriate infrastructure required for this project be constructed prior to issuance of building permits. In addition, the policies, standards, and EIR mitigation measures relating to the community water and sewer facilities ensure that the facilities will be adequately designed, operated, and maintained. The water and sewer facilities will be required to be designed and operated in accordance with state and local standards. Both systems will be required to be operated and maintained by County Service Area No. 34.

Fire protection services for the proposed development will be provided by the Fresno County Protection District. The District has indicated that the proposed project will increase demand on fire protection resources in the area and that funding for the construction of a new fire station, maintenance and replacement costs for the station and equipment, and for staffing need to be addressed. Various fire protection measures

specified in the Specific Plan will be required as condition of approval. In addition, a mitigation measure of the Millerton Specific Plan EIR requires that prior to recordation of a final map a funding mechanism be established for the maintenance and replacement of fire equipment and staffing of the Millerton New Town Fire Station when it can be shown that the funding will provide a greater level of fire protection service to the affected property.

The standards and criteria regarding police protection indicate that the Sheriff's Department should be consulted during site planning and building design to ensure that adequate provisions for police protection and burglary prevention are designed into projects. Mitigation measures of the EIR also require that prior to recordation of a final map, a pro-rata fee be established for the cost of a Sheriff's substation in the government center; that this fee be paid prior to issuance of building permits; and that a funding mechanism be established through CSA No. 34 to support on-going costs for sheriff's protection services, when it can be shown that the funding will provide extended police protection service to the affected properties.

Community Design Element

The policies and standards regarding the community design are intended to help enhance the natural features which contribute to the scenic qualities of the Plan area, including preserving the visual quality of prominent ridgelines; and to strengthen the individuality of and enhance overall community identity of Millerton New Town. The policies and standards specifically require site planning and building design that will preserve the natural character of ridgelines and that an Architectural Review Committee be formed to establish and implement standards for architecture, lighting, fencing, and signage. The Community Design Element also includes policies and standards relating to undergrounding of utilities, landscaping, use of drought resistant trees and plants, lighting, signage, and structure characteristics.

The tentative map submitted by the applicant indicates that the project has been designed so that the proposed lots will be located in a relatively level area on either side of the White Fox Creek. The project description submitted by the applicant indicates that the homes proposed for the development will have a contemporary theme, which the Plan deems appropriate for Millerton New Town. Residential units will be oriented with living spaces, porches, windows and entries towards the street. Exterior wall materials with stone accents will reflect the character of the region. Exterior wall colors will be subdued with brighter accent colors to accentuate architectural details. Provided the development occurs as specified in the project description, the proposed project will be consistent with policies and standards of the Community Design Element.

Finding 2: Suitability of Site

The subject property is located within the low foothills just south of Millerton Lake at elevations ranging from approximately 610 to 720 feet above sea level. Physical features for the subject property include a small drainage course with a seasonal stream

(White Fox Creek) running through the center of the property. The area proposed to be subdivided generally has gentle slopes with only a few areas of moderately steep incline. According to the EIR prepared for the Millerton Specific Plan, there are possible geological, grading, and erosion impacts associated with development that could occur on the project site. Mitigation measures have been imposed, which will address slope stability, erosion, and other potential geologic hazards.

According to the FEMA maps, a portion of the proposed subdivision will be located within the 100-year floodplain that coincides with White Fox Creek. Increased runoff is unavoidable due to the proposed development, however, the Specific Plan states that off-site flows shall not exceed predevelopment levels. There is one minor drainage course running through the property. To ensure that this channel is preserved and that maintenance is provided, the Development Engineering Section of the Public Works Department is recommending that provisions be made to maintain the natural drainage throughout the development in a manner that will not significantly change the existing drainage characteristics of those parcels adjacent to the development. Provisions must also be made to retain all stormwater generated from this tract on-site. To ensure this will occur, Development Engineering is recommending that a condition be imposed requiring that all additional runoff generated from this development be retained within drainage ponds or other acceptable facilities. In addition, the Specific Plan requires that before initial residential or commercial development occurs, an Infrastructure Plan that includes a drainage element must be approved, the infrastructure be in place, and County Service Area No. 34 be ready to provided service.

The proposed project and the rest of the Millerton Specific Plan area will be served by a community water system. The source of water will be surface water from Millerton Lake with groundwater as an emergency back-up source. The area has basic water allocations from Millerton Lake and additional surface water allocations through contracts which will avoid significant impacts particularly those related to draw down of groundwater. Hydrological impacts will be further reduced with the implementation of mitigation measures which include the adoption of an Infrastructure Plan that includes a water element, the construction of water infrastructure facilities necessary to serve the development, the completion of finalized agreements whereby the project proponent provides an adequate water supply to CSA No. 34, and the adoption of various water conservation measures.

Based on the above factors, the project site can be considered suitable for the proposed development.

Finding 3: Environmental Effects

The Subdivision Ordinance requires that a tentative map be denied if a finding is made that the design of the subdivision or proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

The project site is located in a foothill setting within the Millerton Specific Plan. Millerton Lake is located approximately a mile and a half north of the subject property. Surrounding parcels range in size from under five acres to over 100 acres in size. The subject property is vacant as is property to the north. Surrounding land uses to the west and south includes grazing. To the east is the developing Brighton Crest Subdivision and Golf Course. Farther to the east, approximately three fourths of a mile from the project site, is Table Mountain Casino.

An Environmental Impact Report was originally prepared for the Millerton Specific Plan and was certified by the Board of Supervisors at the time the Specific Plan was approved in 1984. More recently in April 1999, an Addendum to the EIR was approved for amendments to the Specific Plan to include the subject property and additional land (440-acres) to the west and south

An extensive list of mitigation measures was incorporated into the EIR to address the environmental impacts resulting from development within the Specific Plan. The mitigation measures of the EIR have been incorporated into the project and will be imposed as conditions of approval. Based on this, the subdivision and proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat. For further discussion of the environmental effects refer to Findings 2 and 3 of the staff report for Classified Conditional Use Permit Application No. 2935.

Finding 4: Public Utilities and Easements

The Subdivision Ordinance requires that a finding be made that the design of the subdivision and the type of improvements proposed by this project will not conflict with any easements required by the public at large for access through or use of the property. There are no known public easements traversing the subject property. All proposed utilities will be required to be placed underground in accordance with County requirements and easements for these utilities will be required as a condition of this map.

Finding 5: Public Health

Neither the design of the subdivision nor the type of improvements that are proposed are likely to cause any serious health problems. Both community water and sewer facilities will be provided for in this development. These facilities will be designed and constructed in accordance with County requirements, and will be owned and operated by a County Service Area or other public entity acceptable to the County. Fire protection facilities will be required according to Fresno County standards based on the recommendations of the Fresno County Fire Protection District. Specific requirements are also included in the Millerton Specific Plan and as mitigation measures in the EIR prepared for the Specific Plan. Additional discussion concerning these facilities is included in the staff report for Classified Conditional Use Permit Application No. 2935.

STAFF RECOMMENDATION

Staff recommends approval of Vesting Tentative Subdivision Map No. 4934, subject to the following conditions:

1. **SEWER AND WATER:**

- a. Sewer and water services shall be provided by a community system designed in accordance with County standards and the applicable mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR.
- b. Prior to issuance of any building permit, the wastewater and water facilities required to serve this project shall be completed and accepted by the Resources Division of the Planning & Resource Management Department.

2. **ROADS**

a. **MARINA DRIVE:**

1. Marina Drive shall be constructed to a 45 M.P.H. public road standard in accordance with County Improvement Standards and the Millerton Specific Plan, (two travel lanes with shoulder/bike lanes to connect to Millerton Road; 40 feet of base and pavement).
2. Right-of-way, utility easements, and landscape easements shall be provided along Marina Drive in accordance with the Millerton Specific Plan.
3. Marina Drive shall be intersected by all roads as near to right angles as practicable in accordance with the County Improvement Standards.
4. Thirty foot by thirty-foot corner cutoffs shall be provided at all intersections.
5. A temporary turnaround at the south end of the Marina Drive shall be provided.
6. Relinquishment of direct access for all abutting lots along Marina Drive shall be provided.
7. A non-access barrier acceptable to the Director of the Department of Public Works shall be provided.

8. Class III Bicycle path (Bike Route) shall be signed along Marina Drive.

b. INTERIOR ROADS:

1. Interior Roads shall be constructed to a 25 M.P.H. public road standard in accordance with County Improvement Standards and the Millerton Specific Plan (36 feet of base and pavement between curbs).
2. Interior Roads shall provide right-of-way, utility easements and landscape easements in accordance with the Millerton Specific Plan.
3. A County Standard B-2 rural residential cul-de-sac shall be provided at the end of each road.
4. Interior Roads shall provide proposed County Improvement Standard A-26 knuckles for Avenues K - L and D - F.
5. Interior Roads shall intersect as near to right angles as practicable in accordance with the County Improvement Standards.
6. Interior Roads shall provide adequate sight distance at all intersections together with necessary property corner cutoff rights-of-way (20 foot by 20 foot minimum).
7. Offset road intersections shall have a minimum separation of 125 feet between roads.
8. Interior Roads shall provide one foot restricted access strips at the end of the stub roads.

c. ROADS GENERAL:

1. All slope easements shall be provided outside of the right-of-way where necessary.
2. Asphalt dikes shall be provided where necessary for erosion control.
3. Warning signs, markers, guardrails, and barricades shall be included in the design in accordance with County Improvement Standards.

3. STREET NAMES:

The internal roads within the subdivision shall be named. The subdivider shall submit a name to the Street Names Committee for review and approval prior to the final map approval.

4. DRAINAGE AND EROSION CONTROL:

- a. Hydrologic and hydraulic analyses shall be prepared and submitted for approval in accordance with standard engineering practices to demonstrate that the proposed tract will not result in any increase in flood levels or significantly change the existing drainage characteristics of those parcels adjacent to the development.
- b. All storm water run-off generated by the proposed development shall be retained on-site within drainage ponds or other facilities acceptable to the Director of Public Works. Any detention facilities within the natural drainage courses will be required to be reviewed and approved by California State Department of Fish and Game and State Water Resources Control Board.
- c. Ponds in excess of eighteen inches in depth shall be fenced.
- d. Provide erosion control measures to all exposed slopes in accordance with County Improvement Standards.
- e. If natural drainage swales are piped, easements for the pipelines and a maintenance organization to maintain the pipelines will be required.
- f. Perennial streams traverse the subject property according to the USGS QUAD maps. Drainage control measures shall be provided to collect and divert runoff to prevent erosion and siltation of natural drainage channels in such a manner as to maintain natural drainage characteristics down stream of the project.

5. FLOOD PRONE AREAS:

- a. The tract lies partially within a flood hazard area. Any development within the areas identified as flood prone shall be in accordance with Fresno County Flood Hazard Ordinance.
- b. Property subject to inundation from the 1% flood shall be identified by the hydrologic study and shall be indicated on an additional map sheet of the final map.

- c. Lots or portions thereof within the limits of inundation shall be provided with a minimum of 3,000 square feet of building area above the Base Flood elevation prior to recordation of the final map.

6. MANTENANCE:

- a. A Zone of Benefit in County Service Area 34 or other method acceptable to the Director of the Department of Public Works shall be provided for the maintenance of the new roads and drainage facilities.
- b. The subdivider will be required to secure the maintenance of the new roads for a period of two years after the acceptance thereof.

7. FIRE PROTECTION:

- a. The design of the fire protection water system with location and number of fire hydrants together with the size of the water mains shall conform to County Standards and shall be approved by the Director of the Public Works after consideration of the recommendations of the fire district having jurisdiction of the area.

8. EMERGENCY ACCESS ROADS (If required):

- a. Emergency Access Roads shall be contained within easements and shall connect to public roads.
- b. Emergency Access Roads shall be improved to a standard to provide traversability for emergency equipment as determined by the Director of the Public Works Department after consideration of the recommendations of the fire district having jurisdiction of the area.
- c. Crash gates shall be provided at both ends of the easements.

9. OUTLOTS:

- a. The use of all Outlots shall be designated on the recorded map.
- b. Ownership of all Outlots shall be by CSA 34 for the benefit of all owners, as an undivided interest by all the lot owners, or by other method approved by the Director. No Outlot shall be developed, except as allowed by the Fresno County Zoning Ordinance, nor shall any Outlot be divided or be encumbered by a mortgage or other lien as security for a debt without the prior written consent of the Board of Supervisors, and 66-2/3 percent of the owners and mortgagees. The County is the intended beneficiary of this provision and shall have the right to enforce this provision by all available

remedies, legal and equitable. This condition shall be included in a recorded covenant to run with the land.

10. UTILITIES:

- a. All utilities shall be placed underground in accordance with the provisions of the Subdivision Ordinance.
- b. Any existing utilities within or adjacent to this tract not in conformance with these requirements shall be removed or placed underground.

11. OTHER IMPROVEMENTS:

All other improvements shall be in accordance with the County standards.

12. OTHER CONDITIONS:

- a. All conditions of Classified Conditional Use Permit Application No. 2935 shall be complied with.
- b. All mitigation measures listed in the Mitigation Measures and Monitoring Program Matrix for the Millerton Specific Plan EIR (Exhibit 6) that are applicable to the proposed development shall be complied with unless the Fresno County Ordinance Code or Improvement Standards requires a higher standard, in which case the higher standard shall be met. Prior to any development, the applicant shall enter into an agreement with Fresno County for the purpose of reimbursing the County for all costs incurred by the County in complying with the mitigation and monitoring requirements of CEQA (Public Resources Code Section 21081.6). These costs shall include, but are not limited to, staff and consultant services.
- c. Prior to recordation of the final map, a zone of benefit within County Service Area 34 shall be established for the project.
- d. Prior to recordation of the final map, an agreement between the developer and CSA shall be entered in which the developer is responsible for all costs associated with the operation, maintenance, and administration of the CSA until such time as these costs can be met by the CSA through assessments or fees.
- e. Prior to recordation of the final map, all services proposed to be provided by the CSA and the level of each service shall be identified in a Service Plan prepared by an engineer.

- f. Prior to recordation of the final map, the tiered rate structures for the use of water for domestic and landscape/irrigation purposes shall be submitted for review and approval. The tiered rate structure for landscape/irrigation water shall be significantly tiered to discourage the over-use of landscape/irrigation water and shall also outline when the landscape/irrigation water shall be disconnected and the procedures to be implemented for disconnection and enforcement.
- g. Prior to recordation of the final map, a preliminary budget shall be completed for the operation and maintenance of the CSA including contingencies and reserves. An estimate of these costs shall be prepared by the developer's engineer and will be subject to review by the County.
- h. The water and wastewater facilities shall be designed and constructed in accordance with the approved Infrastructure Plans.
- i. Prior to issuance of any building permit, the wastewater and water facilities shall be completed and accepted by the Resources Division of the Planning & Resource Management Department.

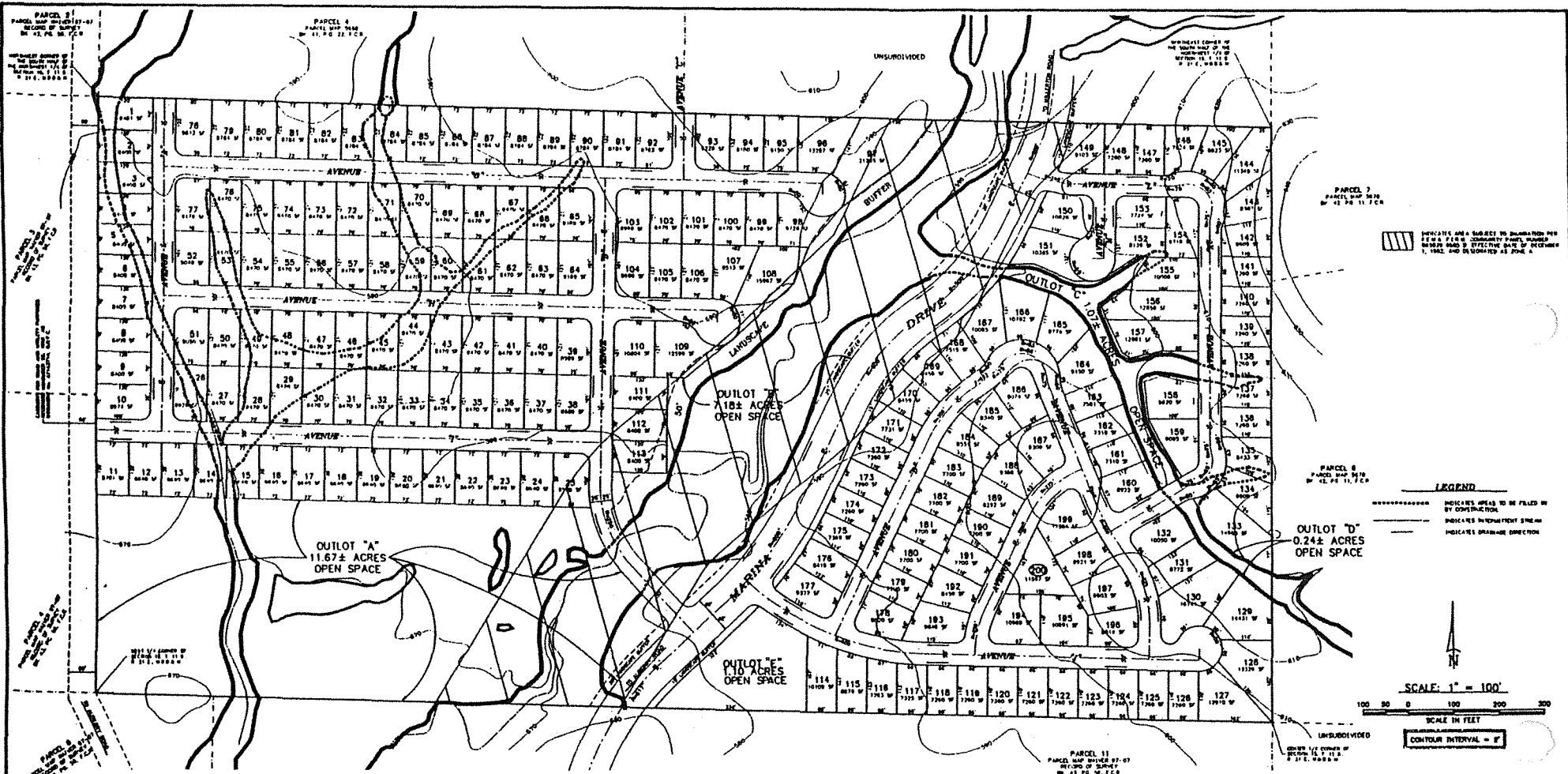
NOTE: If the Brighton Crest Wastewater treatment facility is to be utilized, the approval of a conditional use permit will be required.

NOTES:

The following note(s) reference various mandatory requirements of Fresno County or other agencies and is provided as information to the project applicant if approved.

The Clovis Unified School District in which you are proposing construction has adopted a resolution requiring the payment of a construction fee. The County, in accordance with State Law, which authorizes the fee, may not issue a building permit without certification from the school district that the fee has been paid. The County will provide an official certification form when application is made for a building permit.

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INDICATE ARE SUBJECT TO DEDICATION FOR
 PUBLIC USE BY THE COUNTY PUBLIC WORKS
 DEPARTMENT AND EFFECTIVE DATE OF DECEMBER
 1, 1941 AND DEDICATED AS PER A

PARCEL 2
 PARCEL MAP 5024
 W. 22, PG. 11, 12, 13

PARCEL 8
 PARCEL MAP 5024
 W. 22, PG. 11, 12, 13

LEGEND
 - - - - - INDICATES AREAS TO BE FILLED IN
 BY CONSTRUCTION
 - - - - - INDICATES IMPROVEMENT LINE
 - - - - - INDICATES DRAINAGE DIRECTION

OUTLOT "D"
 0.24± ACRES
 OPEN SPACE

SCALE: 1" = 100'
 SCALE IN FEET
 100 50 0 100 200 300
 CONTOUR INTERVAL = 5'

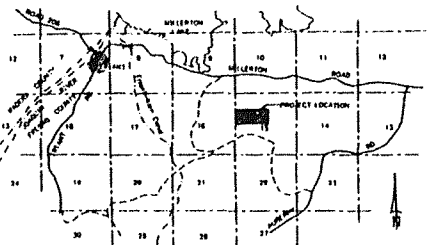
SUBDIVIDER'S STATEMENT
 This is to certify that the map and plat hereon shown are a true and correct copy of the original map and plat as filed in the office of the County Clerk of Fresno County, California, on this 11th day of February, 1952.

By: R. W. Greenwood
 R. W. Greenwood Associates, Inc.
 410 N. California St., Fresno, California 93701

The proposed hydraulic and water flow will conform to County Standards. The hydrants will be installed at intervals of 300 feet.
 The proposed source of water supply is: FRESNO COUNTY SERVICE AREA #31
 The proposed method of sewage disposal is: FRESNO COUNTY SERVICE AREA #31
 The following utilities are to be provided: IMPROVED POWER, TELEPHONE, GAS & CABLE
 (Indicate if they have not been made with utility companies serving this area.)

Plans to be attached hereto a copy of the resolution documents to be recorded.
 Plans to be attached hereto a copy of the proposed map and plat to be filed in the office of the County Clerk of Fresno County, California, for the purpose of recording the same.

Signature of Subdivider: R. W. Greenwood
 Signature of Agent: W. J. [unclear]
 Name: THE CLARKSFIELD CO., INC. Name: W. J. [unclear]
 Address: 410 N. CALIFORNIA ST., FRESNO, CALIF. Address: 3848 E. BAKER AVE., FRESNO, CALIF.
 City: FRESNO, CALIF. City: FRESNO, CALIF.



LEGAL DESCRIPTION
 THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 21 EAST, MERIDIAN 12N, IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS.

VESTING
TENTATIVE SUBDIVISION
TRACT No. 4934
 WHITE FOX MEADOWS
 IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

PREPARED FOR
THE CLARKSFIELD COMPANY, INC.

R. W. Greenwood Associates, Inc.
 CIVIL ENGINEERING - LAND SURVEYING
 410 N. CALIFORNIA ST., FRESNO, CALIF. 93701
 PHONE 478-1111

OWNER'S CERTIFICATE
 I, D. B. [unclear], hereby certify that I (or the related owner of) [unclear] do hereby consent to the proposed map and plat as shown on the attached map and plat, and that I have executed the map and plat to be submitted to the Fresno County Planning Commission for consideration.

Signature: [unclear]
 Name: The Clarksfeld Company, Inc.
 Address: 410 N. California St., Fresno, Cal. 93701

JPJ, INCORPORATED

7030 No. Fruit Avenue, Suite #101
Fresno, California 93711

August 1, 2018

Mr. Chris Motta
Fresno County Development Services Department
2220 Tulare Street, Sixth Floor
Fresno, CA 93721

Re: Extension for Tentative Tract 4934

Dear Chris:

This letter constitutes the request of the undersigned owner and developer, JPJ, Incorporated, a California corporation, for an extension of Tentative Tract Map 4934. This map was originally approved on or about September 7, 2000 for 200 single-family lots within the Millerton New Town Specific Plan. JPJ, Incorporated has been working diligently since the original approval date and last extension to comply with the requirements of the Millerton Specific Plan in order to develop the subject property. The completed actions are as follows:

1. JPJ, Incorporated has been working diligently with the County of Fresno and the U.S. Bureau of Reclamation, USFWS and CDFW to allow this project to proceed to final map.
2. JPJ, Incorporated has participated in the completion of the surface water treatment plant to serve the Millerton New Town area, which includes Tract 4934.
3. JPJ, Incorporated has obtained the approval of a fee schedule for the CSA-34 C adjacent tract, which will be applicable to the subject Tract 4934.
4. JPJ, Incorporated has participated in the construction of a tertiary wastewater treatment plant required to serve Tract 4934 and other tracts in the Specific Plan area which has been completed.
5. JPJ, Incorporated is working with consultants and the County of Fresno to establish a procedure and operation for reclaimed water usage for Tract 4934 and related tracts.

The approvals, documentation, and mitigation measures that JPJ, Incorporated has been working diligently to obtain, provide, and complete has taken an unforeseen amount of time due to variables beyond our control. Therefore, the undersigned owner and developer respectfully requests a one-year discretionary extension. Should you have any questions, please do not hesitate to contact me. I thank you in advance for your consideration of this request.

Regards,

A handwritten signature in black ink, appearing to read 'D. Pryor', with a stylized flourish at the end.

Dean H. Pryor
Chief Financial Officer
JPJ, Incorporated,
a California corporation

cc: Mr. John Bonadelle
Mr. Rick Heyman



County of Fresno

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

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

SUBJECT: Classified Conditional Use Permit Application No. 3348 – Second Time Extension

Grant a second one-year time extension to exercise Classified Conditional Use Permit No. 3348, which authorizes the addition of two gas pumps (four fueling positions), a 760 square-foot canopy, two 10,000-gallon above-ground storage tanks, and the conversion of 800 square feet of the existing convenience store to a barber shop on a 2.32-acre parcel in the C-1 (Neighborhood Shopping Center) Zone District.

LOCATION: The project is located on the northeast corner of Belmont and Temperance Avenues, approximately 48 feet northeast of the nearest city limits of the City of Fresno (Sup. Dist. 5) (APN 310-143-46).

**OWNER/
APPLICANT:** Sarabjit Kaur

STAFF CONTACT: Christina Monfette, Planner
(559) 600-4245

Marianne Mollring, Principal Planner
(559) 600-4269

RECOMMENDATION:

- Approve the second one-year Time Extension for Classified Conditional Use Permit No. 3348; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Planning Commission Resolution and Staff Report dated August 13, 2015
5. Applicant's letter requesting the second one-year time extension

ENVIRONMENTAL DETERMINATION:

A Mitigated Negative Declaration prepared for Initial Study Application No. 6481 was approved by the Planning Commission, in accordance with the California Environmental Quality Act (CEQA), with approval of Classified Conditional Use Permit No. 3348 on August 13, 2015.

Section 15162(b) of the CEQA Guidelines states that once a Mitigated Negative Declaration has been adopted for a project, no subsequent Environmental Impact Report (EIR) or Mitigated Negative Declaration shall be prepared unless: 1) substantial changes are proposed to the project; 2) substantial changes occur with respect to the circumstances under which the project is undertaken; or 3) new information of substantial importance is presented which was not known and could not have been known at the time the previous Mitigated Negative Declaration was adopted.

This Time Extension request was routed to those agencies who commented on the original application and received one comment regarding the continued adequacy of the environmental document. The City of Fresno provided comments recommending against the extension of time due to the project's location within the City of Fresno's Growth Area 2, which requires additional detailed environmental analysis prior to moving forward with any development.

This Time Extension request does not propose changes to the approved project and the original comments from the City (dated January 20, 2012) identified that the project site was located within the South East Growth Area. Therefore, comments received from the City on July 17, 2018 do not identify a substantial change to the circumstance under which the project is undertaken (§15162(b)(2)), nor do they present new information that could not have been known at the time the previous Mitigated Negative Declaration was adopted (§15162(b)(3)).

No other concerns regarding the continued adequacy of the environmental document were raised by any other reviewing agency. Therefore, a subsequent or supplemental environmental document is not required.

PUBLIC NOTICE:

Notices were sent to 77 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

The Fresno County Zoning Ordinance requires that a Classified Conditional Use Permit (CUP) shall become void when substantial development has not occurred within two years after approval of the permit. On August 23, 2016, the County amended Zoning Ordinance Section 873.I to authorize the Planning Commission to grant up to a maximum of four (4) one (1)-year time extensions when it can be demonstrated that circumstances beyond the control of the Applicant have caused the delay, provided that the request for extension is filed prior to the expiration of the permit.

The Planning Commission's jurisdiction in evaluating this request is limited to determining whether or not the Applicant should be granted an additional year to exercise the CUP as originally approved.

BACKGROUND INFORMATION:

On August 13, 2015, the Planning Commission considered the subject project. After receiving staff's presentation and considering public testimony from the Applicant, the Commission voted eight to zero (one Commissioner absent) to adopt the Mitigated Negative Declaration and approve Classified CUP No. 3348.

On September 21, 2017, the Planning Commission considered the first time extension request as a Consent Agenda Item. The Commission voted unanimously to approve the first time extension (two Commissioners absent).

ANALYSIS/DISCUSSION:

The Planning Commission's jurisdiction in evaluating this request is limited to determining whether or not the Applicant should be granted an additional year to exercise the CUP as originally approved. In a letter dated June 30, 2017, the Applicant states that they have been working with professionals to provide studies, reports, and drawings relating to the required right-of-way dedication and condition to connect to city water service.

The proposed Time Extension was routed to the same Agencies that reviewed this project on December 21, 2011. With the exception of the comments from the City of Fresno, none of those Agencies identified any change in circumstances or the need for additional Conditions, and did not express concern with the proposed extension of time.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the second one-year Time Extension for Classified Conditional Use Permit No. 3348 should be approved, based on factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to August 13, 2019.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to approve the second one-year Time Extension for Classified Conditional Use Permit No. 3348; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

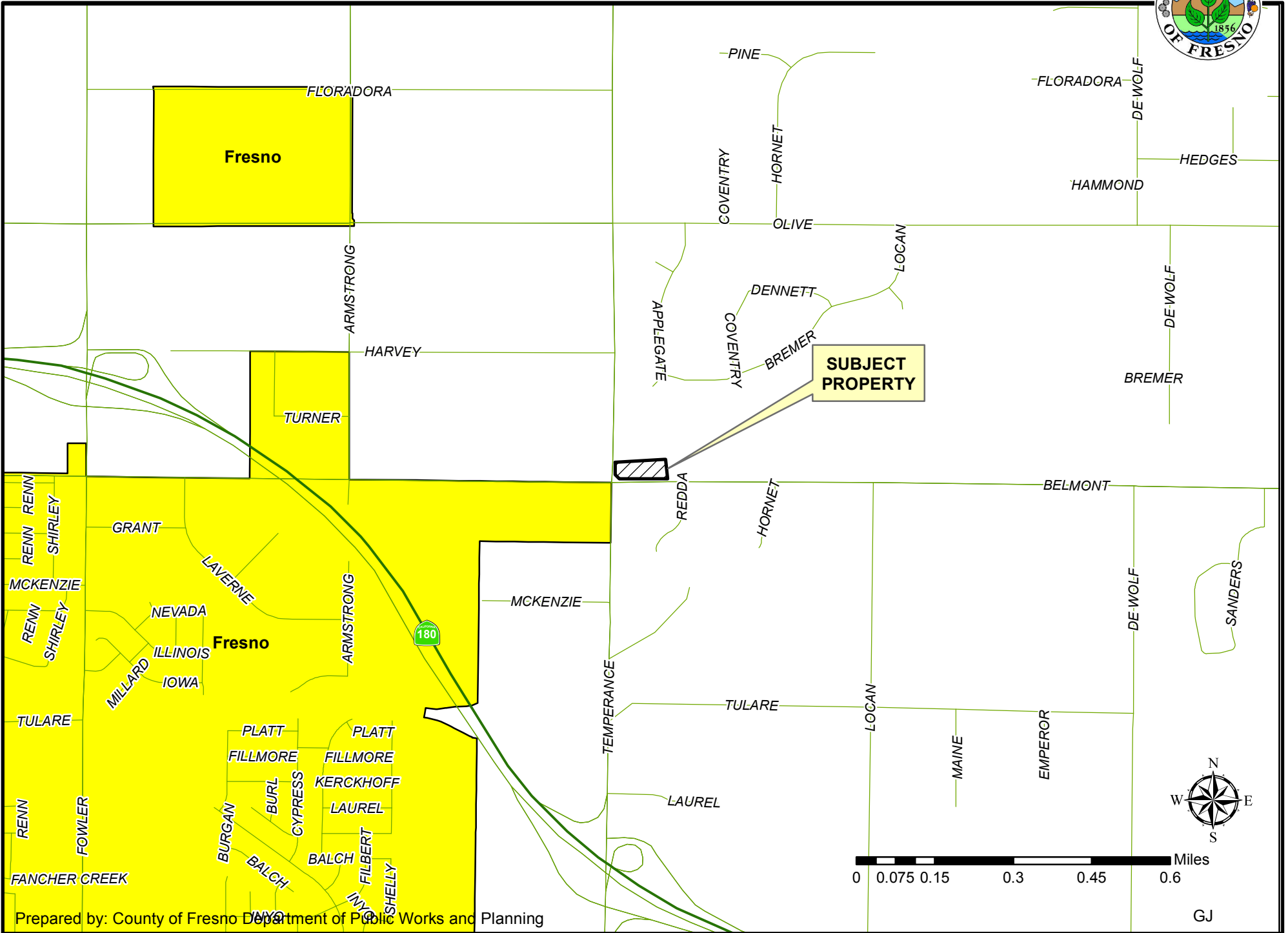
Alternative Motion (Denial Action)

- Move to deny the second one-year Time Extension request for Classified Conditional Use Permit No. 3348 (state reasons for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action

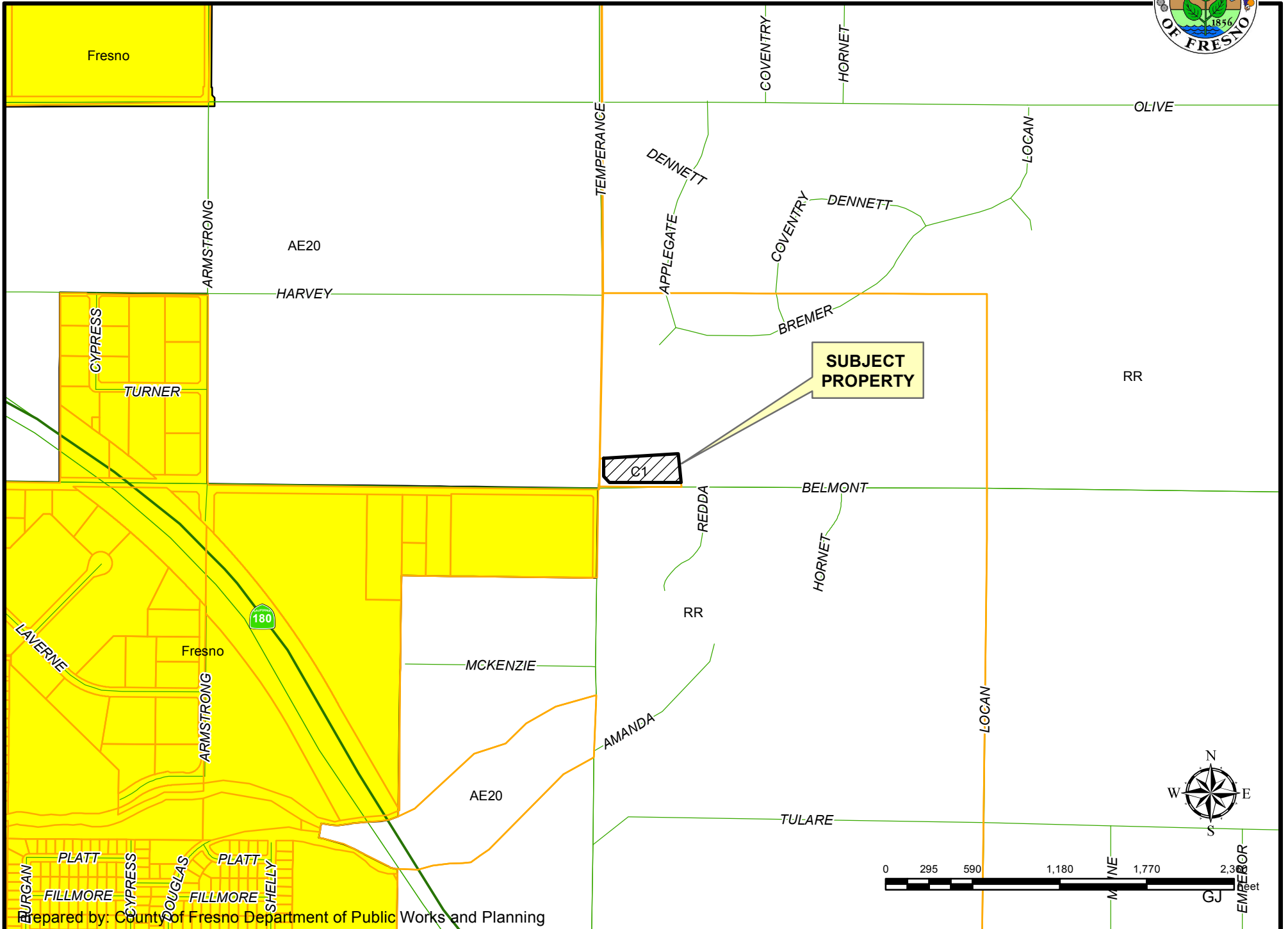
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LOCATION MAP



EXISTING ZONING MAP



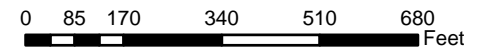
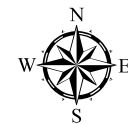
EXISTING LAND USE MAP



LEGEND	
AP1	- APARTMENT
C	- COMMERCIAL
CHU	- CHURCH
FC	- FIELD CROP
I	- INDUSTRIAL
ORC	- ORCHARD
SF#	- SINGLE FAMILY RESIDENCE
V	- VACANT

LEGEND:

- Subject Property
- Ag Contract Land



Department of Public Works and Planning
Development Services Division

Map Prepared by: CJ JIGISJCHLanduse



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Planning Commission Staff Report Agenda Item No. 4 August 13, 2015

SUBJECT: Initial Study Application No. 6481
Classified Conditional Use Permit Application No. 3348

Add two gas pumps (four fueling positions), a 760 square-foot canopy, two 10,000-gallon above-ground storage tanks, and convert 800 square-feet of the existing convenience store to a barber shop on a 2.32-acre parcel in the C-1 (Neighborhood Shopping Center) Zone District. Adopt the Negative Declaration prepared for Initial Study Application No. 6481 and approve Classified Conditional Use Permit Application No. 3348 with recommended Findings and Conditions.

LOCATION: The project site is located on the northeast corner of Belmont and Temperance Avenues, approximately forty-eight feet northeast of the nearest city limits of the City of Fresno (Sup. Dist.: 5) (APN: 310-143-46).

Owner: Sarabjit Kaur
Applicant: Sarabjit Kaur
Representative: Elias Saliba

STAFF CONTACT: Christina Monfette, Planner
(559) 600-4245

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 6481;
- Approve Classified Conditional Use Permit (CUP) Application No. 3348 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

IMPACTS ON JOB CREATION:

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

DEVELOPMENT SERVICES DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200
Equal Employment Opportunity • Affirmative Action • Disabled Employer

EXHIBIT 4

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan
6. Applicant's Operational Statement
7. Summary of Initial Study Application No. 6481

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Residential	No change
Zoning	C-1 (Neighborhood Shopping Center)	No change
Parcel Size	2.32	No change.
Project Site	<p>A neighborhood shopping center on a portion of a 2.32-acre parcel in the C-1 Zone District</p> <p>Improvements include:</p> <ul style="list-style-type: none"> • 4,200 square-foot convenience store • 1,800 square-foot fast food restaurant • 24 parking spaces 	<p>A neighborhood shopping center on a portion of a 2.32-acre parcel in the C-1 Zone District</p> <p>Improvements include:</p> <ul style="list-style-type: none"> • 3,400 square-foot convenience store • 800 square-foot barber shop • 1,800 square-foot fast food restaurant • 33 parking spaces • 760 square-foot fuel canopy with four fueling positions for automobiles
Structural Improvements	<ul style="list-style-type: none"> • 4,200 square-foot convenience store • 1,800 square-foot fast food restaurant 	<ul style="list-style-type: none"> • 3,400 square-foot convenience store • 1,800 square-foot fast food restaurant • 800 square-foot barber shop • 760 square-foot fuel canopy with four fueling positions for automobiles

Criteria	Existing	Proposed
		<ul style="list-style-type: none"> Two 10,000-gallon above-ground storage tanks
Nearest Residence	85 feet north of the parcel.	No change
Surrounding Development	The project site is surrounded by single-family residences.	No change
Operational Features	Year-round, 7 days/week Hours are 5:00 am-9:30 pm	Year-round, 7 days/week Hours are 6:00 am-12:00 am
Employees	Two staff per shift; total of four staff per day	Two staff per shift; total of six staff per day
Customers/Supplier*	<ul style="list-style-type: none"> 200 customers per day 300 customers per day during holidays Up to 10 service and delivery vehicles per week 	<ul style="list-style-type: none"> 300 customers per day 400 customers per day during holidays Up to 12 service and delivery vehicles per week
Traffic Trips*	<ul style="list-style-type: none"> 3,118 daily trips (all uses) 208 total trips (A.M. Peak Hour) 206 daily trips (P.M. Peak Hour) 	<ul style="list-style-type: none"> 3,927 daily trips (all uses) 218 total trips (A.M. Peak Hour) 237 total trips (P.M. Peak Hour)
Lighting	Lighting fixtures mounted on building walls and parking light poles; all hooded	Lighting fixtures mounted on building walls, parking light poles, and lighting beneath fueling canopy; all hooded
Hours of Operation	Seven days/week, 5:00 am to 12:00 am	Seven days/week, 6:00 am to 12:00 am

*Estimated number of customers was provided by the Applicant; traffic daily trip estimate was based on the Trip Generation Handbook from the Institute of Transportation Engineers, June 2004, as determined by TJKM Transportation Consultants in their Traffic Impact Statement (TIS) dated September 17, 2012.

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: No

ENVIRONMENTAL DETERMINATION:

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 included as Exhibit 7.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: July 27, 2015

PUBLIC NOTICE:

Notices were sent to 24 property owners within 600 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Conditional Use Permit (CUP) Application may be approved only if four Findings specified in Zoning Ordinance Section 873-F are made by the Planning Commission. The decision of the Planning Commission on a CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

This proposal entails the addition of two gas pumps (four fueling positions) , a canopy to be built over the gas pumps, and two 10,000-gallon above-ground storage tanks on a 2.32-acre lot in the C-1 Zone District. Related improvements to the site include parking improvements, a containment wall for the storage tanks, and the interior renovation of the convenience store to include an 800 square-foot barber shop. The above-ground storage tanks will be surrounded by a spillway containment area. One 10,000-gallon tank will store regular gasoline and the other will be divided between diesel fuel and premium gasoline. There are no underground storage tanks proposed with the project.

Sunnyside Market was built as a by-right development on the subject parcel in 1966. In 2005, the Market expanded to include a Subway restaurant. The proposed barber shop is also a by-right improvement, but the addition of the gas pumps is only allowed subject to approval of this Conditional Use Permit Application. Customers currently drive or walk to the Sunnyside Market to purchase items or buy a Subway sandwich. The improvements proposed will allow members of the surrounding community to also purchase gas or get a haircut at this location.

ANALYSIS/DISCUSSION:

Finding 1: 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: 20 feet Side: 10 feet Rear: 10 feet	Front (south property line): 40 feet Side (east property line): 130+ feet Side (west property line): 150+ feet Rear (north property line): 20 feet	Yes

	Current Standard:	Proposed Operation:	Is Standard Met? (y/n)
Parking	<p>For retail store (existing mini-mart):</p> <ul style="list-style-type: none"> • Two square feet of parking area for each square foot of retail floor area <p>For existing restaurant:</p> <ul style="list-style-type: none"> • One parking space for each 100 square feet of gross floor area <p>For proposed barber shop:</p> <ul style="list-style-type: none"> • One parking space for each 225 square feet of gross floor area 	33 spaces (including two handicap compliant)	Yes
Lot Coverage	Not to exceed 33 percent of total lot area	Approximately 7 percent building coverage	Yes
Separation Between Buildings	No requirements	No requirements	N/A
Wall Requirements	Solid masonry walls not less than five feet and no more than six feet in height shall be erected along the boundary between the commercial and residential district.	Per Operational statement: masonry wall along the north and east lot lines	Yes
Septic Replacement Area	100 percent	100 percent	Yes
Water Well Separation	<p>Septic tank: 50 feet</p> <p>Disposal field: 100 feet</p> <p>Seepage pit: 150 feet</p>	An application for connection to the municipal water system has been submitted to Fresno LAFCo. In the event Fresno LAFCo denies the Applicant's request for services, the Applicant will then be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.	N/A

Reviewing Agency/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: The proposed improvements satisfy the setback requirements of the C-1 (Neighborhood Shopping Center) Zone District. Completion of a mandatory Site Plan Review (SPR) shall ensure adequate area for parking, circulation and ingress/egress. Completion of the SPR will also ensure compliance with wall and fence requirements for the C-1 Zone District. This requirement has been included as a Project Note.

All proposed improvements will require permitting. This requirement has been included as a Project Note.

City of Fresno Public Works Department, Engineering Division, Traffic Planning: The City of Fresno Public Works Department City Engineer has requested that this project comply with the minimum required setbacks based upon the ultimate street right-of-way dedication and street improvements in the event that they cannot be obtained prior to annexation into the City of Fresno.

City of Fresno Department of Public Utilities: The Applicant shall seal and abandon existing on-site well(s) in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by the California Department of Water Resources and City of Fresno standards. Installation of a public fire hydrant is required in accordance with City Standards. This requirement has been included as a Condition of Approval.

The City of Fresno also commented that connection to the City of Fresno water system shall be required, installation of water service(s) and meter box(es) shall be required, and payment of all applicable water connection fee(s) to the City of Fresno per the Fresno Municipal Code and the Master Fee Schedule.

Fresno County Department of Public Health, Environmental Health Division (Health Department): Based upon the Operational Statement included with the application package, the facility may require permitting as a Public Water System. The City of Fresno boundary incorporates the southwest corner of Belmont and Temperance Avenues. The owners/operators of Sunnyside Market are highly encouraged to investigate the possibility of connecting to the City of Fresno as a public water supply.

State Department of Health Services (Health Services): This facility meets the definition of a public water system and does not meet the criteria for an exemption. As such, it will have to be permitted by the California Department of Public Health (CDPH) - Fresno District as a transient non-community water system. Health Services concurs with the recommendation that the owners investigate the possible water service from the City rather than being permitted separately as a public water system. If they pursue this option, the Health Services office will not require that they initiate the permit process.

There was insufficient information provided to evaluate adequacy of water quality and the construction characteristics of any water supply wells, including adequacy of separation from sewage disposal and the proposed gas tanks. If the Applicant does not propose water service from the City of Fresno, all of these issues will need to be addressed prior to approving their site plan. This requirement has been included as a Project Note.

No other comments specific to the adequacy of the site were expressed by reviewing agencies or departments.

Analysis:

Staff review of the Site Plan demonstrates that the lot area and dimensions are adequate to provide for the proposed development that includes the existing mini-mart, Subway restaurant, proposed fueling stations and barber shop, parking and circulation areas, landscaping, and access to the site. Specifics in regard to parking, wall and fence requirements, and ingress/egress will be addressed when the Applicant applies for Site Plan Review.

The project site is located just northeast to a corner of the city limits of Fresno. The addition of two gas pumps (four fueling stations) and the redesign of the convenience store space to accommodate a barber shop were determined not to qualify as "new urban development," and therefore, the project was not referred to the City for annexation; however the parcel is within the City's Sphere of Influence. Future right-of-way dedications have been marked on the site plan and there are no structures proposed to be built within them.

An application for connection to the municipal water system has been submitted to Fresno LAFCo. A Condition of Approval requires the project to receive water from the City of Fresno; however, in the event Fresno LAFCo denies the Applicant's request for services, the Applicant will then be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System. This requirement has been included as a Condition of Approval.

Based on the above information, and with adherence to a mandatory Site Plan Review, staff believes the site is adequate in size and shape to accommodate the proposal.

Recommended Conditions of Approval:

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

Conclusion:

Finding 1 can be made.

Finding 2: 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	Belmont Avenue	No change
Direct Access to Public Road	Yes	Belmont Avenue	No change
Road ADT		Belmont Avenue: 7,600 Temperance Avenue: 6,800	According to the Trip Generation Analysis Update (TGAU), the proposed project

		Existing Conditions	Proposed Operation
			is estimated to increase existing traffic by an average of 809 daily trips; 10 during the A.M. peak hour and 31 during the P.M. peak hour.
Road Classification		Belmont Avenue: Arterial Temperance Avenue: Expressway	No change
Road Width		Belmont Avenue: 34.4 feet Temperance Avenue: 25 feet	No change
Road Surface		Belmont Avenue: Paved Temperance Avenue: Paved	No change
Traffic Trips		<ul style="list-style-type: none"> • 3,118 daily trips (all uses) • 208 total trips (A.M. Peak Hour) • 206 total trips (P.M. Peak Hour) 	<ul style="list-style-type: none"> • 3,927 daily trips (all uses); a 26 percent increase • 218 total trips (A.M. Peak Hour); a 5 percent increase • 237 total trips (P.M. Peak Hour); a 15 percent increase
Traffic Impact Study (TIS) Prepared	Yes	See Traffic Trips	Pursuant to review of the TIS by the Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning, and Caltrans, mitigation measures are required whereby the project shall pay its fair share toward the cost of traffic-related off-site improvements (see Exhibit 1).
Road Improvements Required	No	Belmont Avenue: Fair Temperance Avenue: Good	No change No change

Reviewing Agency/Department Comments:

California Department of Transportation: According to the Applicant's Operational Statement, the proposed additions are expected to serve the current customer base. Per the Institute of Transportation Engineers (ITE), with the addition of two new multi-pump dispensers (four positions), it is expected that the project will contribute 76 PM peak travel period trips. However, given the location of the project and the fact that SR 180 within this area has been

reconstructed to a new four-lane expressway, it is anticipated that the configuration of SR 180 is likely sufficient to accommodate any additional traffic generated by the project.

City of Fresno, Public Works Department, Traffic and Engineering Services: The project trip generation was based on the ITE Trip Generation Manual. The Convenience Market with Gasoline Pumps use (ITE Code 853) and Fast-Food Restaurant without Drive Through use (ITE Code 933) were used to calculate the number of average daily trips (ADT) and AM and PM peak hour trips to be generated by the proposed project.

Trip generation for the existing Sunnyside Market was based on the ITE Trip Generation Manual as well as the San Diego Municipal Code Land Development Code Trip Generation Manual (May 2003). Using the Convenience Market use (ITE Code 852) and Fast-Food Restaurant without Drive Through use (ITE Code 933), the existing Sunnyside Market generates 3,118 ADT; 208 trips during the AM peak hour and 206 trips during the PM peak hour.

The total net trips generated by the proposed project were calculated by taking the difference in the number of trips generated at the Sunnyside Market site before and after the installation of the gasoline pumps.

TJKM utilized the ITE Trip Generation Manual to calculate ADT, and AM and PM peak hour trips generated by the existing Sunnyside Market, as well as the number of trips projected to be generated with the addition of the gasoline fuel pumps. As stated previously, the new trips generated by the addition of the gasoline pumps, and used in the analyses, were developed by calculating the difference between the existing Sunnyside Market trips and the trips projected to be generated by the site after installation of the gasoline pumps.

This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the reported net ADT of 809 for the proposed project, the fee would be \$38,120.08, payable at the time of the building permit. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact, as this fee is applied to all projects within the City Sphere of Influence. This requirement has been included as a Mitigation Measure.

This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable toward major street roadway improvements included in the nexus study for the FMSI fee. This requirement has been included as a Condition of Approval.

The project shall pay the Regional Transportation Mitigation Fee (RTMF) and provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits. This requirement has been included as a Condition of Approval.

The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements. This requirement has been included as a Condition of Approval.

The proposed site plan shall be reviewed and approved by the City of Fresno Traffic and Engineering Services Division, Traffic Planning Section. This requirement has been included as a Project Note.

Fresno Irrigation District (FID): FID's Eisen Canal No. 11 is a small earthen channel that runs southerly along the west side of the subject property and parallel to the east side of Temperance Avenue then crosses southwesterly through the intersection of Belmont and Temperance Avenues. If Temperance Avenue and/or Belmont Avenue is widened or improved as part of the project or future project, FID will require the canal be pipelined with a 30-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards, FID be granted an exclusive 15-foot-wide easement for and along its pipeline, and that the Applicant enter into an agreement with FID for that purpose. This requirement has been included as a Project Note.

FID's review and written approval will be required for all improvement plans (including, but not limited to, sewer, water, Fresno Metropolitan Flood Control District, street, and landscaping). This requirement has been included as a Project Note.

For informational purposes, FID's Fancher Creek Canal No. 6 runs southwesterly and crosses Belmont Avenue, approximately 700 feet east of the subject property, and FID's Briggs Canal No. 7 runs southwesterly and crosses Belmont Avenue, approximately 900 feet east of the subject property. Should this project expand to include any street improvements along Belmont Avenue and in the vicinity of the canal crossing, FID requires its review and approval of all plans. This requirement has been included as a Project Note.

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any proposed parking area should comply with the Fresno County Off-Street Parking Design Standards. This requirement has been included as a Project Note.

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. This requirement has been included as a Project Note.

If not already present, a 10-foot by 10-foot corner cut-off shall be improved for sight distance purposes at any existing driveway accessing Belmont Avenue and 30-foot by 30-foot corner cut-off shall be required at the intersection of Belmont Avenue and Temperance Avenue. This requirement has been included as a Condition of Approval.

In an arterial classification, 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. Direct access to an arterial road such as Belmont Avenue is usually limited to one common point. Typically, no new access points are allowed without prior approval, and any existing driveway shall be utilized. This requirement has been included as a Project Note.

The City of Fresno should be consulted regarding their requirements for any off-site improvements and driveway placement relative to the property line. This requirement has been included as a Project Note.

Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. This requirement has been included as a Project Note.

Future right-of-way along Belmont Avenue and Temperance Avenue is per adopted plan lines. The Applicant shall irrevocably offer an additional 20-foot right-of-way dedication along the

north side of Belmont Avenue and an additional 46-foot right-of-way along the east side of Temperance Ave. This requirement has been included as a Mitigation Measure.

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

Analysis:

The California Department of Transportation (Caltrans) submitted their comments in December, 2011. The numbers provided for their comments were based on estimates obtained outside of the Traffic Impact Study (TIS) which was later prepared for the project. Caltrans provided comments during and after the creation of the TIS but declined to revise their 2011 comments despite the updated estimates provided by the study. The Applicant will not be required to contribute a fair-share payment toward maintaining SR 180.

A Traffic Impact Study was required by the Design and Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning, and Caltrans, to assess the project's potential impacts to County and State roadways and intersections. The study was completed and submitted to the County on October 2, 2015. The Applicant later revised the project to include the barber shop, which necessitated a recalculation of the Average Daily Trips (ADT) produced by the proposed improvements. A revised estimate of increased traffic was provided to the County on March 19, 2015. These revised numbers were used to determine the Traffic Signal Mitigation Impact Fee, but since the numbers were lower than those presented in the TIS, staff determined that the revision would not require the preparation of a new TIS.

Comments provided by the City involve some analysis of the methodology used in preparing the TIS, and Design Division of the Fresno County Department of Public Works and Planning concurred with what was presented.

Analysis of the TIS indicated that the increased traffic from the proposal would bring surrounding roads to an unacceptable level of service (LOS). The Applicant was given two options to improve affected intersections to an acceptable LOS and chose Option 2, outlined in full below:

- Option 1. At the intersection of Temperance Avenue/Olive Avenue:
 - a. Add an eastbound left-turn lane with a storage capacity of 125 feet;
 - b. Add a westbound left-turn lane with a storage capacity of 175 feet;
 - c. Add a northbound left-turn lane with a storage capacity of 75 feet;
 - d. Add a southbound left-turn lane with a storage capacity of 50 feet; and
 - e. Signalize the intersection with protective left-turn phasing in all directions.

- Option 2. At the intersection of Temperance Avenue/Belmont Avenue:
 - a. Change the lane geometrics of the eastbound approach lanes from a combination left-thru and a right-turn lane to a left-turn lane with a storage capacity of 100 feet and a combination thru-right;
 - b. Change the lane geometrics of the westbound approach lanes from a combination left-thru and a right-turn lane to a left-turn lane with a storage capacity of 175 feet and a combination thru-right;
 - c. Add a northbound left-turn lane with a storage capacity of 50 feet;

- d. Add a southbound left-turn lane with a storage capacity of 75 feet; and
- e. Signalize the intersection with protective left-turn phasing in all directions.

FID's Eisen Canal No. 11 is shown on the attached site plan. At this time there are no proposed improvements to either Temperance Avenue or Belmont Avenue that would affect any of the three canals mentioned by FID comments, however due to the proximity of Eisen Canal No. 11, the Applicant will be required to submit all improvement plans to FID for review and written approval.

Review of the site plan shows that there is adequate space for vehicles entering Sunnyside Market's parking lot to turn around and exit onto Belmont Avenue in a forward motion. There is no current or proposed access to Temperance Avenue. The mandatory Site Plan Review will address project concerns in regard to parking, required corner cut-offs, and site access.

The City has requested that dedications along both Temperance Avenue and Belmont Avenue be made prior to the eventual annexation of the property. The scope of the subject improvements was not enough to refer the property for annexation at this time; the attached site plan shows the intended property lines that will exist before annexation. However, County staff has determined that right-of-way dedications along both Belmont Avenue and Temperance Avenue must be made to the County as a mitigation measure associated with the required road improvements.

Based on the above information and with adherence to the Mitigation Measures, Mandatory Project Notes, and Conditions of Approval, staff believes that Belmont Avenue and Temperance Avenue will remain adequate to accommodate the proposed use.

Recommended Conditions of Approval:

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

Conclusion:

Finding 2 can be made.

Finding 3: 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 (from nearest property line):
North	3.24 acres	Single-Family Residence	RR	85 feet
East	1.66 acres	Single-Family Residence	RR	120 feet
South	0.46 acre	Single-Family Residence	RR	175 feet
	2.12 acres	Single-Family Residence Greenhouses		

Surrounding Parcels				
West	2.32	Single-Family Residence	AE-20	175 feet

Reviewing Agency/Department Comments:

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 1595H, the majority of the area of the subject property is found to be under Flood Zone X (Depth <1 foot), subject to flooding from the 100-year storm. Typically, any work within the designated flood zone shall conform to provisions established in Chapter 15.48 of Flood Hazard Areas of Fresno County Ordinance. This requirement has been included as a Project Note.

The project site is located within the Fresno Metropolitan Flood Control District (FMFCD) boundary. Typically, FMFCD should be consulted for their requirements, and any additional runoff generated by the proposed development cannot be drained across property lines.

If the proposed development does not increase the net impervious surface on site, the existing drainage pattern is not changed, and storm water runoff on site drains to the street, with FMFCD approval, there will be no engineered grading and drainage plan required. But, if this application proposes to increase parking area beyond the existing paved area, then an engineered grading and drainage plan is required to show how the runoff generated by the proposed paved parking and addition is handled without adversely impacting adjacent properties. This requirement has been included as a Condition of Approval.

Fresno County Department of Public Health, Environmental Health Division (Health Department): Prior to the proposed change in use, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Health Department. This requirement has been included as a Project Note.

A spill prevention control and countermeasure plan (SPCC) is required for above-ground petroleum storage tanks with greater than or equal to 1,320 gallons of storage capacity. (Storage capacity means the aggregate capacity of all above-ground tanks and containers at a tank facility.) This requirement has been included as a Project Note.

All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. This chapter discusses proper labeling, storage and handling of hazardous wastes. This requirement has been included as a Project Note.

The Applicant shall contact their local Fire Authority concerning construction and installation requirements for above-ground storage tanks.

Fresno County Fire Protection District (Fire District): The proposed development shall comply with the California Code of Regulations Title 24. Subsequent to County approval, copies of the approved Site Plan shall be submitted to the Fire District for review and approval. This requirement has been included as a Project Note.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for all structures based upon the current adopted edition of the California Codes at the time of plan check submittal. This includes, but is

not limited to, all off-site improvements such as utilities, sidewalks, grading and drainage, and retaining walls, etc. This has been included as a Condition of Approval.

San Joaquin Valley Air Pollution Control District (Air District): No comments.

Analysis:

The subject 2.32-acre property is currently improved with the existing Sunnyside Market and Subway sandwich shop. Located at the intersection of North Temperance Avenue and East Belmont Avenue, the property is zoned for Neighborhood Shopping Center and is located directly northeast of the City of Fresno. The surrounding lands are zoned for Rural Residential and Agriculture and the surrounding properties are improved with single-family residences.

Upon project development, visible improvements will include two gas pumps (four fueling stations), a 760 square-foot canopy, and two 10,000-gallon above-ground storage tanks. The canopy and fueling stations will be located to the front of the existing market, and the tanks will be located to the west. Additional parking spaces will be provided along the east side of the property. Neighborhood shopping centers are intended to serve the surrounding residences by providing small unified centers for shopping. The addition of gas pumps is permitted with a Conditional Use Permit, and also serves the surrounding community by providing access to an additional necessity in a hub location.

The closest residence at 85 feet to the north of the proposed project will not be impacted by the automobile/truck headlight glare resulting from the project operations since the additional parking spaces, including those located along the gas pumps, will not point vehicles toward the residence.

An Initial Study prepared for the project has identified potential impacts to aesthetics and transportation/traffic. Regarding aesthetics, any new on-site lighting would be required to be hooded and directed downward to avoid glare on the adjoining properties. Regarding transportation/traffic, the Applicant would be required to pay a Traffic Signal Mitigation Impact Fee of \$38,120.08. These requirements have been included as Mitigation Measures.

Potential impacts related to air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, and noise have been determined to be less than significant. The Applicant will be required to obtain approval of an Engineered Grading and Drainage Plan and Grading Permit/Voucher; handle all hazardous wastes in accordance with state laws, rules and regulations; provide a spill prevention control and countermeasure plan (SPCC); and obtain the Fresno County Fire Protection District's approval on the Site Plan. Mandatory Site Plan Review (SPR) is included as a Project Note to address these issues and others identified in this Report. Conditions of the SPR may include, but not be limited to, design of parking and circulation, access, grading and drainage, fire protection, and control of light.

The proposed project is not expected to interfere with the existing drainage pattern, as the building currently exists and the fueling area is already paved. The proposal includes the paving of some pervious surface on the east side of the project site to add additional parking. Additionally, a pervious area to the west of the existing building that is currently graveled will be covered with a concrete spillway containment area for the above-ground storage tanks. However, the Applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines or into County right-of-way. FMFCD reviewed the project and did

not submit any concerns with storm water containment or possible redirection of flood waters.

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

Recommended Conditions of Approval:

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

Conclusion:

Finding 3 can be made.

Finding 4: The proposed development is consistent with the General Plan

Relevant Policies:	Consistency/Considerations:
<p>Policy LU-E.1: The County shall allow by right in areas designated Rural Residential single-family dwellings and limited agricultural uses related to the production of food and fiber. The County may allow by discretionary permit certain other agricultural uses and non-agricultural uses, including rural commercial centers. For proposed rural commercial centers, the following criteria shall apply:</p> <ul style="list-style-type: none"> a) Commercial uses should be clustered in centers instead of single uses. b) The use shall provide a needed service to the surrounding rural residential community which cannot be provided more efficiently within urban centers. c) To minimize proliferation of commercial centers and overlapping of trade areas, commercial centers should be located a minimum of two (2) miles from any existing or approved commercial use. d) New commercial uses should be located within or adjacent to existing centers. e) Commercial centers should not encompass more than one quarter (1/4) mile of road frontage, or one eighth (1/8) mile if both sides of the road are involved, and should not provide potential for development exceeding ten (10) separate business activities, exclusive of caretakers' residences. f) The center should be a minimum of two (2) miles from any agricultural commercial center, or designated rural settlement area or the nearest existing or designated 	<p>The Market was built by right on the subject parcel. The proposed improvements are allowed, subject to approval of this Conditional Use Permit Application. In regard to the criteria for Commercial Centers:</p> <ul style="list-style-type: none"> a. The project proposes to add additional services to an existing center. b. The proposed project will provide gasoline and personal services for nearby rural residences where such services are currently deficient. c. No other commercial centers under the jurisdiction of the County of Fresno are located within two miles of the proposed project. There is one gas station/ convenience store located one mile west of the proposed project within the City of Fresno. Given that this is an expansion of an existing commercial use, and not a new commercial use, the proposal will not result in the proliferation of commercial centers and overlapping of trade areas. d. The proposed project is an expansion of an existing commercial use located within the existing footprint. e. The parcel has approximately 711 feet of street frontage along Belmont Avenue. f. This is an expansion of an existing commercial use and not a new commercial use. No Agricultural Commercial Center or Rural Settlement Area is located within two miles of the proposed project. g. The project is located at the intersection of an Expressway (Temperance Avenue) and

Relevant Policies:	Consistency/Considerations:
<p>commercial area of any city or community, or newly established rural residential commercial centers.</p> <p>g) The center should be located at the corner of an intersection where at least one of the roads is classified as an arterial road on the Transportation and Circulation Element of the General Plan.</p> <p>h) Distance from other existing commercial zoning and uses should be considered when siting commercial centers.</p>	<p>an Arterial (Belmont Avenue).</p> <p>h. There is no other property zoned for commercial use by County of Fresno within two miles of the proposed project.</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The property is designated Southeast Rural Residential in the County General Plan. General Plan Policy LU-E.1 (text above) lists criteria for Rural Commercial Centers.

The project site is not under an Agricultural Land Conservation (Williamson Act) Contract.

Analysis:

As noted above, the County General Plan allows for the proposed use in areas designated Rural Residential, provided that the use substantially adheres to Criteria a. through h. of General Plan Policy LU-E.1. The proposal meets this Policy as discussed above and summarized below.

The proposal is consistent with policy LU-E.1 in that the proposal will add additional services to an existing market. These services, the sale of gasoline and the barbershop, will serve the nearby rural residential communities. In addition, there are no other commercial centers or land zoned for commercial use by the County of Fresno within two miles of the proposed project. A similar commercial center exists one mile west of the project within the city, but since this is an addition to an existing project and not a new commercial use, approval of the subject application will not create overlapping trade areas or encourage additional commercial hubs to be built. In regard to the maximum allowed road frontage, the proposed project has 711 feet of frontage across the entire parcel, which is 609 feet shorter than the maximum allowance. Belmont Avenue is designated as an Arterial by the County General Plan.

Given the above discussion, staff believes the project to be consistent with the Fresno County General Plan.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

CONCLUSION:

Staff believes the required Findings for granting the CUP Application can be made based on the factors cited in the analysis, in conjunction with the recommended Mitigation Measures, Conditions of Approval, and Project Notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Classified Conditional Use Permit Application No. 3348, 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. 6481; and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit Application No. 3348, 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 Classified Conditional Use Permit Application No. 3348; 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.

CMM:ksn
G:\4360Devs&P\In\PROJSEC\PROJDOCS\CUP\3300-3399\3348\SR\CUP3348 SR.doc

Mitigation Monitoring and Reporting Program
Initial Study Application No. 6481/Conditional Use Permit Application No. 3348
(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 so as not to shine toward adjacent properties and public streets or roadways.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing: Review at SPR
*2.	Transportation/ Traffic	Based on the City of Fresno's Master Fee Schedule, a Traffic Signal Mitigation Impact Fee of \$38,120.08 shall be paid by the Applicant based on the Trip Generation Analysis Update estimating an increase in existing traffic by an average of 809 daily trips.	Applicant	Applicant/PW&P/ City of Fresno	Prior to issuance of building permits
*3.	Transportation/ Traffic	Right-of-way dedications per City of Fresno standards shall be made by the Applicant to the County of Fresno for future road improvements. The Applicant shall irrevocably offer an additional 20 feet of right-of-way dedication along the north side of Belmont Avenue, and an additional 46 feet of right-of-way along the east side of Temperance Avenue.	Applicant	Applicant/PW&P	Prior to issuance of building permits

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

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission.
2.	A Site Plan Review shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance. Conditions of the Site Plan Review may include, but are not limited to, design of parking and circulation, grading and drainage, fire protection, and control of lighting.

3.	Plans, permits and inspections shall be required for all structures based upon the current adopted edition of the California Codes at the time of plan check submittal.
4.	The Applicant shall seal and abandon existing on-site well(s) in compliance with the State of California Well Standards, Bulletin 74-90 or current revisions issued by the California Department of Water Resources and City of Fresno standards. Installation of a public fire hydrant is required in accordance with City Standards.
5.	The proposed project will receive water from the City of Fresno; however, in the event Fresno LAFCo denies the Applicant's request for services, the Applicant will be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.
6.	This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at the time of building permit.
7.	The project shall pay the Regional Transportation Mitigation Fee (RTMF) and provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
8.	The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
9.	If the proposed development does not increase the net impervious surface on site, the existing drainage pattern is not changed and storm water runoff on site drains to the street, with FMFCD approval, there will be no engineered grading and drainage plan required. But, if this application proposes to increase parking area beyond the existing paved area, then an engineered grading and drainage plan is required to show how the runoff generated by the proposed paved parking and addition is handled without adversely impacting adjacent properties.

Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	There was insufficient information provided to evaluate adequacy of water quality and the construction characteristics of any water supply wells, including adequacy of separation from sewage disposal and the proposed gas tanks. If the Applicant is not provided water service from the City of Fresno, all of these issues will need to be addressed prior to approving the site plan.
2.	The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.
3.	If Temperance Avenue and/or Belmont Avenue is widened or improved as part of the project or future project, FID will require the canal be pipelined with a 30-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards, that FID is granted an exclusive 15-foot wide easement for and along its pipeline, and that the applicant enter into an agreement with FID for that purpose.
4.	FID's review and written approval will be required for all improvement plans (including, but not limited to, sewer,

	water, Fresno Metropolitan Flood Control District, street, and landscaping).
5.	For informational purposes, FID's Fancher Creek Canal No. 6 runs southwesterly and crosses Belmont Avenue approximately 700 feet east of the subject property, and FID's Briggs Canal No. 7 runs southwesterly and crosses Belmont Avenue approximately 900 feet east of the subject property. Should this project expand to include any street improvements along Belmont Avenue and in the vicinity of the canal crossing, FID requires it review and approve all plans.
6.	Any proposed parking area should comply with the Fresno County Off-Street Parking Design Standards.
7.	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.
8.	If not already present, a 10-foot by 10-foot corner cut-off should be improved for sight distance purposes at any existing driveway accessing Belmont Avenue and a 30-foot x 30-foot corner cutoff should be required at the intersection of Belmont Avenue and Temperance Avenue.
9.	No new access points from Belmont Avenue are allowed without prior approval, and any existing driveway shall be utilized.
10.	The City of Fresno should be consulted regarding their requirements for any off-site improvements and driveway placement relative to the property line.
11.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
12.	Any work within the designated flood zone shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance Title 15, Ordinance 11-005.
13.	Prior to the proposed change in use, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division.
14.	A spill prevention control and countermeasure plan (SPCC) is required for above-ground petroleum storage tanks with greater than or equal to 1,320 gallons of storage capacity.
15.	All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. This Chapter discusses proper labeling, storage and handling of hazardous wastes.
16.	The proposed development shall comply with the California Code of Regulations Title 24. Subsequent to County approval, copies of the approved Site Plan shall be submitted to the Fire District for review and approval.

LOCATION MAP

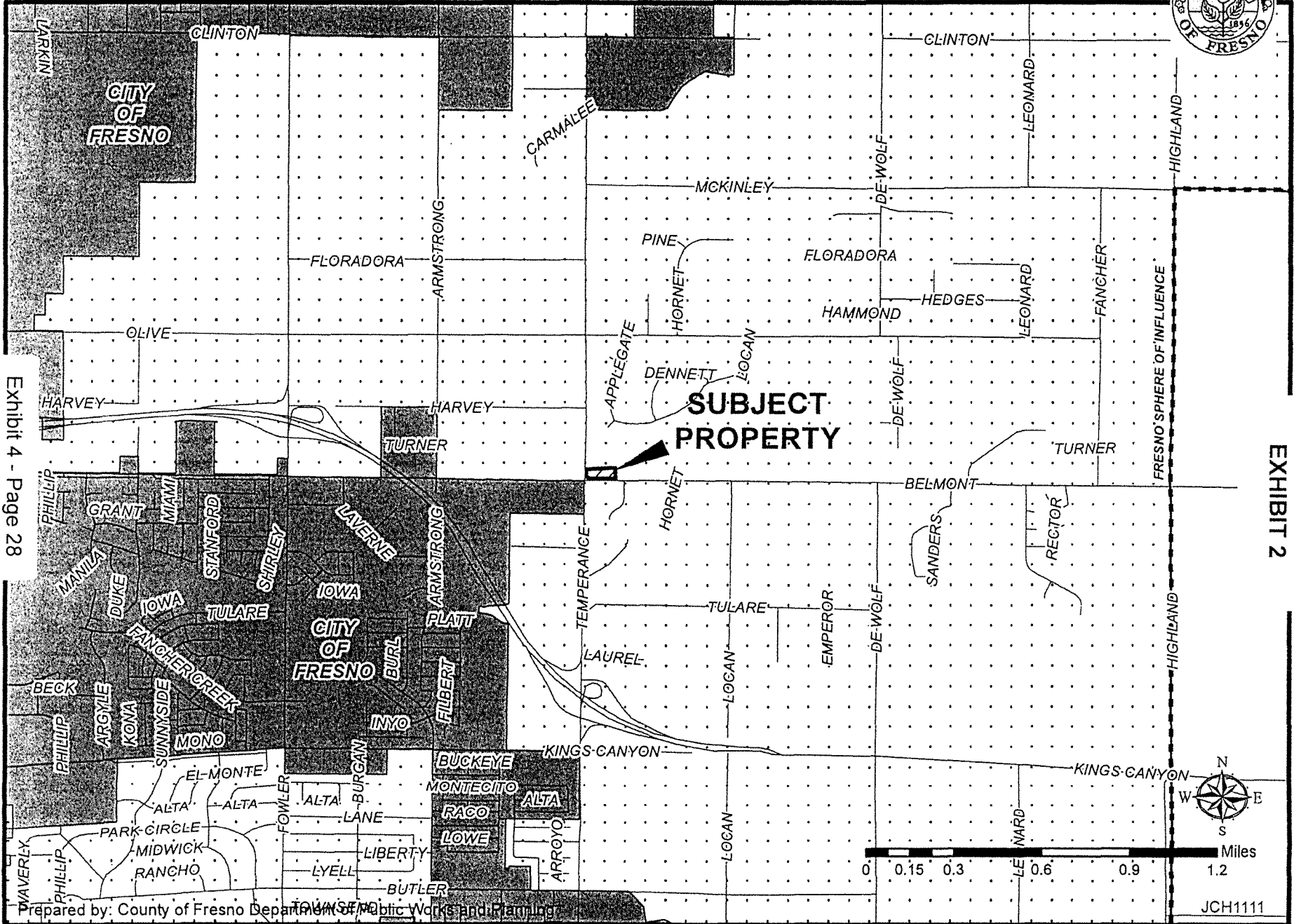


Exhibit 4 - Page 28

EXHIBIT 2

EXISTING ZONING MAP

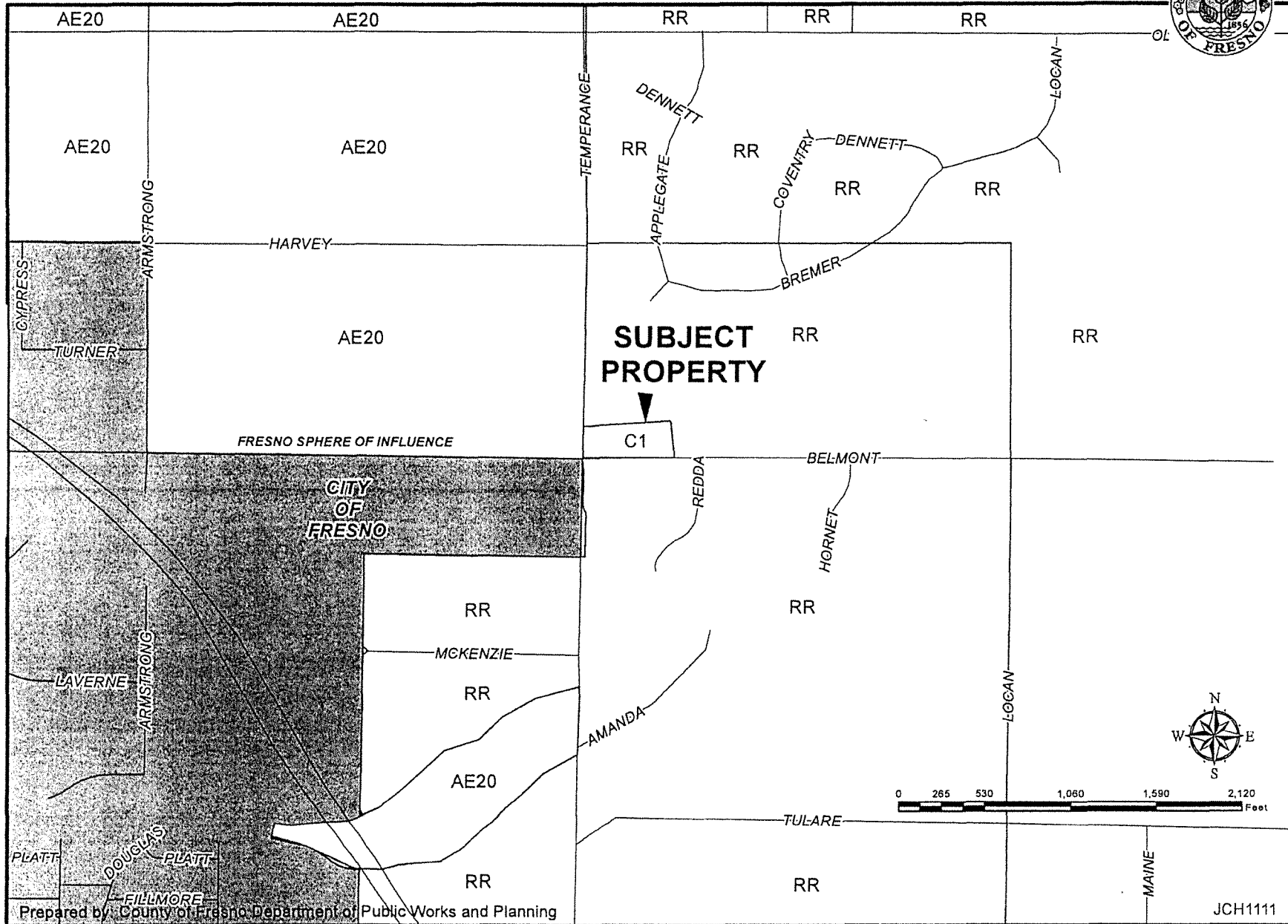


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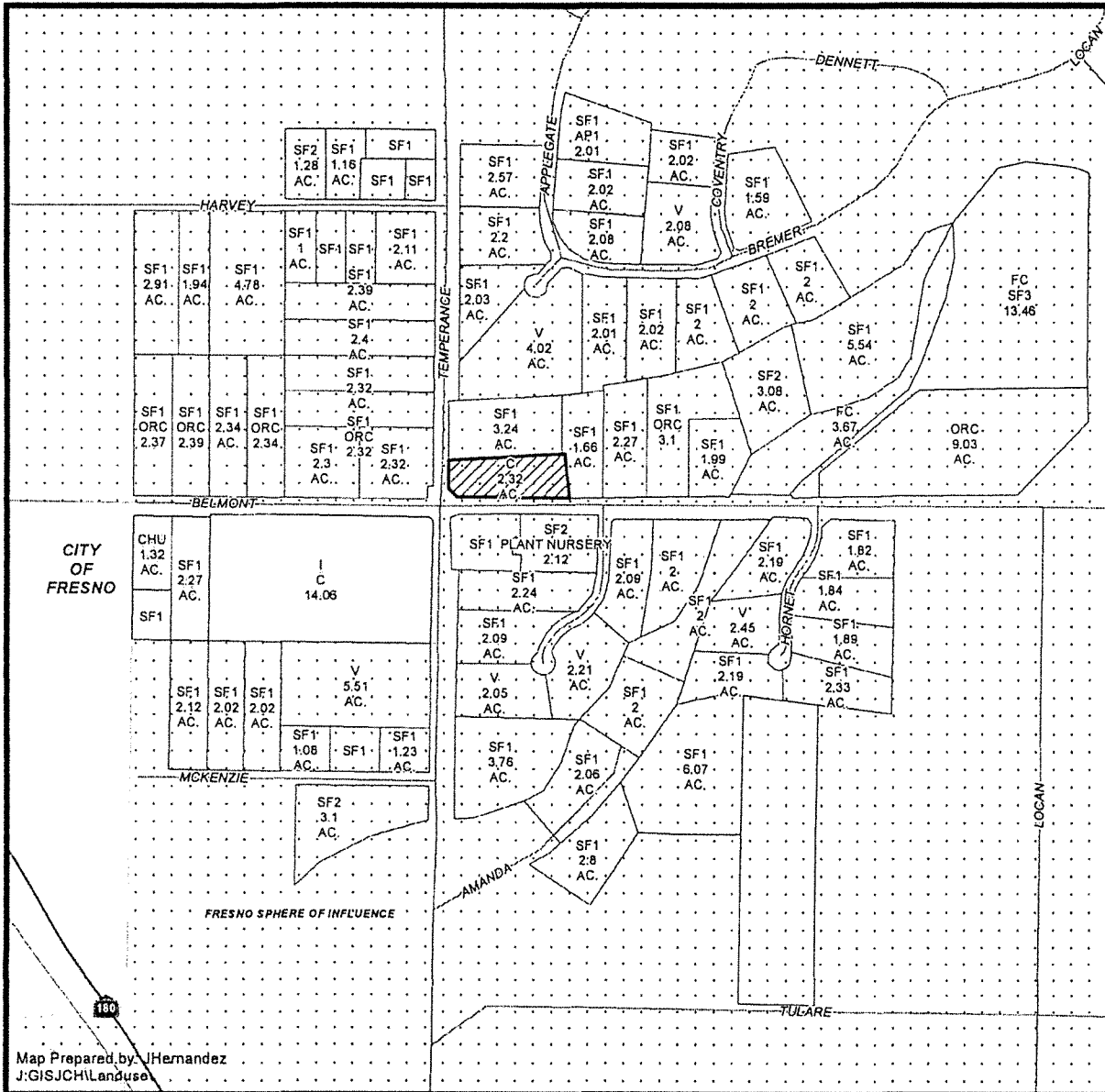
EXHIBIT 3

EXISTING LAND USE MAP



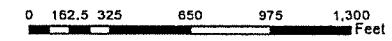
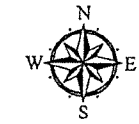
Exhibit 4 - Page 30

EXHIBIT 4



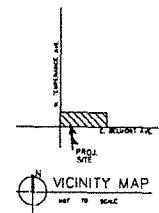
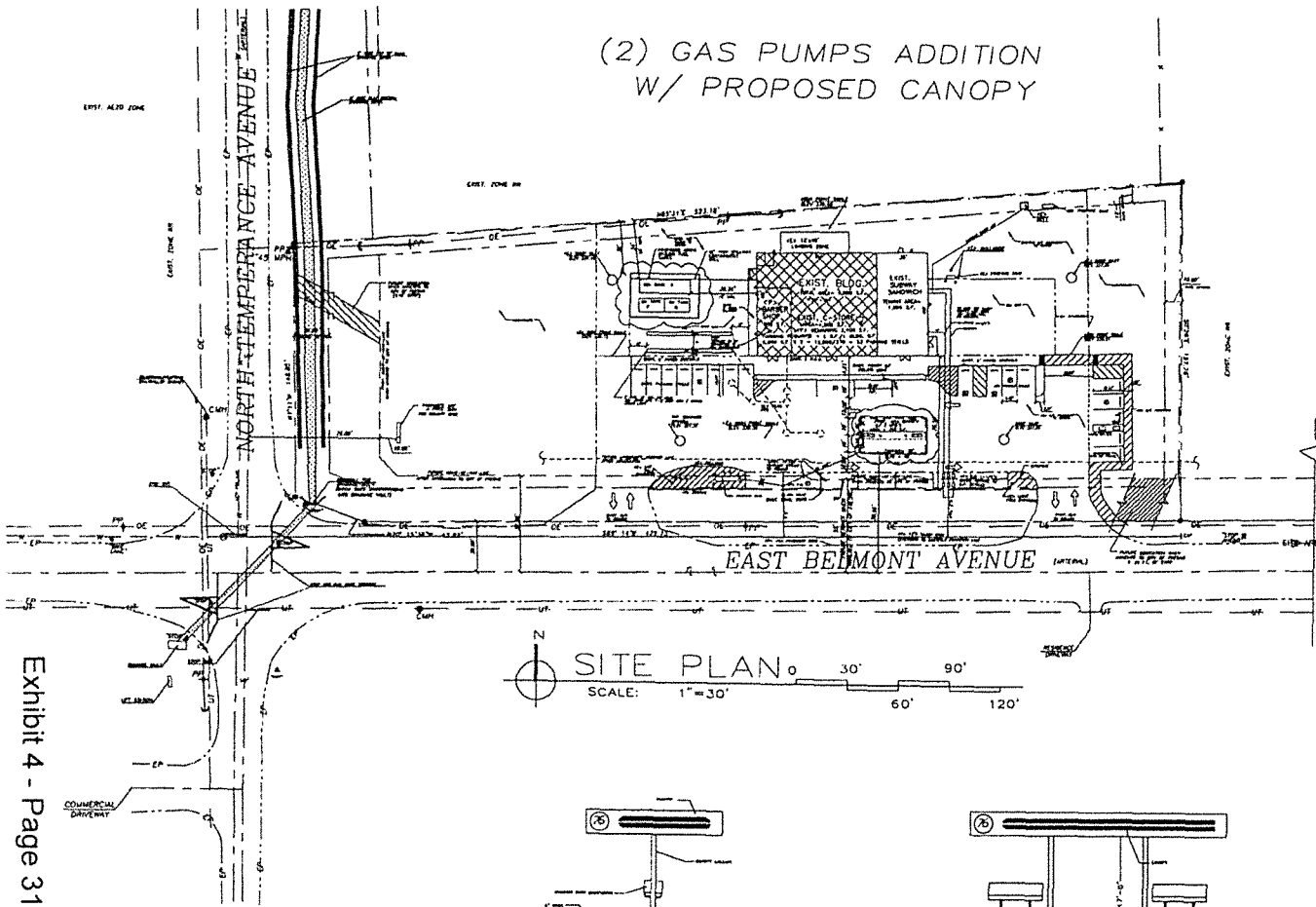
- LEGEND**
- AP1 - APARTMENT
 - C - COMMERCIAL
 - CHU - CHURCH
 - FC - FIELD CROP
 - I - INDUSTRIAL
 - ORC - ORCHARD
 - SF# - SINGLE FAMILY RESIDENCE
 - V - VACANT

- LEGEND:**
- Subject Property



Department of Public Works and Planning
Development Services Division

(2) GAS PUMPS ADDITION
W/ PROPOSED CANOPY

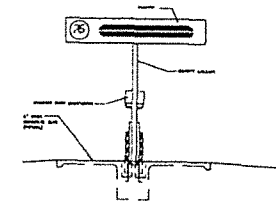
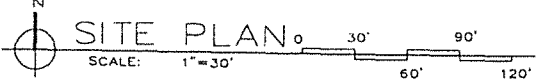


LEGAL DESCRIPTION:
 S/4 PT PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 13 SOUTH, RANGE 31 EAST, MOUNT SHREVE BASIN AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAN THEREOF, DEFINED AS FOLLOWS:
 BEGINNING AT A POINT WHICH BEARS NORTH 111° WEST 181.8 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION BEING THE INTERSECTION OF THE WEST LINE OF SAID SECTION WITH THE WESTERN EXTENSION OF THE SOUTHWEST LINE OF THE LANE CAPANED BY JOHN L. PALM, AT THE 50' SETBACK BETWEEN L. 1111, IN BOOK 4113, PAGE 117 OF OFFICIAL RECORDS, THENCE NORTH 82°31' EAST ALONG SAID WESTERN EXTENSION AND ALONG SAID SOUTHWEST LINE AND ALONG THE SOUTHERN EXTENSION OF SAID SOUTHWEST LINE AT SAID PALM'S LINA, A DISTANCE OF 845.1 FEET; THENCE SOUTH 0°18' EAST 317.96 FEET TO THE SOUTH LINE OF SAID SECTION; THENCE SOUTH 89°18' WEST ALONG SAID SOUTH LINE 349.37 FEET TO THE POINT OF BEGINNING.
 EXCEPTING THEREFROM THE WEST 20 FEET AND THE SOUTH 20 FEET THEREOF; AND ALSO EXCEPTING THEREFROM THE LAND GRANTED TO THE COUNTY OF FRESNO BY DEED RECORDED FEBRUARY 13, 1984, IN BOOK 4036, PAGE 244 OF OFFICIAL RECORDS AND MORE PARTICULARLY, RECORDS AS FOLLOWS:
 BEGINNING AT A POINT 70 FEET EAST OF THE WEST BOUNDARY AND 30 FEET NORTH OF THE SOUTH BOUNDARY OF SAID SECTION; THENCE WESTWARD PARALLEL WITH SAID SOUTH BOUNDARY 40 FEET; THENCE NORTHEAST 30 FEET FROM AND PARALLEL WITH SAID WEST BOUNDARY 15 FEET THEREIN IN A QUADRANTARY DIRECTION AND A DISTANCE OF 42.72 FEET; MORE OR LESS, TO THE POINT OF BEGINNING.

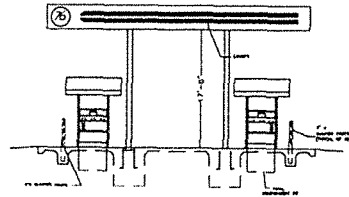
PROJECT DATA
 AGENCY OF JURISDICTION: COUNTY OF FRESNO
 PROJ. LOCATION: 7064 E. BELMONT AVE, FRESNO, CA 93727
 APN: PORTION OF 310-143-140
 93282.7 S.F. = 2.16 ACRES
 CURRENT ZONING: C-1 NEIGHBOURHOOD COMMERCIAL CENTER
 PROPOSED LAND USE: NEIGHBOURHOOD COMMERCIAL CENTER
 PARKING STALLS: 28 P.S. = 4 UNDER FUEL CANOPY = 32 P.S. (PROV)
 PROPOSED USE: C-STORE, SUBWAY, FUEL STATION.
 EXISTING USE: C-STORE, SUBWAY
 BLDG. AREAS:
 EXISTING C-STORE: 4,200 S.F.
 EXISTING SUBWAY: 1,800 S.F.
 TOTAL CED BLDG. AREA = 6,000 S.F.
 CP3 C-STORE: 3,400 S.F.
 CP3 BARBERSHOP: 800 S.F.
 TOTAL AREA= 4,200 S.F.
 OCCUPANCY: C-STORE= M, C.J. CANOPY= M,
 TYPE OF CONSTRUCTION: VB 08

ISA #6481
 CUR #3346

OWNER/ARCHITECT:
 SUNNYSIDE MARKET
 1015 E. BELMONT AVE.
 FRESNO - CA 93727
 FAX: (518) 238-1020
 PHONE: (518) 238-0304
 FAX: (518) 238-1162
 WWW.SUNNYSIDEMARKET.COM



FRONT/REAR ELEVATION
NTS



TYP. SIDE ELEVATION
NTS

FUEL ISLAND CANOPY ELEVATIONS

EXHIBIT 5

Exhibit 4 - Page 31

PROJECT/LOCATION	SUNNYSIDE MARKET TEMPERANCE & BELMONT N/E CORNER
DESIGNER	AESTHETICS GRAPHIC DESIGN 1015 E. BELMONT AVE. FRESNO, CA 93727 TEL: (518) 238-0304 FAX: (518) 238-1162 WWW.SUNNYSIDEMARKET.COM
SHEET CONTENTS	SITE PLAN
SHEET NO.	SP1

EXHIBIT 6

**OPERATIONAL STATEMENT
FOR PROPOSED
GAS CANOPY OVER 2 MPD'S
800 sf BARBER SHOP TENANT IMPROVEMENTS
APN: 310-143-46 , AT 7064 E. BELMONT AVE, FRESNO**

Proposed 760 sf island canopy with 2MPD's (multi pump dispenser) in the parking lot of a site with existing 1,800 sf Subway sandwich shop, with existing 4,200 food store that we're proposing to take 800sf barbershop from it, remaining store to be 3,400sf. only.

1. Nature of the operation: customers drive or walk to store, buy gas ,pay at the pump or inside store, groceries, beer, wine, soda, milk, cigarettes, lotto, Subway sandwich or get a hair cut.
2. Operation Time Limits: open your round, 7 days/week, 18 hours/day, 3 shifts per day. 6:00am -12:00 No special activities.
3. Number of Customers: 300 customers /day as average. 400 maximum during busy federal holidays. Customers may drop in anytime, mostly during the day.
4. Number of Employees: 2 persons per shift, total 6/day.
5. Service & Delivery Vehicles: Trucks may make 12 deliveries /week.
6. Access to Site: <E> 2 drivewqays off Belmont Ave. No access off Temperance Ave.
7. Parking: <P> paved site striped w/29 Parking stalls plus 4 under gas island canopy, under total of 33. Type of surfacing proposed asphalteous concrete.
8. Goods Sales: Groceries, gas, beverages, beer, wine, dairy products, meals...
9. Equipments used: WIF/WIC, cash register, soda machine, and coffee maker, sandwich shop and serving equipments...
10. Supplies: Canned & frozen food, oil cans, groceries...stored on Gondolas accessible from aisles. Dairy products stored in WIC, frozen food in WIF.Dry storage on racks.
11. Unsightly appearance of use: no noise or odors anticipated. No glare or dust to be produced.
12. Solid Wastes: 150 LB/day of domestic garbage, 140 pounds of paper/card box, will be stored in a container and hauled by solid waste management twice/week.
13. Liquid waste: anticipated 1,200 gal/day of domestic liquid waste, to existing onsite septic and seepage pits.
Water use: estimated consumption 1,800 gal/day. Source existing water well.
14. Advertising: site sign with price sign atstreet intersection corner. Building sign displaying business name.
15. Existing building : still be used as is with minor interior remodeling.
16. Building operation: proposed canopy and pumps for fuel sales only.
17. Outdoor lighting: <E>lighting fixtures mounted on building walls, canopy ceiling, and parking light poles, all hooded. No sound amplification systems to be used.
18. Landscaping: Non proposed.
19. Fences: <E> CMU wall 6ft high along east & north property line.on proposed

Owner: Sarabjit Kaur
(559) 326-4039

7/30/2015

Sunnyside market OS#2

EXHIBIT 7



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Sarabjit Kaur
- APPLICATION NOS.: Initial Study Application No. 6481 and Classified Conditional Use Permit No. 3348
- DESCRIPTION: The applicant proposes to add two gas pumps (four fueling positions), a 760 square-foot canopy, two 10,000-gallon above-ground storage tanks, and convert 800 square-feet of the existing convenience store to a barber shop on a 2.32-acre parcel in the C-1 (Neighborhood Shopping Center) Zone District.
- LOCATION: The project site is located on the northeast corner of Belmont and Temperance Avenues, approximately forty-eight feet northeast of the nearest city limits of the City of Fresno (Sup. Dist.: 5) (APN: 310-143-46).

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: NO IMPACT

The project proposes to add two gasoline fuel pumps (four fueling positions) with a 760 square-foot canopy and two 10,000-gallon above-ground storage tanks to an existing convenience store. The applicant is also proposing to convert 800 square-feet of the existing convenience store to a barber shop. The building will then consist of a 3,400 square-foot convenience store, a 1,800 square-foot restaurant, and an 800 square-foot barber shop.

The site of the proposed project is located in a rural residential area within the Sphere of Influence of the City of Fresno. No scenic vistas that may be impacted by the proposed project were identified on or near the site. The site is not located along or near a state scenic highway. The proposed use is characteristic of the existing use and structures,

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and therefore, will not degrade the existing visual character or quality of site and 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

The proposal includes lighting fixtures mounted in the canopy ceiling that will be hooded and directed downward so as not to shine toward adjacent properties and public streets. With the inclusion of a mitigation measure requiring that outdoor lighting be hooded and directed downward, the additional lighted area will not adversely affect day or nighttime views in the area.

* **Mitigation Measure:**

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

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or**
- B. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract; or**
- C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g)); 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 use or conversion of forest land to non-forest use?**

FINDING: NO IMPACT

The parcel on which the proposed project will be located is not located on or near farmland, forest land, timberland, or land zoned Timberland Production. It is zoned C-1 (Neighborhood Shopping Center), and is designated Rural Residential in the Fresno

County General Plan. The proposed project is a use that is allowed on land zoned C-1 with approval of a Conditional Use Permit.

The parcel is not under a Williamson Act Contract. The proposed project will not result in conversion of Farmland to non-agricultural use or forest land to non-forest land.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or**
- B. Would the project violate any air quality standard or contribute substantially 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 an applicable 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

The San Joaquin Valley Air Pollution Control District reviewed the proposed project and expressed no concerns with the proposal. The plan does not conflict with the Air Quality Plan, does not violate any air quality standard, will not result in a cumulative net increase of any criteria pollutant, nor does it expose sensitive receptors to substantial pollutant concentrations or create objectionable odors.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service; or**
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; 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: NO IMPACT

The proposed project was referred to the US Fish and Wildlife Service and the California Department of Fish and Wildlife for review and comments. No concerns were expressed by either agency. Therefore, this analysis identified no impacts regarding: 1.) any candidate, sensitive, or special-status species; 2.) any riparian habitat or other sensitive natural community; 3.) any federally protected wetlands; nor 4.) any native resident or migratory fish or wildlife species, migratory wildlife corridors, or wildlife nursery sites.

The proposed project will neither conflict with any local policies or ordinances protecting biological resources nor will it conflict with the provisions of any conservation plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5; or**

- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5; or**

- C. Would the project directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature; or**

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

FINDING: NO IMPACT

The parcel on which the proposed project will be sited is not located within proximity of any area designated to be moderately or highly sensitive for archeological resources. No historical or paleontological resources, unique geological features, or evidence of possible human remains were identified in this analysis. As such, no impact on historical, archeological, or paleontological resources would result from this proposal.

VI. GEOLOGY AND SOILS

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

- 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or**
- 2. Strong seismic ground shaking; or**
- 3. Seismic-related ground failure, including liquefaction; or**
- 4. Landslides?**

FINDING: NO IMPACT

The area of the proposed project is not identified as an area which by nature is subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction or landslides. Construction of the proposed project will be subject to seismic design standards.

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

FINDING: NO IMPACT

The site of the proposed gas pumps and awning is a 38' x 20' paved area which lies within a paved parking lot. The proposal also includes the paving of some pervious surface on the east side of the project site in order to add additional parking. Additionally, a pervious area to the west of the existing building that is currently graveled will be covered with a concrete spillway containment area for the above-ground storage tanks. Therefore, the project will not result in substantial soil erosion or loss of topsoil.

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

FINDING: NO IMPACT

Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief (slopes of no more than three percent), which precludes the possibility of landsliding on-site.

The potential for seismic-related ground failure (lateral spreading and liquefaction) occurring on the project site is minimal because of the absence of high groundwater

levels and saturated loose granular soil. The project site is not in an area identified by Fresno County as being susceptible to liquefaction. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on-site.

The San Joaquin Valley in which Fresno County is located is known to experience subsidence. However, the Water, Geology, and Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the project and expressed no concerns, stating that the proposal to add a fuel island would generate the need for a negligible amount of additional water.

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

FINDING: NO IMPACT

The project site is not located within an area of known risk of expansive soils.

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

FINDING: NO IMPACT

The project will utilize an on-site sewage disposal system. No concerns related to soil capabilities and the septic systems were expressed by the Fresno County Department of Public Health, Environmental Health Division.

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 an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT

Comments received from the San Joaquin Valley Air Pollution Control District expressed no specific project related concerns, supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

VIII. HAZARDS AND HAZARDOUS MATERIALS

A. Would the project create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials; or

- B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

FINDING: LESS THAN SIGNIFICANT IMPACT

The Fresno County Department of Public Health, Environmental Health Division review of the proposal requires that prior to the issuance of building permits, the applicant shall comply with the following: 1) Complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division. 2) A spill prevention control and countermeasure plan (SPCC) is required for aboveground petroleum storage tanks with greater than or equal to 1320 gallons of storage capacity. 3) The applicant shall contact their local Fire Authority concerning construction and installation requirements for aboveground storage tanks. 4) All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5. With adherence to these requirements the project will have a less than significant impact to the public and/or environment.

- C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or**
- D. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

FINDING: NO IMPACT

The subject parcel is not located within one-quarter mile of a school. The proposed project site is not listed on the Hazardous Waste and Substances Site List (Cortese List) which is maintained by the California Department of Toxic Substances Control. There are no listed sites located within a half-mile radius of the proposed project site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

A small portion of the site of the proposed project is located within the 60 CNEL contour of Fresno Yosemite International, but not located within a safety zone. The portion that

is included in the 60 CNEL contour is vacant land, not used for the project. The project would not create a safety hazard for people residing or working in the project area.

G. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT

The Fresno County Department of Public Health, Environmental Health Division which administers the Office of Emergency Services to coordinate planning and preparedness, response and recovery efforts for disasters did not express any concerns regarding emergency response or evacuation plans.

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 located approximately nine miles from the nearest point of a wildland fire area, precluding the site from impacts caused by wildland fires.

IX. HYDROLOGY AND WATER QUALITY

A. Would the project violate any water quality standards or waste discharge requirements; or

B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

FINDING: NO IMPACT

The project proposes to add two gasoline fuel pumps (four fueling positions) with a 760 square-foot canopy, and two 10,000-gallon above-ground storage tanks to an existing convenience store. The applicant is also proposing to convert 800 square-feet of the existing convenience store to a barber shop. The building will then consist of a 3,400 square-foot convenience store, a 1,800 square-foot restaurant, and an 800 square-foot barber shop.

Waste water will be managed through an on-site septic system. The project proposal was routed to the Fresno County Department of Public Health, Environmental Health Division which expressed no concerns with the septic system. No waste discharge requirements have been issued nor are they required for this project.

The project site is situated approximately 48 feet from the City of Fresno. An application for connection to the municipal water system has been submitted to Fresno

LAFCo. As a condition of approval, the proposed project will receive water from the City of Fresno. In the event Fresno LAFCo denies the Applicant's request for services, the Applicant will be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.

- C. Would the project substantially alter the existing drainage pattern of the site or area, including through the 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 the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; or**
- E. Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

FINDING: NO IMPACT

No stream or river exists on or near the property. The proposed project is not expected to interfere with the existing drainage pattern, as the building currently exists and the fueling area is already paved. The proposal includes the paving of some pervious surface on the east side of the project site to add additional parking. Additionally, a pervious area to the west of the existing building that is currently graveled will be covered with a concrete spillway containment area for the above-ground storage tanks. However, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines, or into County right-of-way.

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

FINDING: NO IMPACT

The proposed project was routed to the Regional Water Quality Control Board which expressed no concern regarding water quality. Therefore, no impacts to water quality were identified in this analysis.

- G. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

FINDING: NO IMPACT

The subject property is in FEMA Flood Zone X (Depth less than 1 foot), subject to flooding from the 100-year storm. However, no housing is proposed with this project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

The subject property is in FEMA Flood Zone X (Depth less than 1 foot). The above-ground storage tanks will not redirect flood flows due to the proximity of the tanks to the existing building. The fuel pumps and canopy pillars are not large enough to create substantial redirection of flood waters. As such, the proposed project would not impede or redirect flood flows.

I. Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or

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

FINDING: NO IMPACT

The subject property is in FEMA Flood Zone X (Depth less than 1 foot). A 1986 Friant Dam uncontrolled release resulted in the release of 3,000 cfs, with no major flooding in the area. It is expected that future failures would not expose the project to significant loss, injury, or death. The project site is not located near an inland body of water, precluding it from possibility of seiche inundation. The project site is located more than 100 miles from the Pacific Ocean, precluding it from tsunami inundation. The project is not located within an area of steep slopes, precluding it from mudflow inundation.

X. LAND USE AND PLANNING

A. Would the project physically divide an established community?

FINDING: NO IMPACT

The project is located on the site of an existing convenience store near an existing intersection in the C-1 Zone District. The project will not physically divide an established community.

B. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: NO IMPACT

The subject parcel is designated Rural Residential in the Fresno County General Plan, and is located in the C-1 (Neighborhood Shopping Center) Zone District. Policy LU-E.1 of the Fresno County General Plan was adopted to minimize environmental and service impacts. The policy allows for rural commercial centers that meet the following criteria:

- a) *Commercial uses should be clustered in centers.*
 - *The project proposes to add additional services to an existing center.*
- b) *The use shall provide a needed service to the surrounding rural residential community which cannot be provided more efficiently within urban center.*
 - *The proposed project will provide gasoline and personal services for nearby rural residential where such services are currently deficient.*
- c) *Commercial centers should be located a minimum of two (2) miles from any existing or approved commercial use.*
 - *No other commercial centers under the jurisdiction of the County of Fresno are located within two miles of the proposed project. There is one gas station/convenience store located one mile west of the proposed project within the City of Fresno. Given that this is an expansion of an existing commercial use, and not a new commercial use, the proposal will not result in the proliferation of commercial centers and overlapping of trade areas.*
- d) *New commercial uses should be located within or adjacent to existing centers.*
 - *The proposed project is an expansion of an existing commercial use located within the existing footprint.*
- e) *Commercial centers should not encompass more than one quarter mile (1/4) mile of road frontage, or one eighth (1/8) mile if both sides of the road are involved, and should not provide potential for development exceeding ten (10) separate business activities, exclusive of caretakers' residences.*
 - *The parcel has approximately 711 feet of street frontage along Belmont Avenue and will not exceed one-quarter (1/4) mile (1,320 feet).*
- f) *The center should be a minimum of two (2) miles from any agricultural commercial center, or designated rural settlement area, or the nearest existing or designated commercial area of any city or community, or newly established rural residential commercial centers.*
 - *This is an expansion of an existing commercial use, and not a new commercial use. No agricultural commercial center or rural settlement area is located within two miles of the proposed project.*
- g) *The center should be located at the corner of an intersection where at least one of the roads is classified as an arterial road.*
 - *The project is located at the intersection of a General Plan designated expressway (Temperance Avenue) and a General Plan designated arterial (Belmont Avenue).*
- h) *Distance from other existing commercial zoning and uses should be considered when siting commercial centers.*
 - *There is no other property zoned for commercial use by County of Fresno within two miles of the proposed project.*

C. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

FINDING: NO IMPACT

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

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State; or**
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

FINDING: NO IMPACT

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

XII. NOISE

- A. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or**
- B. Would the project result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels; or**
- C. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or**
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

FINDING: NO IMPACT

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concern related to noise.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; 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: LESS THAN SIGNIFICANT IMPACT

A small portion of the site of the proposed project is located within the 60 CNEL contour of Fresno Yosemite International. The portion that is included in the 60 CNEL contour is vacant land, not used for the project. The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and expressed no concern related to noise.

XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT

The project proposes to add two gasoline fuel pumps (four fueling positions) with a 760 square-foot canopy, and two 10,000-gallon above-ground storage tanks to an existing convenience store. The applicant is also proposing to convert 800 square-feet of the existing convenience store to a barber shop. The building will then consist of a 3,400 square-foot convenience store, a 1,800 square-foot restaurant, and an 800 square-foot barber shop.

The proposed project will not induce population growth, nor will it displace housing or people.

XIV. PUBLIC SERVICES

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

1. Fire protection?

FINDING: NO IMPACT

Fresno County Fire Protection District reviewed the proposed project and expressed no concerns.

2. Police protection; or

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

FINDING: NO IMPACT

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

XV. RECREATION

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

FINDING: NO IMPACT

No impacts on recreational resources were identified in the analysis.

XVI. TRANSPORTATION/TRAFFIC

- A. **Would the project conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; or**
- B. **Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

A Traffic Impact Analysis (TIA) was performed for the intersections of Temperance Avenue/McKinley Avenue, Temperance Avenue/Olive Avenue, and Temperance Avenue/Belmont Avenue. After changes were made to the proposed project, a Trip Generation Analysis Update (TGAU) was prepared. The TIA is attached as Appendix A, and the TGAU is attached as Appendix B.

Existing LOS conditions during the A.M. peak hour at the intersections of Temperance Avenue/Olive Avenue (LOS F) and Temperance Avenue/Belmont Avenue (LOS E) are unacceptable. Two mitigation options were presented in the TIA, with Mitigation Option 2 being chosen by the City of Fresno, a responsible agency for the project, and agreed to by the Applicant, as the preferred option. This Mitigation Option suggests that both intersections would be brought to LOS C or better.

Mitigation Option 2 includes the following improvements:

1. At the intersection of Temperance Avenue/Olive Avenue:
 - a. Add an eastbound left turn lane with a storage capacity of 125 feet;
 - b. Add a westbound left turn lane with a storage capacity of 175 feet;
 - c. Add a northbound left turn lane with a storage capacity of 75 feet;
 - d. Add a southbound left turn lane with a storage capacity of 50 feet; and
 - e. Signalize the intersection with protective left turn phasing in all directions.
2. At the intersection of Temperance Avenue/Belmont Avenue
 - a. Change the lane geometrics of the eastbound approach lanes from a combination left-thru and a right turn lane to a left turn lane with a storage capacity of 100 feet and a combination thru-right;
 - b. Change the lane geometrics of the westbound approach lanes from a combination left-thru and a right turn lane to a left turn lane with a storage capacity of 175 feet and a combination thru-right;
 - c. Add a north bound left turn lane with a storage capacity of 50 feet;
 - d. Add a southbound left turn lane with a storage capacity of 75 feet; and
 - e. Signalize the intersection with protective left turn phasing in all directions.

According to the TGAU, the proposed project is estimated to increase existing traffic by an average of 809 daily trips, 10 during the A.M. peak hour and 31 during the P.M. peak hour. Based on the City of Fresno's Master Fee Schedule, a Traffic Signal Mitigation Impact Fee of \$38,120.08 shall be paid by the Applicant and right-of-way dedications per City of Fresno standards shall be made. These requirements will be made as Mitigation Measures.

* **Mitigation Measures**

1. A Traffic Signal Mitigation Impact Fee of \$38,120.08 shall be paid by the Applicant for future intersection improvements to be made at the intersections of Temperance Avenue/Olive Avenue and Temperance Avenue/Belmont Avenue.
2. Right-of-way dedications per City of Fresno standards shall be made by the Applicant to the County of Fresno for future road improvements.

- C. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

FINDING: NO IMPACT

The project will have no impact on air traffic patterns.

- D. Would the project substantially increase hazards due to a design feature or incompatible uses; or**

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

FINDING: NO IMPACT

The Design Division and the Roads Maintenance and Operations Section of Department of Public Works and Planning reviewed the project and did not identify any concerns with respect to increased traffic hazards or emergency access.

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

FINDING: NO IMPACT

The proposed project will not impact any plans, policies, or programs supporting alternative transportation.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; or**
- B. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

FINDING: NO IMPACT

Waste water will be managed through an on-site septic system. The project proposal was routed to the Fresno County Department of Public Health, Environmental Health Division which expressed no concerns with the septic system. An application for connection to the municipal water system has been submitted to Fresno County LAFCo. As a condition of approval, the proposed project will receive water from the City of Fresno. In the event Fresno County LAFCo denies the Applicant's request for services, the Applicant will be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.

Neither permanent on site water nor wastewater facilities are required for the proposed project. Therefore, no wastewater treatment requirements will be exceeded, nor will new treatment facilities or expansions thereof be required.

- C. Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

FINDING: NO IMPACT

The project proposes to pave some pervious surface on the east side of the project site to add additional parking. Additionally, a pervious area to the west of the existing building that is currently graveled will be covered with a concrete spillway containment area for the above-ground storage tanks. However, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines, or into County right-of-way.

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

FINDING: NO IMPACT

An application for connection to the municipal water system has been submitted to Fresno County LAFCo. As a condition of approval, the proposed project will be required to receive water from the City of Fresno. In the event Fresno County LAFCo denies the Applicant's request for services, the Applicant will be required to receive a permit from the State Water Resources Control Board, Division of Drinking Water to operate as a Public Water System.

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

FINDING: NO IMPACT

Wastewater will be managed through an on-site septic system. Additionally, the project proposal was routed to the Fresno County Department of Public Health, Environmental Health Division; and the California Regional Water Quality Control Board. Neither of these agencies expressed concerns with the project as it relates to wastewater.

- F. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; or**

G. Would the project comply with federal, state, and local statutes and regulations related to solid waste?

FINDING: NO IMPACT

Approximately 150 pounds per day of domestic garbage, and 140 pounds per day of paper/boxes will be stored in a container and picked up twice per week by a waste management contractor.

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 history or prehistory?

FINDING: NO IMPACT

No such impacts on biological resources were identified in the analysis.

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

FINDING: NO IMPACT

No cumulatively considerable impacts were identified in the analysis.

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

FINDING: NO IMPACT

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

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Classified Conditional Use Permit No. 3348, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to agricultural and forestry resources, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, population and housing, public services, recreation, or utilities and service systems.

Potential impacts related to air quality, greenhouse gas emissions, and hazards and hazardous materials, hydrology and water quality, noise have been determined to be less

than significant. Potential impacts relating to aesthetics and transportation/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.

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Aesthetics Designs

4668 W. Pine Ave. Fresno, CA 93722

Tel: (559) 276-0479

Fax: (559) 276-1849

TIME EXTENSION

July 9, 2017

Chris Motta, Senior Planner
Development Services Division
Fresno County Department of Public Works and Planning

RE: CUP #3348,
ISA # 6481

Address: 7064 E. Belmont ave, Fresno, Ca 93727

Subject: Second one year Time extension

Mr. Motta;

-We like to request second one year extension of the discretionary approval for the above referenced entitlements that was approved on August 13, 2015 planning commission hearing.

-Now that City water main and water meters are in place, we are currently preparing construction drawings for the building alterations and fueling plans for the pumps and canopy.

-Assuming that substantial development has occurred by contracting with professionals to provide studies reports, working drawings, civil drawings, etc...

Thank you for your consideration,
Best regards,

Owner/Applicant
Sarabjit Kaur
7064 E Belmont ave
Fresno Ca, 93727
559-326-4039

Sun mkt extension 2



County of Fresno

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

Planning Commission Staff Report Consent Agenda Item No. 4 October 11, 2018

SUBJECT: Initial Study No. 6879 and Unclassified Conditional Use Permit No. 3477 – Time Extension

Grant a second one-year time extension to exercise Unclassified Conditional Use Permit No. 3477 which authorized a 0.999-MW photovoltaic solar generation facility (PVSGF) with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection from the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line.

LOCATION: The project is located adjacent to Parlier Avenue between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (22694 East Parlier Avenue) (SUP. DIST. 4) (APN 373-360-19).

OWNER: Jose Estrella
APPLICANT: Doran Hole (Pristine Sun Fund 6, LLC)

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

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Approve the second one-year Time Extension for Unclassified Conditional Use Permit No. 3477; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Board of Supervisors Approval dated August 11, 2015 and Staff Report to Planning Commission dated May 21, 2015
5. Applicant's letter requesting a second one-year time extension

ENVIRONMENTAL DETERMINATION:

The Mitigated Negative Declaration prepared for Initial Study Application No. 6879 was approved by the County Board of Supervisors on August 11, 2015 in accordance with the California Environmental Quality Act (CEQA) with approval of Unclassified Conditional Use Permit No. 3477.

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

PUBLIC NOTICE:

Notices were sent to 12 property owners within 1,320 feet of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

The Fresno County Zoning Ordinance requires that a Conditional Use Permit (CUP) shall become void when substantial development has not occurred within two years after approval of the permit. However, when circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Planning Commission may grant a one-year time extension as provided by the ordinance.

BACKGROUND INFORMATION:

Unclassified Conditional Use Permit No. 3477 was heard by the Planning Commission on May 21, 2015. After public testimony, the Commission denied the project. However, the Commission's decision was later appealed to the County Board of Supervisors (BOS) by the Applicant. The BOS conducted a hearing, upheld the appeal and approved Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477 on August 11, 2015. The Planning Commission approved the first one-year time extension on October 26,

2017. A request for the subject second one-year time extension was filed on August 21, 2018. If granted approval, the Applicant will have an additional year to achieve substantial development of the subject photovoltaic solar generation facility, starting from August 11, 2018.

ANALYSIS/DISCUSSION:

The County Board of Supervisors approved Unclassified CUP No. 3477 on August 11, 2015 concurrently with Initial Study No. 6879 based on a determination that the required findings could be made. Attached is a copy of the Board of Supervisors' approval and Staff Report to the Planning Commission (Exhibit 4) documenting Conditions imposed on the project.

It should be noted that the Planning Commission's jurisdiction in evaluating the subject request is limited to determining whether or not the Applicant should be granted an additional year to exercise the CUP as originally approved. According to the Applicant's letter dated July 10, 2018 (Exhibit 5), the time extension would allow additional time to identify a viable revenue source and look for suitable power purchase programs for the project. The subject Time Extension will allow the Applicant until August 11, 2019 to begin substantial development of the project.

The current Time Extension was routed to the same agencies that reviewed the project in October 2014. None of those agencies identified any change in circumstances or the need for additional conditions, and did not express any concerns with the proposed extension of time.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the second one-year time extension for CUP No. 3477 should be approved, based on factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to August 11, 2019.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

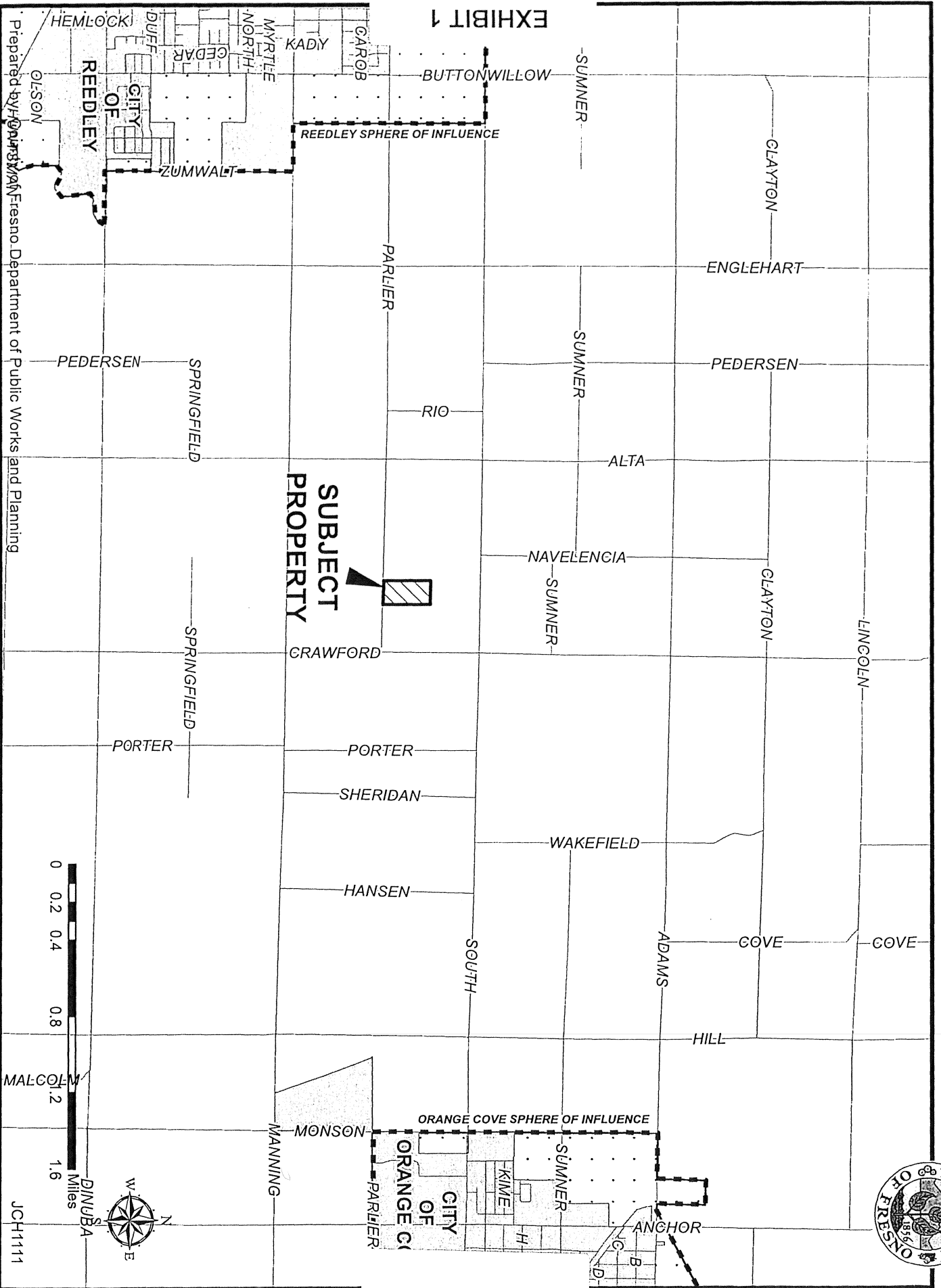
- Move to approve the second one-year time extension for Unclassified Conditional Use Permit No. 3477; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to deny the second one-year time extension request for Unclassified Conditional Use Permit No. 3477 (state reasons for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EA:ksn
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LOCATION MAP



Prepared by H. J. ... Fresno Department of Public Works and Planning

EXHIBIT 1

JCH1111

EXISTING ZONING MAP

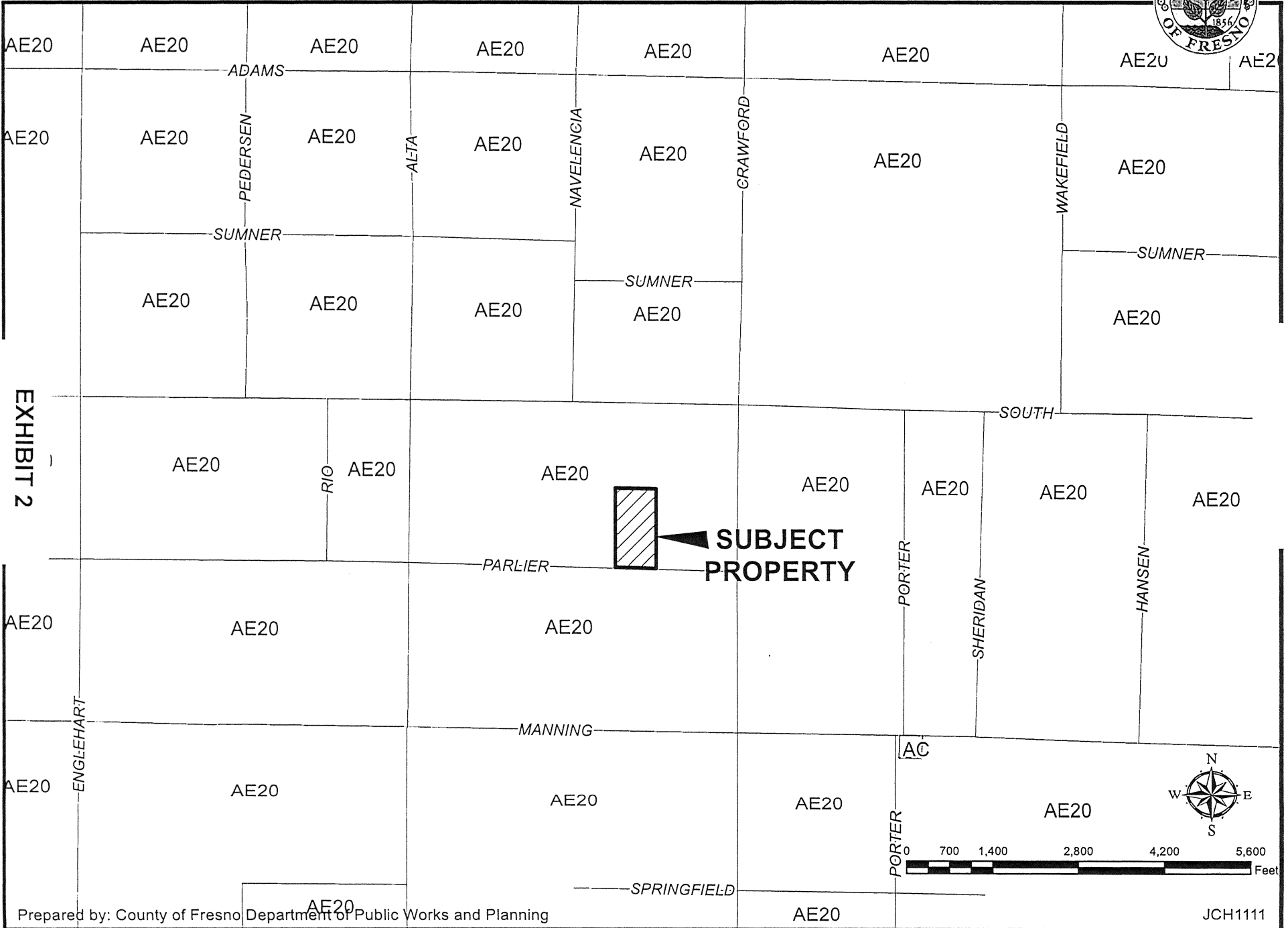
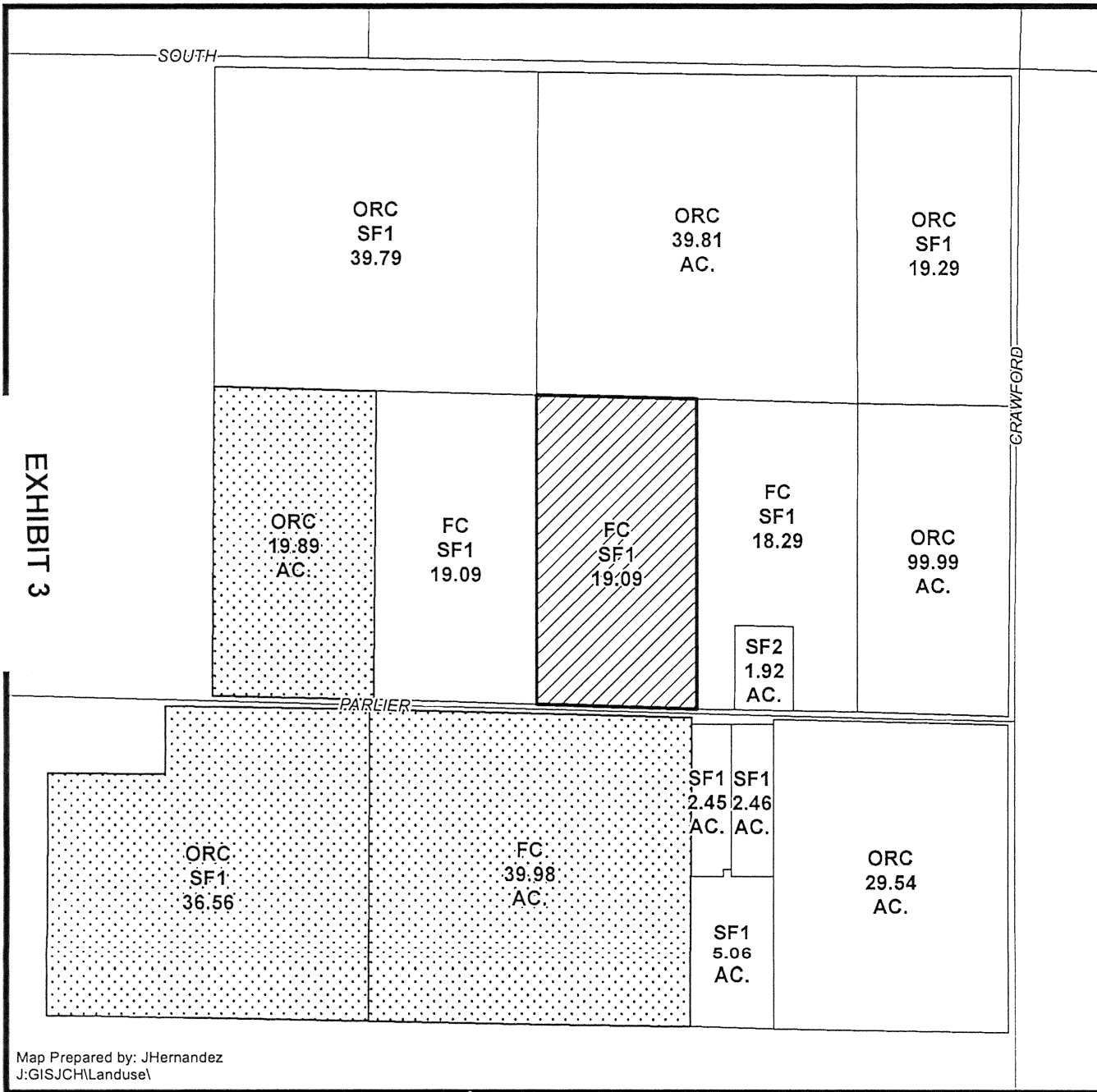


EXHIBIT 2

EXHIBIT 2

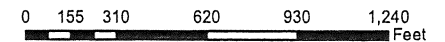
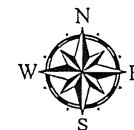
CUP 3477

EXISTING LAND USE MAP



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

LEGEND:
 Subject Property
 Ag Contract Land



Map Prepared by: JHernandez
 J:GISJCH\Landuse\

Department of Public Works and Planning
 Development Sevices Division

EXHIBIT 3



Agenda Item

20

DATE: August 11, 2015

TO: Board of Supervisors

FROM: Alan Weaver, Director *Alan Weaver*
 Department of Public Works and Planning

SUBJECT: Resolution No. 12505 – Initial Study Application No. 6879 and
 Unclassified Conditional Use Permit Application No. 3477
 (Appellant/Applicant: Pristine Sun, LLC)

RECOMMENDED ACTION:

Consider and take action on appeal filed by Pristine Sun, LLC of the Planning Commission's denial of Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477 to construct and operate a 0.999-MW photovoltaic solar generation facility with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 Zone District. Also included is an on- and off-site interconnection power generation line with a maximum length of 175 feet. The project is located adjacent to Parlier Avenue between Alta and Crawford Avenues, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (22694 East Parlier Avenue) (APN: 373-360-19).

This item comes to the Board on appeal of the Planning Commission's denial of the subject application. Staff notes that the Zoning Ordinance requires the Board to determine, independent from the decision of the Planning Commission, whether the application should be approved, approved with stated conditions, or disapproved.

ALTERNATIVE ACTION(s):

If the Board determines the required findings can be made to approve the project, a motion to uphold the appeal and overturn the Planning Commission's denial of Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477 (UCUP 3477) subject to recommended Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 3 would be appropriate.

ADMINISTRATIVE OFFICE REVIEW _____

J. Adams Page 1 of 206



Official Action of
Board of Supervisors:

[Signature]
Deputy

SEE PAGE 3 FOR BOARD ACTION

UNANIMOUS _____ BORGEAS _____ MENDES _____ PACHECO _____ PEREA _____ POOCHIGIAN _____

FISCAL IMPACT:

Pursuant to the County's Master Schedule of Fees, the appellant has paid a fee of \$508.00 to the Clerk to the Board of Supervisor's Office to appeal this matter to the Board for consideration. Previously, the Applicant had paid \$15,359.00 in land use processing fees to the County for the processing of the Unclassified Conditional Use Permit Application and associated Initial Study.

DISCUSSION:

This item was originally considered by the Planning Commission on May 21, 2015. At the hearing, after receiving staff's presentation and considering public testimony from the Applicant and other individuals present at the hearing, the Commission approved a motion (4 to 3) to deny UCUP 3477 based on the inability to make Findings 3 and 4 because the proposal would have an adverse impact on abutting properties and the proposal was not consistent with General Plan policies related to the preservation of agricultural lands. A copy of the Planning Commission's Resolution No. 12505 is included with this Agenda Item as Exhibit 1. Additionally, a copy of the Planning Commission Staff Report dated May 21, 2015 is attached as Exhibit 2.

UCUP 3477 proposes to allow the construction and operation of a photovoltaic solar generation facility on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The parcel is bisected by the Sand Ridge Ditch. The parcel is classified as Farmland of Local Importance on the Fresno County Important Farmland 2012 Map, and is designated Agriculture in the Fresno County General Plan; however, the parcel has not been used for agricultural production for more than ten years according to information supplied by the applicant and property owner.

The proposed solar facility is permitted on land designated for agriculture with approval of a discretionary land use permit and adherence to applicable General Plan Policies. The Applicant has provided all of the required information pursuant to the Solar Facilities Guidelines and has prepared a Decommissioning and Reclamation Plan, Pest and Weed Management Plan, and a Biological Assessment which are included in Exhibit 2.

At the Planning Commission hearing, the Applicant stated the need for solar power to help the State meet renewable energy requirements of 33% by 2020. This project will supply electricity to approximately 145-200 homes in the Reedley area. The property owner and one neighbor spoke in favor of the project citing the lack of water availability for agricultural production for the site. One letter in opposition to the project was presented as late correspondence to the Planning Commission.

An appeal was filed on May 29, 2015, in which the Appellant states their belief that the four findings can be made to approve UCUP 3477.

If the Board determines the recommended findings can be made to approve the project as listed in the May 21, 2015 Planning Commission Staff Report, with the recommended Mitigation Measures, Conditions of Approval, and Project Notes attached as Exhibit 3, a motion to approve the appeal and overturn the Planning Commission's denial of UCUP 3477 would be appropriate.

In addition, staff recommends inclusion of a Condition of Approval requiring the following:

- The Applicant shall enter into an agreement indemnifying the County for all legal costs associated with its approval of UCUP 3477.

If the Board is unable to make the required findings for granting UCUP 3477, a motion to deny the appeal and uphold the Planning Commission's denial would then be appropriate stating which findings cannot be made and the reasoning for the inability to make those findings.

CONDUCTED HEARING; NO PUBLIC TESTIMONY RECEIVED; CLOSED HEARING; UPHELD APPEAL FILED BY PRISTINE SUN, LLC. APPROVED INITIAL STUDY APPLICATION NO. 6879 AND UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3477 BASED ON THE FINDINGS IN THE STAFF REPORT, WITH THE RECOMMENDED MITIGATION MEASURES, CONDITIONS OF APPROVAL AND PROJECT NOTES LISTED IN EXHIBIT 3 OF THE PLANNING COMMISSION'S STAFF REPORT, AND WITH AN ADDITIONAL CONDITION THAT THE APPLICANT SHALL ENTER INTO AN AGREEMENT INDEMNIFYING THE COUNTY FOR ALL LEGAL COSTS ASSOCIATED WITH ITS APPROVAL OF UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3477

Motion by:	Poochigian	Second by:	Perea
Ayes:	Poochigian, Perea, Borgeas, Mendes, Pacheco	Noes:	0
Abstentions:	0	Absentees:	0



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

Planning Commission Staff Report Agenda Item No. 3 May 21, 2015

SUBJECT: Initial Study Application No. 6879 and Unclassified Conditional Use Permit Application No. 3477

To construct and operate a 0.999-MW photovoltaic solar generation facility (PVSGF) with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection from the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line.

LOCATION: The project is located adjacent to Parlier Avenue between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (22694 East Parlier Avenue) (SUP. DIST.: 4) (APN: 373-360-19).

Applicant: Pristine Sun, LLC
Owner: Jose and Julia Estrella

STAFF CONTACT: Lisa Elgin, Planner
(559) 600-3583

Eric VonBerg, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study No. 6879; and
- Approve Unclassified Conditional Use Permit Application No. 3477 with recommended Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

IMPACTS ON JOB CREATION:

The Commission's action will have a small effect on job creation. Up to 23 construction workers will be employed during the approximately four-month construction phase. The project site will be unmanned, but visited occasionally by up to four service technicians for maintenance and cleaning.

EXHIBITS:

1. Mitigation Monitoring and Reporting Program Including Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plan
6. Elevations
7. Applicant's Operational Statement/Project Description
8. Supplemental Information including Title Report, Soil Resource Report, Site Plan, Decommissioning and Reclamation Plan, Biological Resources Assessment, and Pest and Weed Management Plan
9. Summary of Initial Study Application No. 6879

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20	No change
Parcel Size	19.09 acres	No change
Project Site	An unused agriculture parcel bisected by the Sand Ridge Canal with a single family residence in the Southeast corner	A 10-acre portion of the parcel located between the Sand Ridge Canal and East Parlier Avenue to be developed as a PVSGF
Structural Improvements	The only structural improvement on the parcel is a single-family residence.	A 0.999-megawatt (MW) PVSGF consisting of an array of solar photovoltaic (PV) panels supported on a galvanized metal racking system, inverters, three power poles, a 100- to 175-foot point-of-interconnection generation tie line, and a 6-foot-high chain link fenced topped with three-strand barbed wire

Criteria	Existing	Proposed
Nearest Residence	Approximately 110 feet West of the property line	No change
Surrounding Development	The site is located in an agricultural area with a few residential units.	No change
Operational Features	Vacant farmland that has not been used as productive farmland for more than 10 years	A 0.999-MW PVSGF with related improvements
Employees	N/A	Up to 23 construction workers will be employed during the construction phase. Up to four service technicians will visit the site occasionally for maintenance and washing the panels.
Customers/Suppliers	N/A	N/A
Traffic Trips	N/A	Up to 14 one-way trips per day during the four-month construction phase Occasional trips will be made by up to four service technicians for maintenance and cleaning.
Lighting	N/A	No lighting will be installed on site.
Hours of Operation	N/A	Daylight hours only

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

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the IS is included as Exhibit 9.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: April 20, 2015

PUBLIC NOTICE:

Notices were sent to 12 property owners within a 1,320-foot radius of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

Pursuant to the Zoning Ordinance, Section 853.B, an Unclassified Conditional Use Permit (CUP) is required to allow a power-generating plant in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

An Unclassified CUP Application may be approved only if four Findings specified in the 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 calendar days of the Commission's action.

BACKGROUND INFORMATION:

The Applicant is requesting to construct and operate a 0.999-MW PVSGF with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection of the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line. The project site is located adjacent to Parlier Avenue, between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley.

Pristine Sun, LLC proposes to develop, own, and operate the PVSGF, which will be located on leased agricultural land. Operation and maintenance (O&M) activities will be managed remotely and no on-site O&M facilities are proposed as part of the project. It is expected that the facility will take approximately four months to construct, and will consist of an array of solar PV panels (modules) supported on a galvanized metal racking system, inverters connected to the modules through cabling, and a telecommunication system.

The modules are made of polycrystalline photovoltaic cells covered by a tempered glass pane with highly-absorptive properties. They are mounted on a galvanized metal tracking system which will be oriented in rows running north to south. A single-axis utility-scale tracking system will allow the modules to rotate on their axes throughout the day, following the sun from east to west.

Inverters are connected to the modules by underground electrical cables. Panels are electrically connected into panel strings using wiring attached to the racking and leading to the underground electrical cables. The cables will carry direct current (DC) electricity from the panels to the inverters that will convert the DC electricity to alternating current (AC) electricity. The AC power is routed to a step-up transformer where 1,000 volts is converted to 12 kilovolts (kV), and then travels to the point of interconnection on the Pacific Gas and Electric (PG&E) 12-kV power line.

Three power poles will be installed at the north end of the project site for installation of PG&E safety and monitoring equipment.

The PVSGF will have a Supervisory Control and Data Acquisition (SCADA) system to allow remote monitoring of operations and/or remote control of critical components.

ANALYSIS/DISCUSSION:

Finding 1: 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; Sides: 20 feet; Rear: 20 feet Solar Facilities Guidelines require a 50-foot buffer from all property lines.	50-foot setback from all property lines to project structural improvements or equipment	Yes Yes
Parking	N/A	N/A	N/A
Lot Coverage	No requirements	N/A	N/A
Separation Between Buildings	N/A	N/A	N/A
Wall Requirements	N/A	N/A	Yes
Septic Replacement Area	100 percent for existing system	No change	Yes
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	No change	Yes

Reviewing Agencies/Department Comments Regarding Site Adequacy:

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: Parlier Avenue is classified as a local road in the County General Plan, requiring an ultimate right-of-way of 60 feet, 30 feet each side of the section line. Currently there is 40 feet of prescriptive right-of-way across the parcel frontage. The Applicant should dedicate 30 feet of right-of-way across the parcel frontage. This requirement has not been included as a Condition of Approval.

There is not a sufficient nexus between the need for additional right-of-way and the project's potential traffic generation to warrant a dedication of right-of-way; however, the front yard setback for any structures should be based upon the ultimate right-of-way line. This requirement has been included as a Condition of Approval.

Zoning/Permit/Review Section of the Fresno County Department of Public Works and Planning: Site Plan Review is recommended as a Condition of Approval. This requirement has been included as a Condition of Approval.

Analysis:

Staff review of the Site Plan confirmed that the proposed operation satisfies the minimum building setback requirements of the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District and the 50-foot buffer as required by the Solar Facilities Guidelines.

Recommended Conditions of Approval:

See Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

Finding 2: 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	Parlier Avenue: Satisfactory condition	No change
Direct Access to Public Road	Yes	Parlier Avenue	Additional drive access
Road ADT		Parlier Avenue: 400	No change
Road Classification		Parlier Avenue (Local Road)	No change
Road Width		Parlier Avenue: 20 feet	No change
Road Surface		Parlier Avenue: Paved	No change
Traffic Trips		N/A	During construction: Trips are estimated at a maximum of 14 one-way trips per day for a period of four months. During operation: Employee/Light Industrial: Up to four service technicians will visit the site occasionally for maintenance and washing the panels.

		Existing Conditions	Proposed Operation
Traffic Impact Analysis (TIA) Prepared	No	N/A	N/A
Road Improvements		Parlier Avenue: Satisfactory condition	No change

Reviewing Agencies/Department Comments:

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: The Applicant has proposed a new drive approach off Parlier Avenue. An encroachment permit is required from the Road Maintenance and Operations Division prior to any work within the County road right-of-way. The Applicant shall implement best management practices (BMPs) (*i.e.*, provide a stabilized surface) to limit fugitive PM₁₀ that will be generated during construction and maintenance activities around the solar arrays. During construction, the Applicant shall institute BMPs to mitigate any potential for sediment track-out onto County-maintained roads.

Any sediment deposited on the roadway shall be swept on a daily basis. Increased runoff associated with grading activities or covering of natural ground with solar panels shall be retained on site or mitigated in some manner so as not to generate any increased runoff onto adjacent property or the County road right-of-way. Any gates constructed for the access drive shall be set back a minimum of 20 feet from the road right-of-way line or greater, as required to preclude any truck from extending into the right-of-way if temporarily stopped to open any gate. A minimum 10' x 10' corner cutoff shall be provided for any gate to promote site visibility onto Parlier Avenue. These requirements have been included as Project Notes.

Analysis:

Based on the above information, staff believes Parlier Avenue will remain adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See Conditions of Approval and Project Notes attached as Exhibit 1.

Conclusion:

Finding 2 can be made.

Finding 3: The proposed use will have no adverse impact on abutting property and surrounding neighborhood or permitted use thereof.

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North:	39.81 acres	Agriculture	AE-20	Approximately 1,535 feet
South:	39.98 acres	Agriculture	AE-20	Approximately 2,487 feet
East:	18.29 acres	Agriculture/Residential	AE-20	Approximately 81 feet

Surrounding Parcels				
West:	19.09 acres	Agriculture/Residential	AE-20	Approximately 110 feet

Reviewing Agencies/Department Comments:

Department of Public Health, Environmental Health Division: In an effort to protect groundwater, all water wells that exist or that have been abandoned within the project area, not intended for use by the project, shall be properly destroyed. For water wells located in the unincorporated area of Fresno County, the Applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work. The destruction and construction of wells can only be completed by a licensed C-57 contractor. Any septic systems that exist or have been abandoned within the project area, not intended for use by the project, shall be properly destroyed under permit and inspection by the Department of Public Works and Planning, Development Services Division.

Should any underground storage tank(s) be found during the project, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Prior to operations, the Applicant shall complete the online Hazardous Materials Business Plan submittal. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes. Should a water well be drilled, the water well contractor selected by the Applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Public Health Department, Environmental Health Division.

California Department of Fish and Wildlife (CDFW): Mitigation Measures are necessary to avoid potentially-significant impacts to biological resources such as Swainson's Hawk, San Joaquin Kit Fox (SJKF), and Burrowing Owl. Mitigation Measures have been included in the Mitigation Monitoring and Reporting Program.

San Joaquin Valley Air Pollution Control District (Air District): Baseline emissions for construction and operation will be less than two tons NOx and two tons PM₁₀. The Applicant shall comply with the Air District's Monitoring and Reporting Schedule. This requirement has been included as a Condition of Approval.

Fresno County Fire Protection District (FCFPD): The project may be subject to joining the Community Facilities District. A Fire Permit Application must be filled out and submitted with project plans. The project shall comply with California Code of Regulations Title 24 – Fire Code. These requirements have been included as Project Notes.

Fresno County Agriculture Commissioner: The project should acknowledge the need to control weeds and rodents within the project area to prevent the project from becoming a nuisance to neighboring properties. This requirement has been included as a Project Note.

Zoning/Permit/Review Section of the Fresno County Department of Public Works and Planning: All proposed improvements and structures will require permits. An encroachment permit may be required for linking the facility to the nearest substation. These requirements have been included as Project Notes.

Analysis:

The Applicant is requesting to construct and operate a 0.999-MW PVSGF with related improvements on a 10-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

The site of the proposed project is located in an area that consists of mainly agriculture uses, with some residences. Identified issues that could affect surrounding properties include hazardous materials, groundwater degradation, vectors, impacts to biological resources, weeds, air quality, and eventual decommissioning of the site. Also, the project will be subject to some inconveniences and discomfort associated with normal farm activities that surround the project site. All of these items have been addressed through the Mitigation Monitoring and Reporting Program including Conditions of Approval and Project Notes, and the Right-to-Farm Notice that the property owners will be required to acknowledge and record. In response to the County's Solar Facility Guidelines and comments received by various County Departments and reviewing agencies, the Applicant has prepared a Biological Resources Assessment, a Pest and Weed Management Plan, and a Decommissioning and Reclamation Plan, which are included as Exhibit 8.

The project has the potential to impact birds by modifying foraging habitat, and SJKF if fencing were to cause an impediment. The proposed project is not anticipated to impact the nests or dens of special-status species, as no trees or shrubs are slated for removal, and all dens of special-status species shall be avoided. To protect biological resources, Mitigation Measures have been incorporated such as pre-construction nest surveys; the capping off of all hollow vertical pipes; prohibition of pesticides, rodenticides and herbicides; avoidance of dens; fence design to allow passage of small animals; limiting construction to the non-nesting season and to daylight hours; and avoidance of the irrigation canal.

The proposed project may have limited visual impact to surrounding property owners, but staff believes this impact would be less than significant based on the surrounding uses of the proposed project site. The project site is located in an established agricultural area with four residences in close proximity. There are no scenic resources in the area with which the project will interfere. There will be no lighting on site, and the modules are covered by a tempered glass pane with highly-absorptive properties resulting in very low reflectivity properties. The nearby parcels are relatively large and a 50-foot buffer from the edges of the property boundaries to the closest structural improvements or equipment will protect the existing visual character of the area.

Recommended Conditions of Approval:

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

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
Policy LU-A.3: The County may allow by discretionary permit in areas designated Agriculture, special agricultural uses and	With regard to Criterion "a", the proposed use will operate more efficiently in a non-urban area due to the property size required to produce

Relevant Policies:	Consistency/Considerations:
<p>agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses listed in Table LU-3. Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria:</p> <ul style="list-style-type: none"> 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 operations 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>electricity with solar panels and the availability of large undeveloped land in the subject area. With regard to Criterion "b", loss of farmland resulting from this project would be less than significant considering that the proposal will be limited to 20 years. Further, upon cessation of the proposed use at the end of the project's 20-year life, the site will be restored to a pre-development condition for farming operations. With regard to Criterion "c", this 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. Further, with adherence to the recommended Conditions of Approval, Mitigation Measures and Project Notes identified in the IS prepared for this project and discussed under Finding 3 of this Staff Report, staff believes the proposal will not have a detrimental impact on the use or management of surrounding properties within the vicinity. With regard to Criterion "d", the project site is located approximately 2.2 miles northeast of the City of Reedley, which has the ability to provide an adequate workforce.</p>
<p>Policy LU-A.12: In adopting land use policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.</p>	<p>The proposed facility is temporary in nature. The Applicant has prepared a Decommissioning and Reclamation Plan that will be implemented to restore the site to agricultural use once the facility operation ceases. Also, during the life of the project, the Pest and Weed Management Plan will be implemented to reduce weed and rodent impacts to adjacent farmland.</p>
<p>Policy LU-A.13: The County shall protect agricultural operations from conflicts with nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</p>	<p>The proposed facility will have a six-foot chain-link galvanized perimeter fence topped with standard three-strand barbed wire. Additionally, the project will have minimum 50-foot setbacks from all property lines.</p>
<p>Policy LU-A.14: The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</p>	<p>As discussed above, the project has a 20-year life span. At the end of the 20 years the Applicant will be required to return the land back to the agricultural capability prior to installation of solar improvements in compliance with the Decommissioning and Reclamation Plan.</p>

Reviewing Agencies/Department Comments:

No further comments provided from Policy Section of the Fresno County Department of Public Works and Planning.

Analysis:

The project site is listed on the Fresno County Important Farmland Map of 2012 as Farmland of Local Importance, which is defined as, "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." This land has not been used as productive farmland for more than ten years, and is not currently covered under a Williamson Act Contract.

The Applicant has determined the project to have a 20-year life span and as such shall have a 20-year contract with PG&E and 20-year lease with the landowners. After the termination of the project, the facility will be decommissioned and the land returned back to the agricultural capability prior to installation of solar improvements.

Based on the discussion above, staff believes the proposed use is consistent with the Policies of the General Plan, and Finding 4 can be made.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None

CONCLUSION:

Staff believes the required Findings for granting Unclassified Conditional Use Permit Application No. 3477 can be made based on the factors cited in the analysis, and the recommended Conditions of Approval and Project Notes. Staff therefore recommends approval of Unclassified Conditional Use Permit Application No. 3477, subject to the recommended Conditions of Approval and Project Notes.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to accept the Mitigated Negative Declaration for Initial Study Application No. 6879; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit Application No. 3477, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as Exhibit 1; and

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

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit Application No. 3477; 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
Unclassified Conditional Use Permit Application No. 3477
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1	Biological Resources	A Stormwater Pollution Prevention Plan shall be prepared and implemented to prevent discharge of any materials during project-related activities such as trenching. Only natural fiber or biodegradable materials shall be used. All erosion control products shall be removed at the completion of construction activities.	Applicant	Applicant/Public Works and Planning (PW&P)	Construction Phase
*2	Biological Resources	To avoid potential project-related impacts to Swainson's hawk (SWHA) during the nesting season (March 1 – September 15), pre-construction nest surveys for SWHA shall be conducted in accessible areas within 0.5 mile of the project area within 30 days prior to the initiation of project-related activities. Surveys shall follow the methodology developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000). If SWHA is detected nesting within 0.5 mile of the project area during the pre-construction surveys, the biologist shall consult with the California Department of Fish and Wildlife (CDFW) to determine an appropriate no-disturbance buffer based on proximity to disturbance, timing, and visual barriers. After the biologist has determined that all young have become independent of the nest or the nest has been naturally predated, then construction activities may take place in the former exclusion zone.	Applicant	Applicant/PW&P	Construction Phase
*3	Biological Resources	If a SWHA nest is discovered during pre-construction surveys, degradation of foraging habitat shall be mitigated in accordance with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (<i>Buteo swainsoni</i>) in the Central Valley of California (CDFG 1994b). If credits are purchased at a CDFW approved bank, the ratio may be reduced per Staff Report guidelines (for prey-managed lands) at the discretion of CDFW.	Applicant	Applicant/PW&P	Construction Phase
*4	Biological Resources	All hollow vertical pipes associated with the solar mounts and fencing shall be capped as they are installed to prevent bird deaths.	Applicant	Applicant/PW&P	Ongoing

EXHIBIT 1

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*5	Biological Resources	Construction shall be limited to daylight hours only.	Applicant	Applicant/PW&P	Ongoing
*6	Biological Resources	No pesticides, rodenticides or herbicides shall be used.	Applicant	Applicant/PW&P	Ongoing
*7	Biological Resources	Impacts to foraging habitat shall be avoided during both project construction and maintenance activities.	Applicant	Applicant/PW&P	Ongoing
*8	Biological Resources	Solar mounts shall be installed with a 3-point helical pier anchoring system, which is designed to minimize ground disturbance and allow vegetation to grow and persist under and between the solar trackers.	Applicant	Applicant/PW&P	Construction Phase
*9	Biological Resources	The San Joaquin Kit Fox (SJKF) may forage adjacent to and disperse through the project site. Surveys and avoidance measures described in the United States Fish and Wildlife Service (USFWS) Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented before starting project-related activities likely to impact SJKF. If project-related activities are delayed or suspended for more than 30 days, the area shall be resurveyed.	Applicant	Applicant/PW&P	Construction Phase
*10	Biological Resources	If SJKF dens are identified, they shall be avoided completely and exclusion zones will be established in accordance with the USFWS protocol. If dens cannot be avoided, the Applicant shall conduct a three-day tracking survey to establish occupancy; if dens are unoccupied after three days of tracking, they shall be collapsed. If occupied, the Applicant shall consult with USFWS to implement an appropriate exclusion plan.	Applicant	Applicant/PW&P	Construction Phase
*11	Biological Resources	To avoid impacts to SJKF dispersal, the perimeter fence shall be designed to allow SJKF to move unimpeded through the project site, as described in Section 6.1 of the Biological Resources Assessment.	Applicant	Applicant/PW&P	Ongoing
*12	Biological Resources	For the protection of raptors and migratory song birds, and to assist in avoiding take of avian species, as required by California Fish and Wildlife Code Sections 3503, 3503.5, and 3513, project activities shall occur during the non-nesting bird	Applicant	Applicant/PW&P	Ongoing

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
		season to the extent feasible. However, if ground-disturbing activities must occur during the breeding season (January 1 through September 15), the project Applicant is responsible for ensuring that implementation of the project does not result in any violation of the Migratory Bird Treaty Act (MBTA) or relevant Fish and Wildlife Code Sections as referenced above. Prior to work commencing, surveys for active nests shall be conducted by a qualified wildlife biologist no more than ten days prior to the start of the project, and the surveys shall be conducted in a sufficient area around the work site to identify the location and status of any nests that are present. A sufficient area means any nest within an area that could potentially be affected by the project.			
*13	Biological Resources	In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests shall be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline; once work commences, all nests shall be continuously monitored to detect any behavioral changes. If behavioral changes are observed, the work causing that change shall cease and CDFW shall be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around the nests of unlisted raptors shall be established until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers shall be supported by a qualified wildlife biologist and CDFW shall be notified in advance of implementation of a no-disturbance buffer variance.	Applicant	Applicant/PW&P	Construction Phase
*14	Biological Resources	All components of the proposed project, including, but not limited to, panels, trackers, inverters, and power poles, shall avoid the irrigation canal.	Applicant	Applicant/PW&P	Ongoing

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*15	Cultural Resources	In the event that cultural resources are unearthed during grading 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 construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	Construction Phase
*16	Geology and Soils	Permeable areas of the proposed PVSGF site shall be planted with a native seed mixture.	Applicant	Applicant/PW&P	Ongoing

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Planning Commission.
2.	The Applicant shall comply with the San Joaquin Valley Air Pollution Control District's Monitoring and Reporting Schedule.
3.	Parlier Avenue is a County-maintained road and is classified as a local road in the General Plan, requiring an ultimate right-of-way of 60-feet. Currently there is 40 feet of prescriptive right-of-way across the parcel frontage. The front yard setback shall be based upon the ultimate right-of-way line.
4.	The life of this land use permit will expire upon expiration of the 20-year initial life of the project. If the solar lease is to be extended or the initial life of the project extends beyond this approval, approval of a new land use permit will need to be obtained.
5.	A Site Plan Review (SPR) Application shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance prior to the issuance of Building Permits. The SPR shall be applicable to those portions of the project site(s) to be improved with sub-stations, inverters, perimeter access road, parking, and driveway access, excluding the solar panel fields. Items to be addressed under the SPR may include, but are not limited to, design of parking and circulation, driveway, access, grading and drainage, fire protection and lighting.
6.	As part of the SPR submittal process, an agreement incorporating the provisions of the "Right-to-Farm" Notice (Ordinance Code Section 17.40.100) shall be entered into with Fresno County, acknowledging the presence of surrounding agricultural operations and their related activities.

Conditions of Approval

7.	The Applicant shall achieve a minimum 50-foot buffer from the edges of the property boundaries to the closest structural improvements or equipment.
8.	The project shall adhere to the procedures listed in the Reclamation Plan prepared for the operation, including requirements for financial estimates, bonding and facility removal when operation ceases. Prior to the issuance of any permits, the required bond amount, based on engineer's estimate, shall be deposited (or evidence of a Bank Guarantee or Irrevocable Letter of Credit) and a Covenant shall be signed between the Property Owner and the County of Fresno and shall run with the land, requiring the site to be restored to an agricultural use at the cessation of operation.
9.	The reclamation plan shall be revised to provide for an annual increase in costs at 3%, or tied to the Consumer Price Index (CPI) or other mechanism acceptable to the Department of Public Works and Planning.
10.	All water wells that exist or that have been abandoned within the project area, not intended for use by the project, shall be properly destroyed. For water wells located in the unincorporated area of Fresno County, the Applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Fresno County Department of Public Health, Environmental Health Division prior to commencement of work.
11.	Any septic systems that exist or have been abandoned within the project area, not intended for use by the project, shall be properly destroyed under permit and inspection by the Department of Public Works and Planning, Development Services Division.

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

Project Notes

The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	An encroachment permit is required from the Road Maintenance and Operations Division prior to any work within the County road right-of-way.
2.	The Applicant shall implement Best Management Practices (BMPs) (<i>i.e.</i> , provide a stabilized surface) to limit fugitive PM ₁₀ that may be generated during construction and maintenance activities around the solar arrays.
3.	During construction, the Applicant shall institute BMPs to mitigate any potential for sediment track-out onto County-maintained roads. Any sediment deposited on the roadway shall be swept on a daily basis.
4.	Increased runoff associated with grading activities or covering of natural ground with solar panels shall be retained on site or mitigated in some manner so as not to generate any increased runoff onto adjacent property or the County road right-of-way.
5.	Any gates constructed for the access drive shall be set back a minimum of 20 feet from the road right-of-way line or such greater distance as required to preclude any truck from extending into the right-of-way if temporarily stopped to open any gate.
6.	A minimum 10-foot by 10-foot corner cutoff shall be provided for any gate to promote site visibility onto Parlier Avenue.

Project Notes

7.	Should any underground storage tank(s) be found during the project, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.
8.	Prior to operations, the Applicant shall complete the online Hazardous Materials Business Plan submittal.
9.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes.
10.	Should a water well be drilled, the water well contractor selected by the Applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Public Health Department, Environmental Health Division.
11.	The project may be subject to joining the Community Facilities District. A Fire Permit Application must be filled out and submitted with project plans.
12.	The project shall comply with California Code of Regulations Title 24 – Fire Code.
13.	The project should acknowledge the need to control weeds and rodents within the project area to prevent the project from becoming a nuisance to neighboring properties.
14.	All proposed improvements and structures will require permits.
15.	An encroachment permit may be required for linking the facility to the nearest substation.
16.	Plans, permits and inspections are required, including, but not limited to, accessible elements and site development, based upon the codes in effect at the time of plan check submittal.

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LOCATION MAP

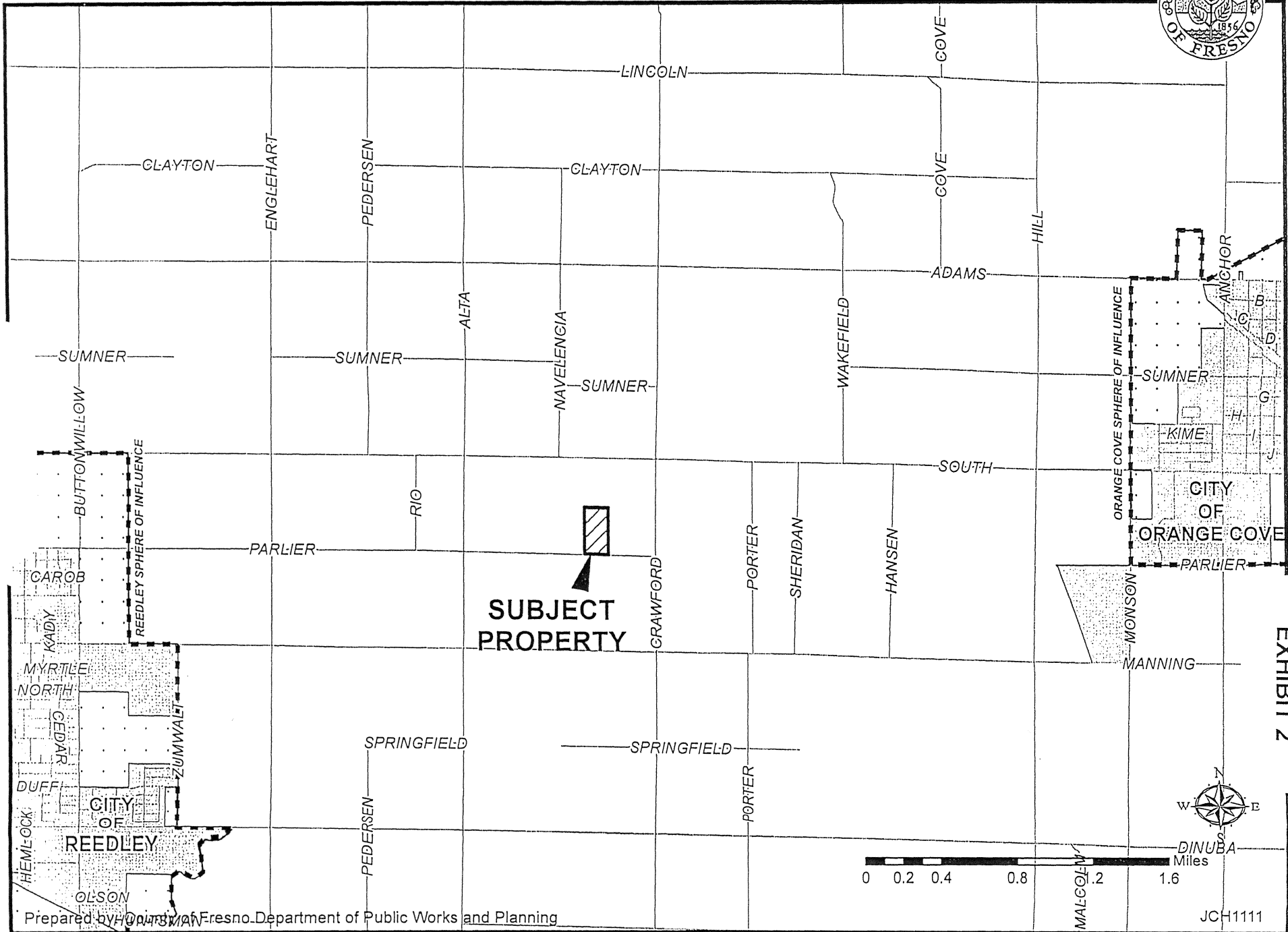


EXHIBIT 2

EXISTING ZONING MAP

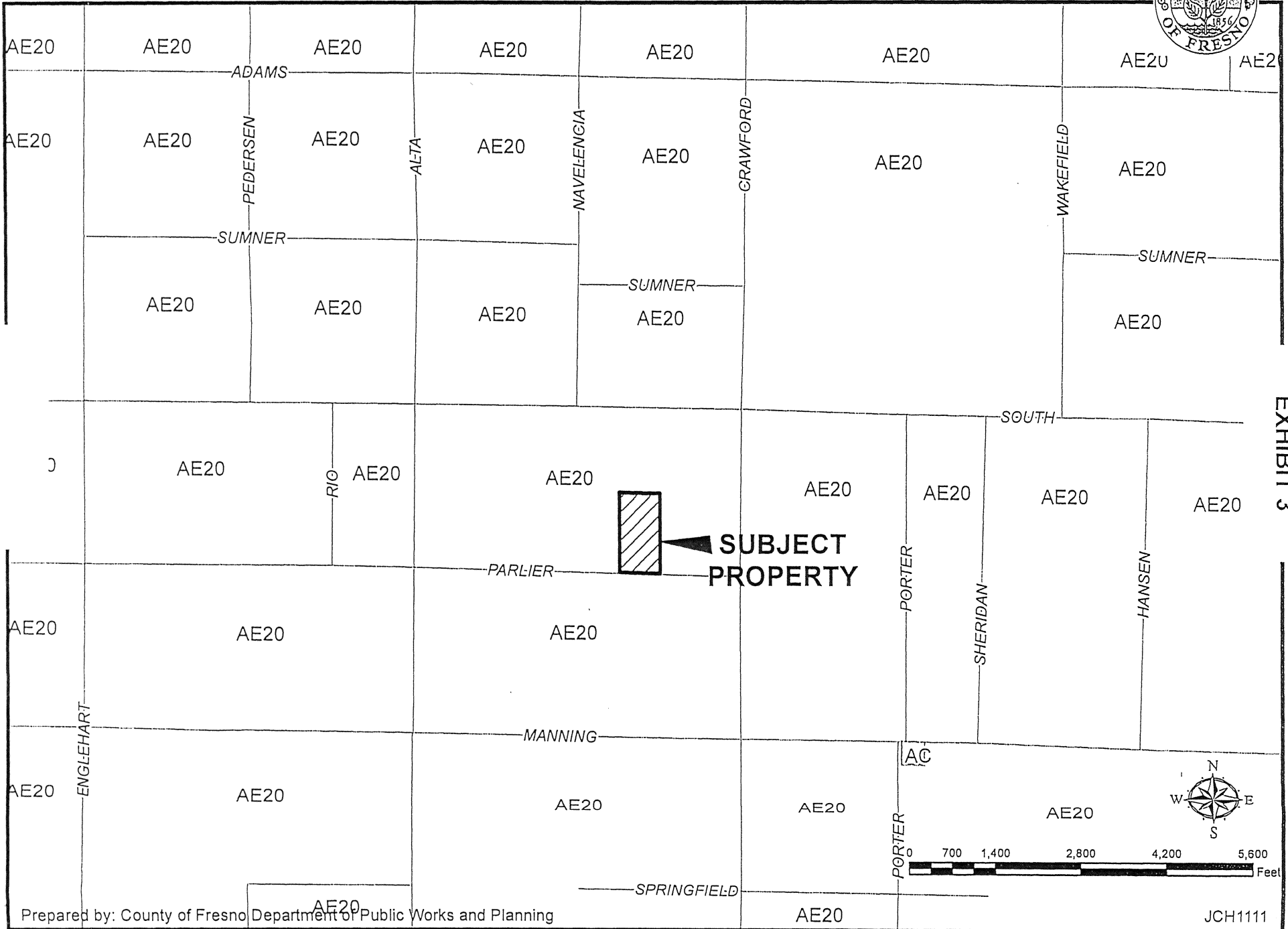
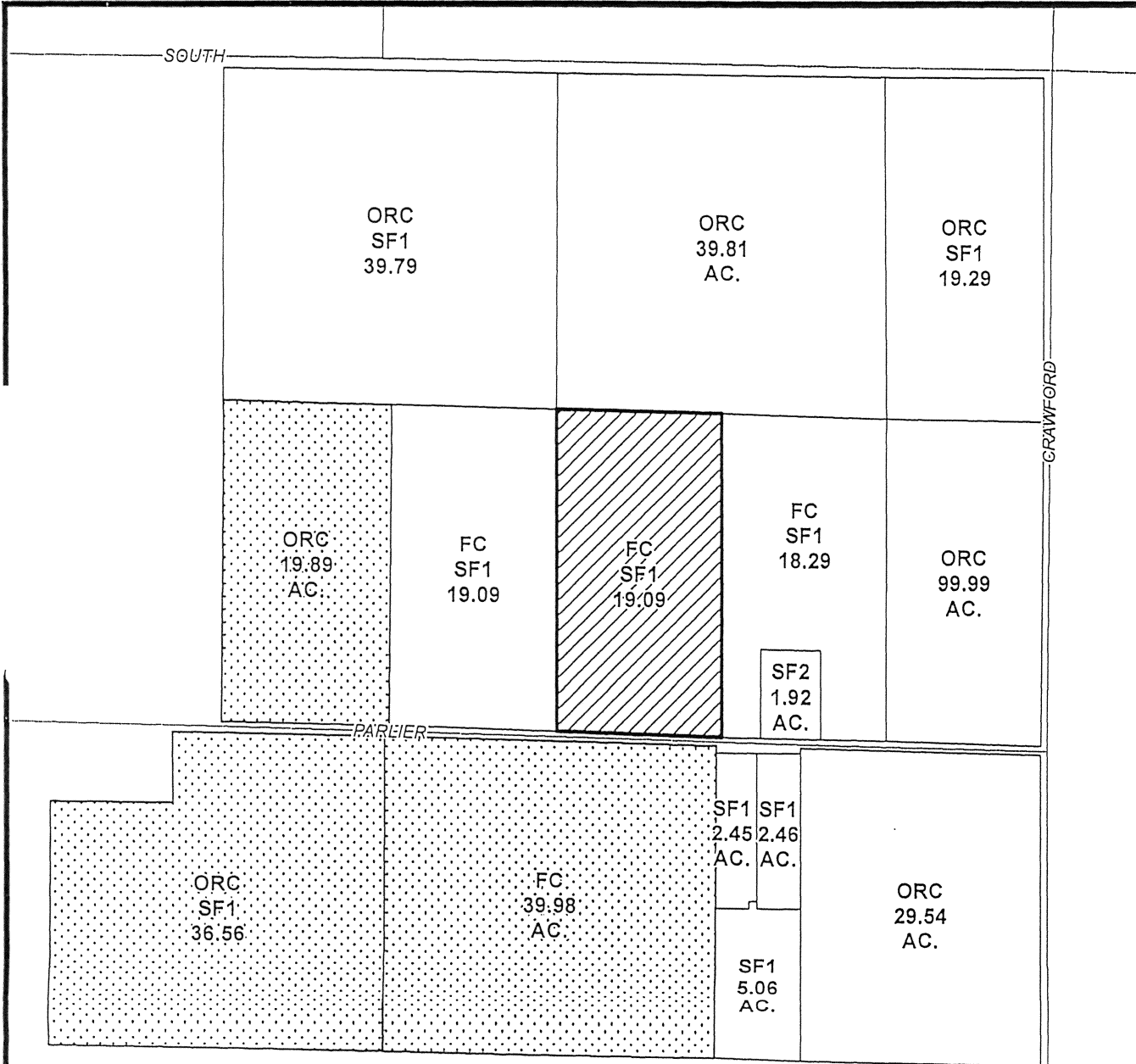


EXHIBIT 3

EXISTING LAND USE MAP



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



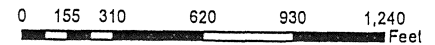
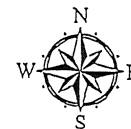
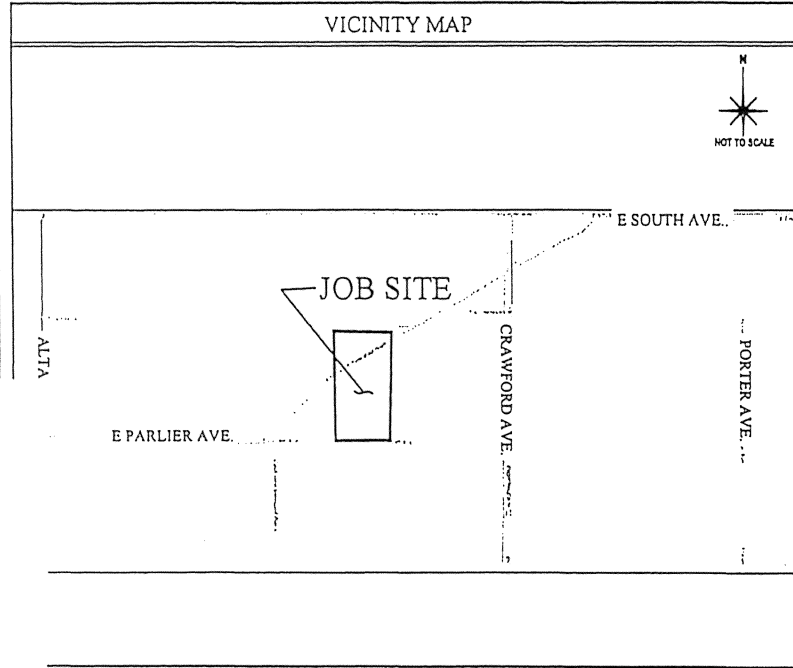
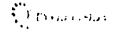
LEGEND:
 Subject Property
 Ag Contract Land

EXHIBIT 4



PRISTINE SUN, LLC



PROJECT INFORMATION:	
OWNER'S NAME:	JOSE ESTRELLA
APN:	373-360-19
COUNTY:	FRESNO
ZONING:	AGRICULTURE
PARCEL ACREAGE:	19.39 ACRES

FENCING INFORMATION:	
TOTAL LINEAL FOOTAGE:	2787'-4"
TOTAL ACREAGE INSIDE FENCE:	9.91 ACRES
TOTAL LAND IMPROVEMENT RATIO:	0.51
TOTAL LAND DISTURBANCE AREA:	
TOTAL AREA OF ACCESS ROADS:	0.006 ACRES
TOTAL AREA OF EQUIPMENTS:	0.006 ACRES
TOTAL LAND DISTURBANCE AREA:	0.01 ACRES

- ### KEYNOTE SCHEDULE
- KNOX BOX:**
 - EXACT LOCATION AND HEIGHT AS PER LOCAL FIRE MARSHALL.
 - KNOX BOX TO BE ORDERED THRU THE LOCAL FIRE MARSHALL.
 - KNOX BOX AT THE ENTRANCE GATE SHALL CONTAIN THE KEY FOR THE ENTRANCE GATE.
 - KNOX BOX AT THE FACILITY GATE SHALL CONTAIN THE KEYS FOR THE FACILITY GATE AND THE DOOR AT THE POWER STATION.
 - PERMANENTLY POSTED ADDRESSING VISIBLE 100 FEET IN BOTH DIRECTIONS OF TRAVEL. SIZE OF LETTERS SHALL BE 3 INCH MINIMUM IN HEIGHT, 3/8 THIS INCH STROKE, REFLECTIVE WITH CONTRASTING BACKGROUND.
 - PERMANENT POSTED SIGN LOCATED AT THE MAIN FACILITY ENTRANCE DISPLAYING THE SITE ADDRESS AND A 24 HOUR EMERGENCY CONTACT PHONE NUMBER. SIZE OF LETTERS, NUMBERS AND SYMBOLS FOR THE SIGN SHALL BE A MINIMUM 3 INCH STROKE, REFLECTIVE AND CONTRASTING WITH THE BACKGROUND. THE SIGN SHALL BE VISIBLE WHEN APPROACHING THE SITE FROM THE REQUIRED ROAD ACCESS AND SHALL BE MAINTAINED THROUGHOUT THE PRODUCTIVE LIFE OF THE FACILITY.
 - 2-A-10-B-C-RATED FIRE EXTINGUISHER. 10 POUND EACH WITH STATE FIRE MARSHAL CERTIFICATION TAGS. FIRE EXTINGUISHERS SHALL BE INSTALLED NEAR THE EXITS AND IN VISIBLE LOCATIONS IN EGRESS PATHS. PROVIDE A FIRE EXTINGUISHER SIGN AT A MAXIMUM HEIGHT OF (8) FEET ABOVE EACH LOCATION. THE DISTANCE FROM FINISH FLOOR OR GRADE TO TOP OF EXTINGUISHER SHALL NOT EXCEED 4 FEET. EXACT NUMBER OF REQUIRED EXTINGUISHERS AS PER LOCAL FIRE MARSHALL.

- ### PG&E KEYNOTE SCHEDULE
- POWER POLE #1 (FIRST POLE), POINT OF SERVICE CONNECTION (POS). PG&E WILL INSTALL POLE-TOP REVENUE-METERING ON THE FIRST POLE ON THE CUSTOMER'S PROPERTY.
 - POWER POLE #2 (SECOND POLE), WITH CUSTOMER INSTALLED PRIMARY PROTECTION (RE-CLOSER) ON THE SECOND POLE ON THEIR PROPERTY, NOT TO EXCEED 50 FEET FROM THE REVENUE METERING POLE (POLE#1)
 - POWER POLE #3 (RISER POLES), CUSTOMER RISER POLES SPACED @ 100'-0" MAX., LAST RISER POLE CONNECT TO INVERTER/POWER STATION VIA 6-IN. DIA. UNDERGROUND CONDUIT.

- ### SOLAR ARRAY NOTES
- OPEN SPACE:**
- GROUND COVERAGE RATIO = 33.3%
- PHOTOVOLTAIC SYSTEM:**
- DESIGNED WITH RENESOLA 300W MODULES
 - 10800 MODULES PER TRACKER
- ATI TRACKER SYSTEM:**
- 12 MODULES PER STRING
 - 5 STRINGS PER TRACKER ROW
 - 60 MODULES PER TRACKER ROW
 - 18 ROWS PER TRACKER TYP.
- ADVANCED ENERGY INVERTER SYSTEM:**
- (2) - ADVANCED ENERGY SOLARON 500KW, 480V INVERTER

- ### LEGEND
- PL — PL — PROPERTY LINES
 - - - - - SETBACK LINES
 - - - - - ELEVATION & CONTOUR LINES
 - x - x - (N) PROPOSED 6' HIGH FENCE LINE
 - OIP - (E) OVER HEAD POWER LINES
 - POWER POLE
 - SOLAR ARRAY TRACKER ROW
 - ☀️ POWER STATION OR INVERTER, PER PLAN, NON-REFLECTIVE MATERIAL, TYP.
 - ☁️ VEGETATION TO REMAIN
 - 🌳 VEGETATION TO BE REMOVED BY OWNER
 - 🌊 WATER, WETLANDS, IRRIGATION, DRAINAGE
 - 🌊 FLOOD PLAIN
 - 🛤️ NEW ROADS
 - (P) PROPOSED
 - (E) EXISTING

- ### NOTES
- MAIN ROAD:** COUNTY, CITY OR STATE HIGHWAY THAT TAKES YOU TO THE PROJECT LOCATION.
 - ACCESS ROAD:** THIS ROAD SHALL BE 18 FT MIN. IN WIDTH AND 30 FT MIN. IN LENGTH. THE LENGTH SHALL BE MEASURED FROM THE EDGE OF THE MAIN ROAD. ALL RADII OFF THE MAIN ROAD SHALL BE 30 FT MIN.
 - ALL DRIVEWAYS:** ALL DRIVEWAYS SHALL BE 10 FT MIN. IN WIDTH AND SHALL START FROM THE END OF THE ACCESS ROAD. ALL RADII AT DRIVEWAY INTERSECTIONS, CIRCULAR & HAMMERHEAD/TURNAROUNDS SHALL HAVE 30 FT MIN. RADII, TYP. U.N.O.
 - ENTRANCE GATE:** GATE MUST BE 2 FEET WIDER THAN THE ROAD ON EACH SIDE.
 - ALL SKEWED FENCE LINES ARE AT 45° ANGLES, TYP., U.N.O.**
 - NO NIGHT-TIME LIGHTING WILL BE INSTALLED, ONLY SECURITY LIGHTING ON MOTION SENSORS, SHIELDED FROM LIGHT TRESPASS BEYOND THE SOLAR FARM, AND TURNED OFF IN A SHORT REASONABLE TIME.**

COMPANY:
PRISTINE SUN, LLC
 101 Mission Street, #1050
 San Francisco, CA 94105
 (415) 848-8100



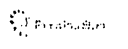
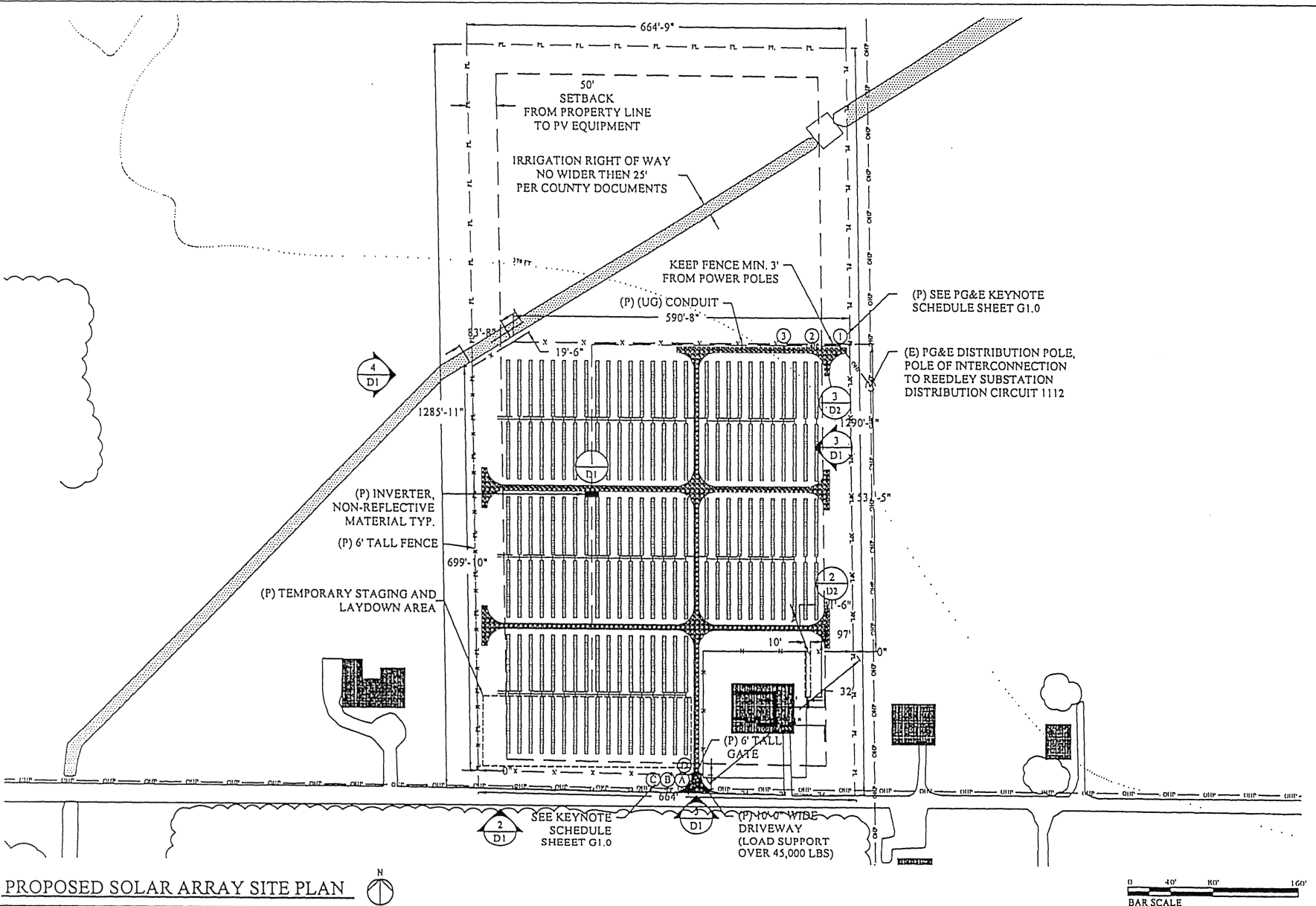
PROJECT TITLE:
0.99 MW AC

PROJECT NO.: **2267 ESTRELLA**
 PROJECT ADDRESS:
22694 East P. Reedley,

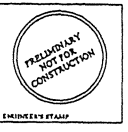
DATE	REVISION	BY	CHK

SCALE:
1" = 10'
 NOT TO SCALE

EXHIBIT 5



COMPANY:
PRISTINE SUN, LLC
 101 Mission Street, #1050
 San Francisco, CA 94105
 (415) 848-8100



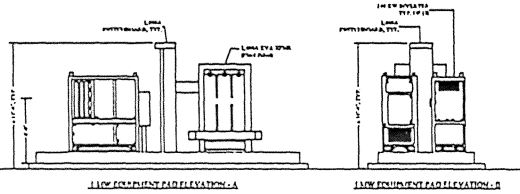
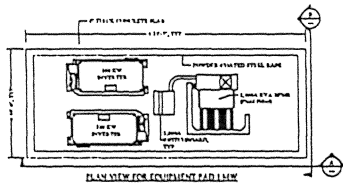
PROJECT TITLE:
 0.99 MW AC
 1.30 MW DC
**PHOTOVOLTAIC
 ON GRID SYSTEM**

PROJECT ADDRESS:
 2267 ESTRELLA
 PROJECT ADDRESS:
 22694 East Parlier Avenue,
 Reedley, CA 93654

NO.	DATE	DESCRIPTION	BY	CHK

SHEET TITLE:
**PERMITTED SOLAR
 SYSTEMS**

SCALE:
 1" = 151'



INVERTER/POWER STATION PAD

Not to Scale

6

NORTH OR SOUTH SITE PERIMETER ELEVATION, TYP.

Scale: 1/4" = 1'-0"

2

BI-DIRECTIONAL GATE ELEVATION

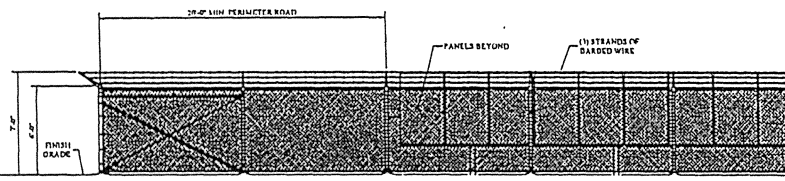
Scale: 1/4" = 1'-0"

5

NORTH OR SOUTH TRACKER ELEVATION, TYPICAL

Scale: 1/4" = 1'-0"

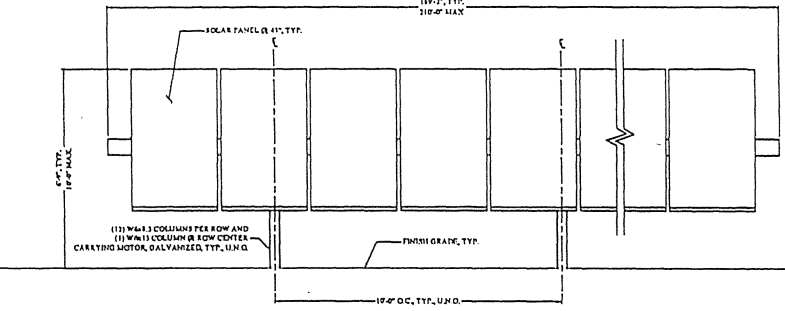
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EAST OR WEST PERIMETER ELEVATION, TYP.

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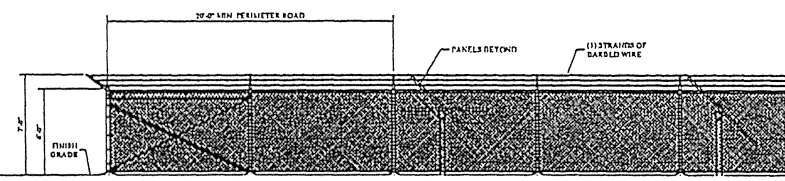
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EAST OR WEST TRACKER ELEVATION, TYPICAL

Scale: 1/4" = 1'-0"

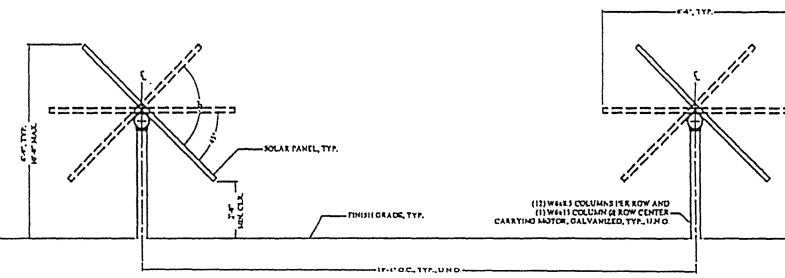
3



NORTH OR SOUTH SITE PERIMETER ELEVATION, TYP.

Scale: 1/4" = 1'-0"

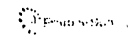
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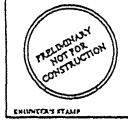
NORTH OR SOUTH TRACKER ELEVATION, TYPICAL

Scale: 1/4" = 1'-0"

1



PRISTINE SUN, LLC
101 Mission Street, #1050,
San Francisco, CA 94105
(415) 848-8100



PHOTOVOLTAIC
ON GRID SYSTEM

2267 ESTRELLA
22694 East Parlier Avenue,
Reedley, CA 93654

NO.	REVISION	DATE
1	ISSUE FOR PERMITS	10/15/2014
2	ISSUE FOR CONSTRUCTION	10/15/2014

PROJECT TITLE: TRACKING ELEVATIONS & DETAILS
DRAWING NO: D1
AS NOTED

EXHIBIT 7

2267 Estrella PV Solar Generation Facility (PVSGF)

1. Background Information

1.1. Project Title

2267 Estrella PV Solar Generation Facility (PVSGF)

1.2. Lead Agency Name and Address

Department of Public Works and Planning
Development Services Division
2220 Tulare St 6th Floor
Fresno, CA 93721

1.3. Lead Agency Contact Persons and Phone Number

~~Derek Chambers, Planner II~~ Lisa Elgin, Rapid Resource Planner
Development Services Division
Fresno County Public Works and Planning
(559) 600-4205 voice
(559) 600-4200 fax

1.4. Project Location

22694 East Parlier Avenue,
Reedley, CA 93654
APN 373-360-19

1.5. Project Sponsor's Name and Address

Pristine Sun LLC
101 Mission Street, Suite 1050
San Francisco, CA 94105

Alison Biondi Khalaf, Sr. Project Manager
Phone: (415) 848-8158
Cell: (650) 644-9500
alison.khalaf@pristinesun.com

1.6. General Plan Designation

The Fresno County General Plan land use designation for the PVSGF project site is **Agricultural**

1.7. Zoning

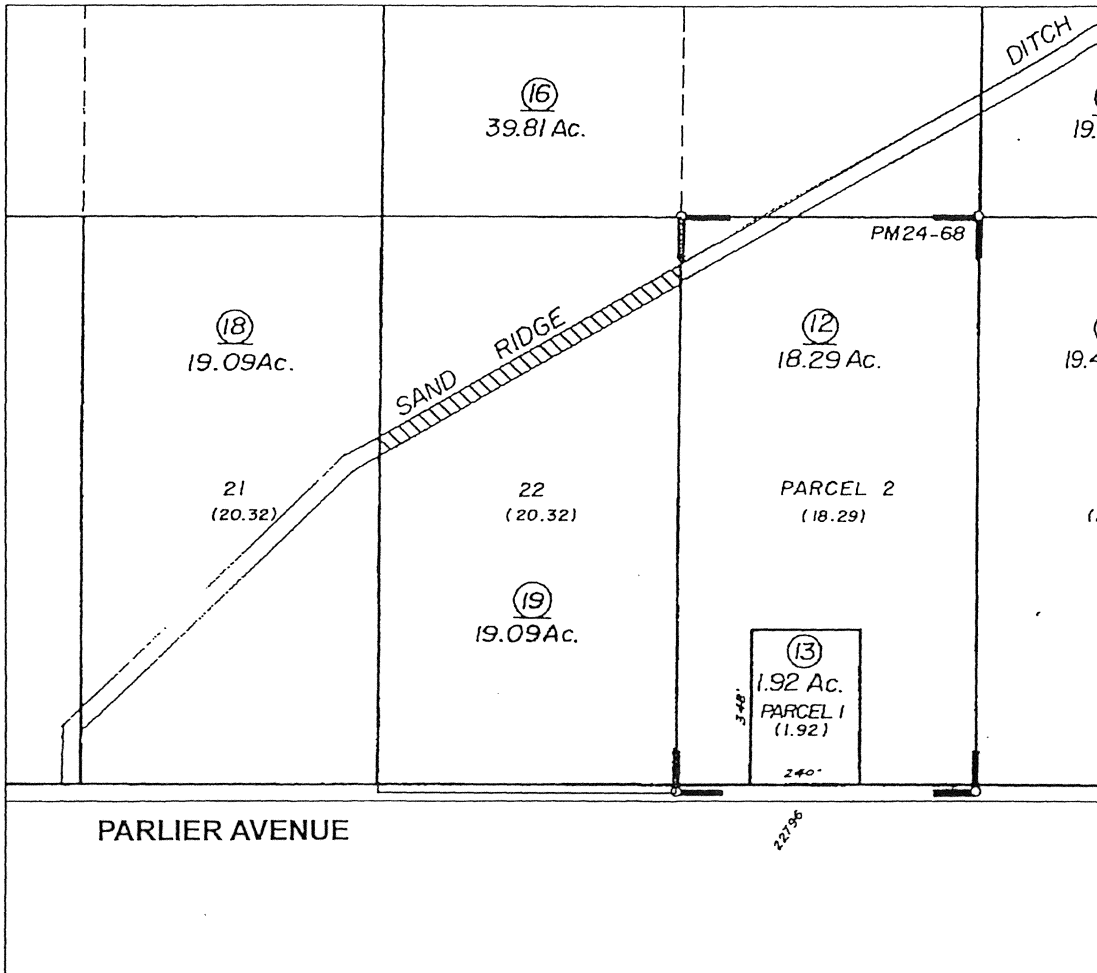
The Fresno County zoning designation for the PVSGF project site is AE20

1.8. Description of the Project




1.8.1. Project Overview

- 1.8.1.1. Pristine Sun proposes to develop, own, and operate a Photovoltaic (PV) solar generation facility, to be located on leased agricultural land in Fresno County, California (Figures 1-2 and 1-3). The **10-acre, 0.999-MW** PVSGF project consists of three main components:
- 1.8.1.2. Solar panels, Trackers, inverters, medium-voltage transformers, access roads, and electrical wiring necessary for collecting and consolidating power across the project site.
- 1.8.1.3. A medium-voltage interconnection, which would receive intermediate voltage input from the solar collection system and step up the voltage to 12 kilovolts (kV). The interconnection from the PVSGF to a local electrical distribution power line, which would consist of a short (100 to 175-foot) point-of-interconnection generation tie line.
- 1.8.1.4. Operation and maintenance (O&M) activities would be managed remotely and no on-site O&M facilities are proposed as part of the project. The project would contract with a regional O&M provider, who may lease warehouse and office space in an existing facility in the surrounding community. The regional O&M provider would use this existing facility to store tools, equipment, and supplies necessary for scheduled and unscheduled maintenance, including but not limited to spare parts for inverters, electrical infrastructure, panels, tracking systems, panel washing, and vegetation maintenance.

Scale 1 inch = 255.25 feet



Legend

-  Property In Question - Fee
-  Item No. 4 - Easement for Sand Ridge Ditch
In Bk2 Pg30 of Record of Survey
Affects said portion as shown on the map
-  Item No. 6 - Easement for Right of Way
In 05/17/1922 Bk213 Pg397 of Official Records
The exact location of said easement
cannot be determined and is not plottable

02014
Fidelity National Title Company
 1300 Dove Street, Suite 310
 Newport Beach, CA 92660
 Phone: (949) 622-5000 Fax: (949) 477-6813

Title Order No. : 23049342, Preliminary Report dated July 11 2014
 Reference : 2267 Estrella
 Property : 22694 Ea:

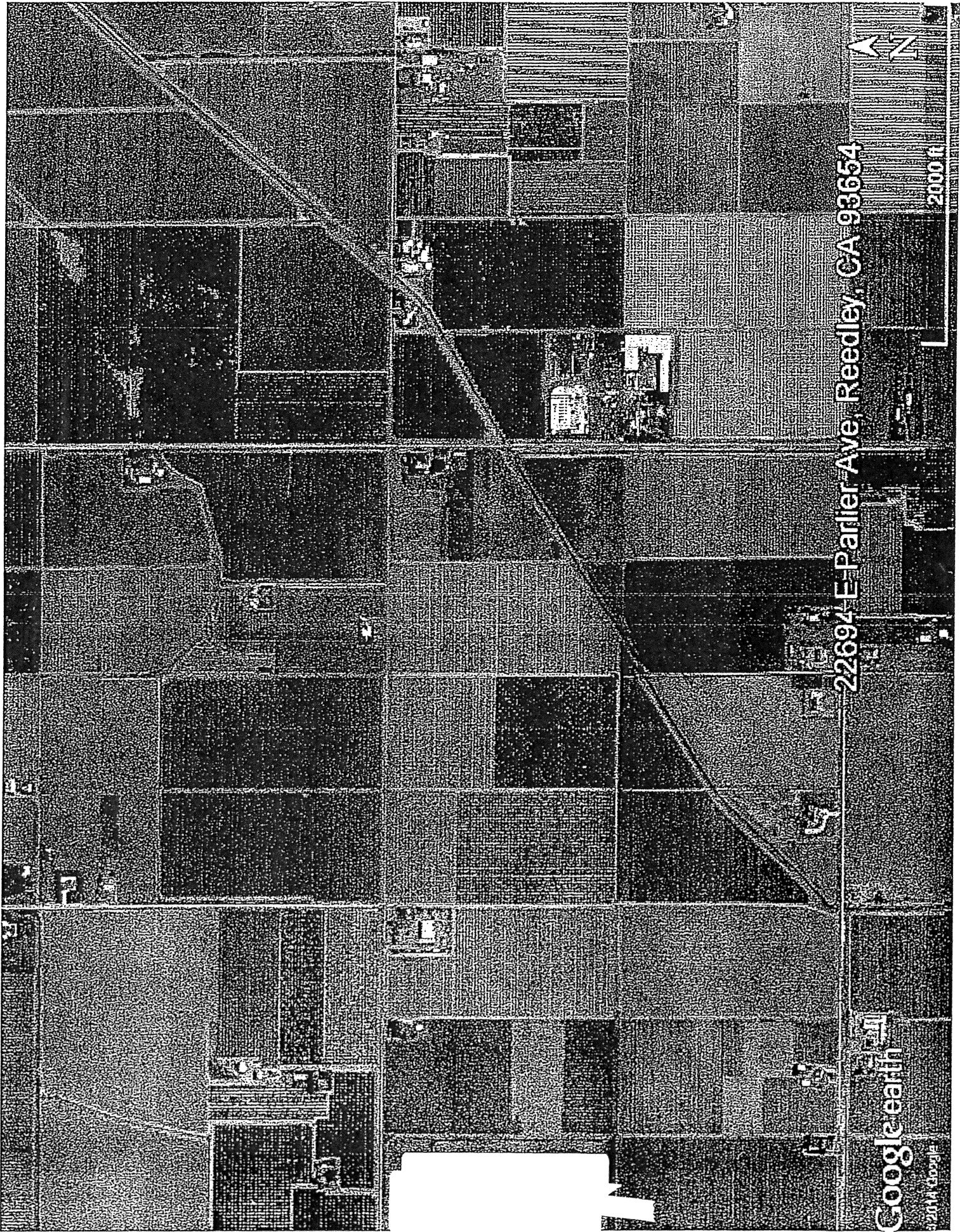
Drawing Date : 08/19/2014 - FNFI
 Assessor's Parcel No. : 373-360-19
 Date :

Any discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose and are not shown by the public records. This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any reason of reliance thereon.

Plat Showing : LOT
 TOWNSHIP 15 SOUTH
 BOOK 2 PAGE 30 01

TER OF THE NORTHEAST QUARTER OF SECTION 20,
 ACCORDING TO THE MAP THEREOF RECORDED IN
 Revised January 13, 2015

Sheet
 1 of 1
 Archiver 2



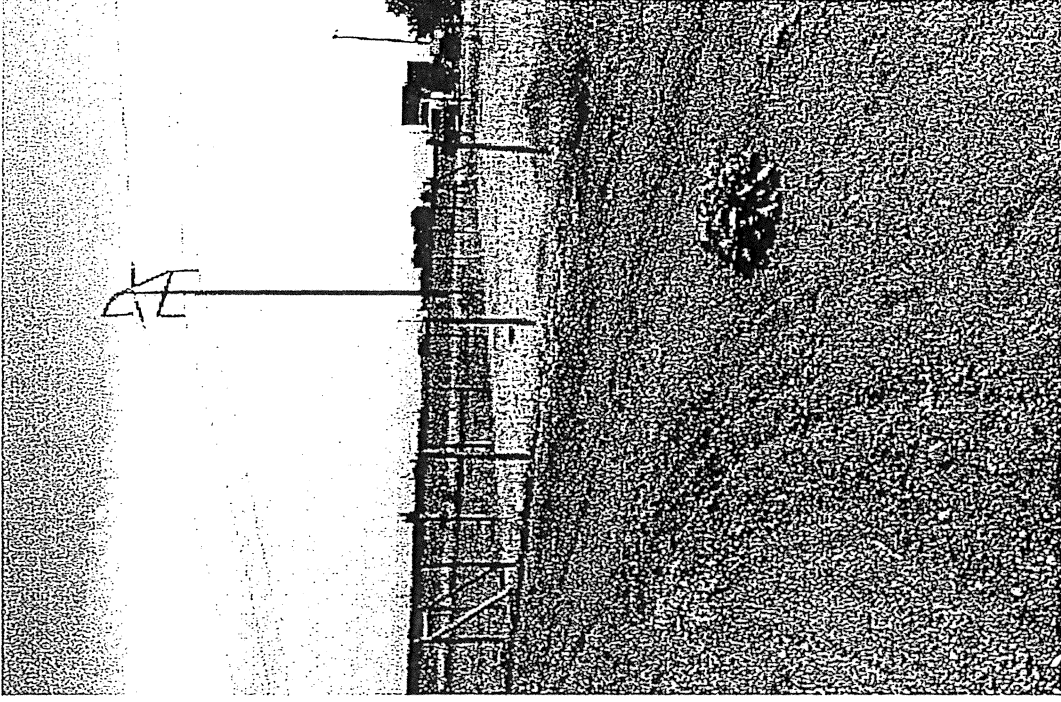
22694 E Parlier Ave, Reedley, CA 93654

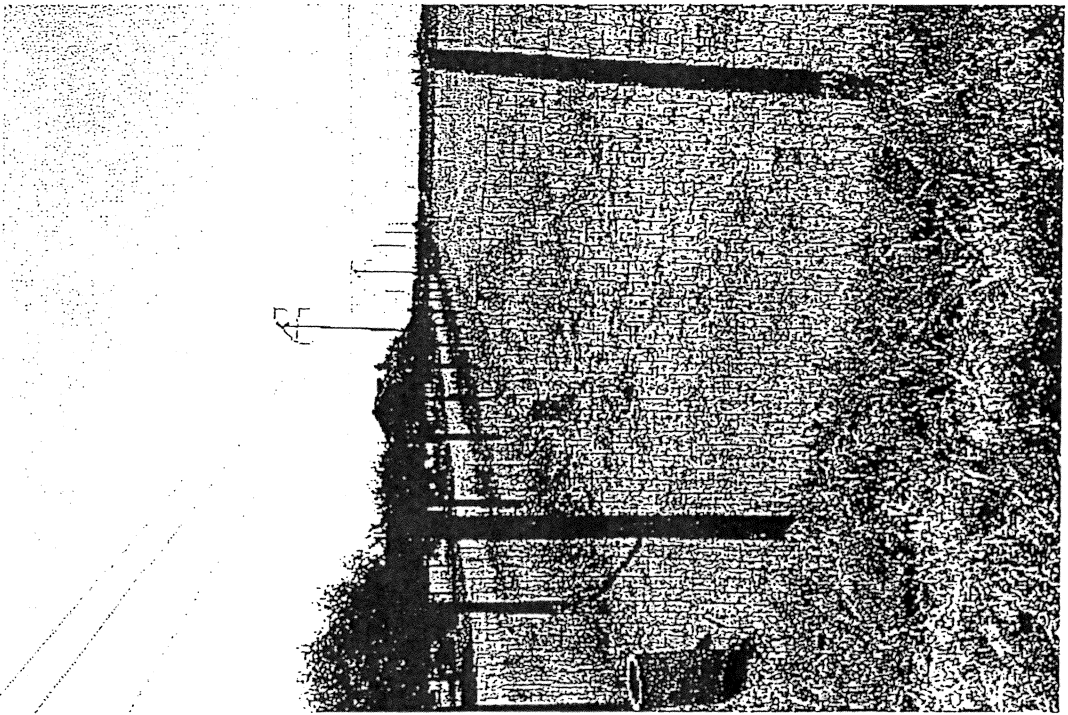
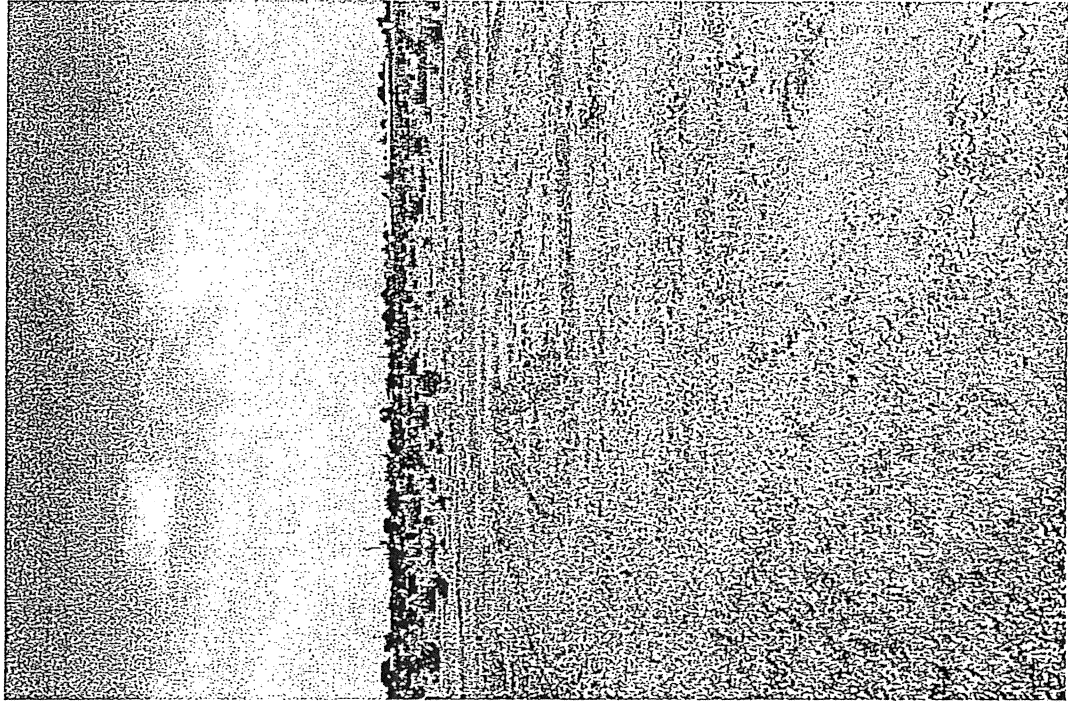


2000 ft

Google earth

©2014 Google





Solar Generation Facility

The PVSGF would generate clean renewable energy from solar power; the generated energy would be sold to a public utility company and distributed through the local power lines from the Fresno Substation for public consumption. The PVSGF project would require County approval of a conditional use permit (CUP), under the name Pristine Sun LLC, to allow for facility construction, operation, and maintenance. Approval of the CUP is a discretionary action triggering environmental review of the project under the California Environmental Quality Act (CEQA).

The PVSGF project site is located on flat agricultural land at an elevation of approximately 378 feet. The site has not been productive over the past 10 years. The PVSGF site is located approximately .25 miles west of Crawford Avenue, .50 miles South of E. South Avenue, .50 miles north of J19/E Manning Ave, and .75 miles east of Rd 80/Alta Avenue. The nearest population center is the community of Reedly California. The PVSGF project site can be accessed from E. Parlier Avenue to the south.

Table 1-1 summarizes the footprint characteristics of the PVSGF.

Table 1-1 Description of PVSGF

APNs	Parcel Size	Project Site (Acres)	Approximate Electricity Generation (MW)
373-360-19	19.09 Acres	10.0	0.999

Key:

APN = Assessor Parcel Number

MW = megawatt

1.9. Project Objectives

The project objectives are as follows:

- 1.9.1. **Help California Meet Renewable Energy Standards Goals.** The project would help support the State of California in meeting its Renewable Energy Portfolio Standards mandate for increased renewable energy production.
- 1.9.2. **Avoidance of Greenhouse Gas Emissions.** With an installed capacity of .999 MW alternating current (AC), the PVSGF is projected to produce an average 2,341,892.5 kilowatt-hours per year of clean, renewable solar energy. Data from the U.S. Environmental Protection Agency (EPA) indicate that this estimated output would equate to an approximate annual reduction of 1614.85 tons of carbon dioxide (CO₂) in the atmosphere (EPA 2009).
- 1.9.3. **Job Creation.** The project would generate both project construction and O&M jobs. These “green collar” positions would include engineers, designers, electricians, civil engineers, environmental specialists, construction workers, facility operators, and maintenance technicians.

1.10. Project Facilities

1.10.1. Solar Generation Facility

The project would involve the construction of a PVSGF to provide electricity for public consumption. The facility would consist of: an array of solar PV panels (i.e., modules) supported on a galvanized metal racking system; inverters connected to the modules through cabling; and a telecommunication system. Figure 1-4 shows a typical solar PV array. The project site would be secured by a six-foot-high chain-link perimeter fence topped with three-strand barbed wire; one point of ingress/egress would be provided equipped with a locked gate.

1.10.2. Photovoltaic Modules

The PV modules are manufactured under tight quality conditions to the IEC PV Standards and ISO Certified. The modules are made of a Polycrystalline Photo Voltaic cells covered by a tempered glass pane with highly absorptive properties. The result of the highly absorptive glass is a very low reflectivity properties. The PV modules are mounted on a galvanized metal single-axis utility-scale tracking system which is in rows running north to south. The modules track the sun from east to west.

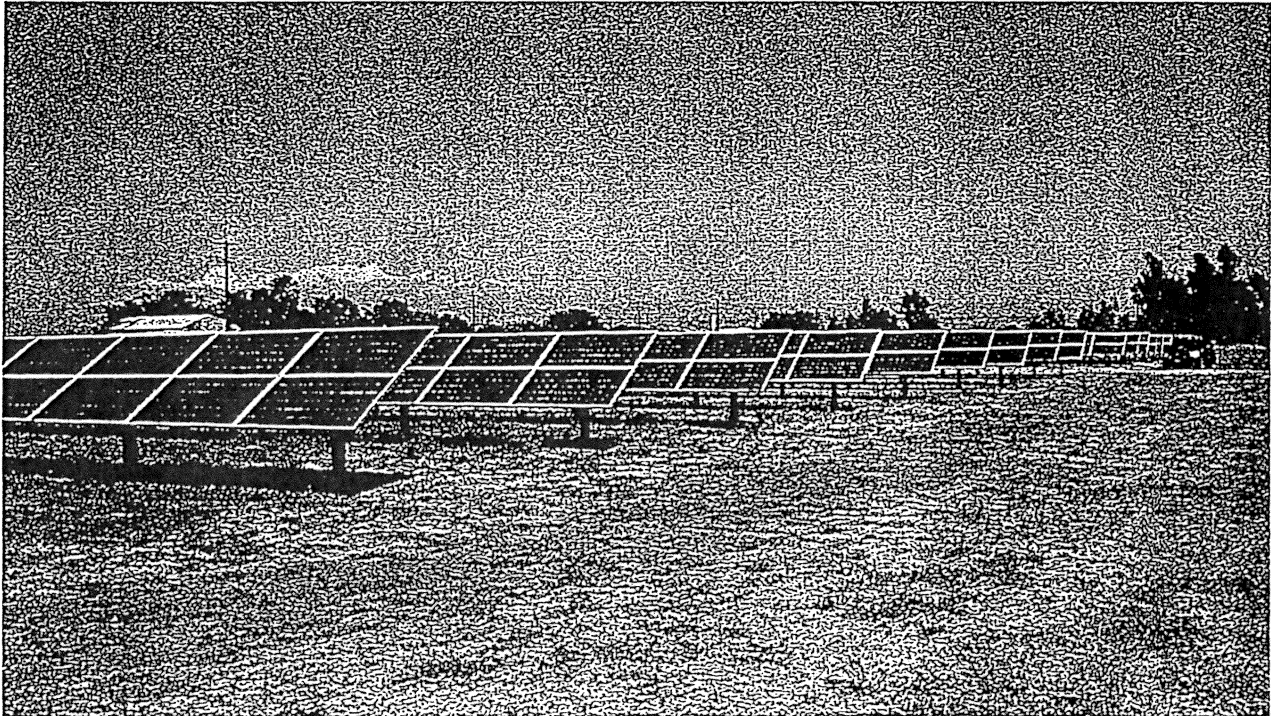
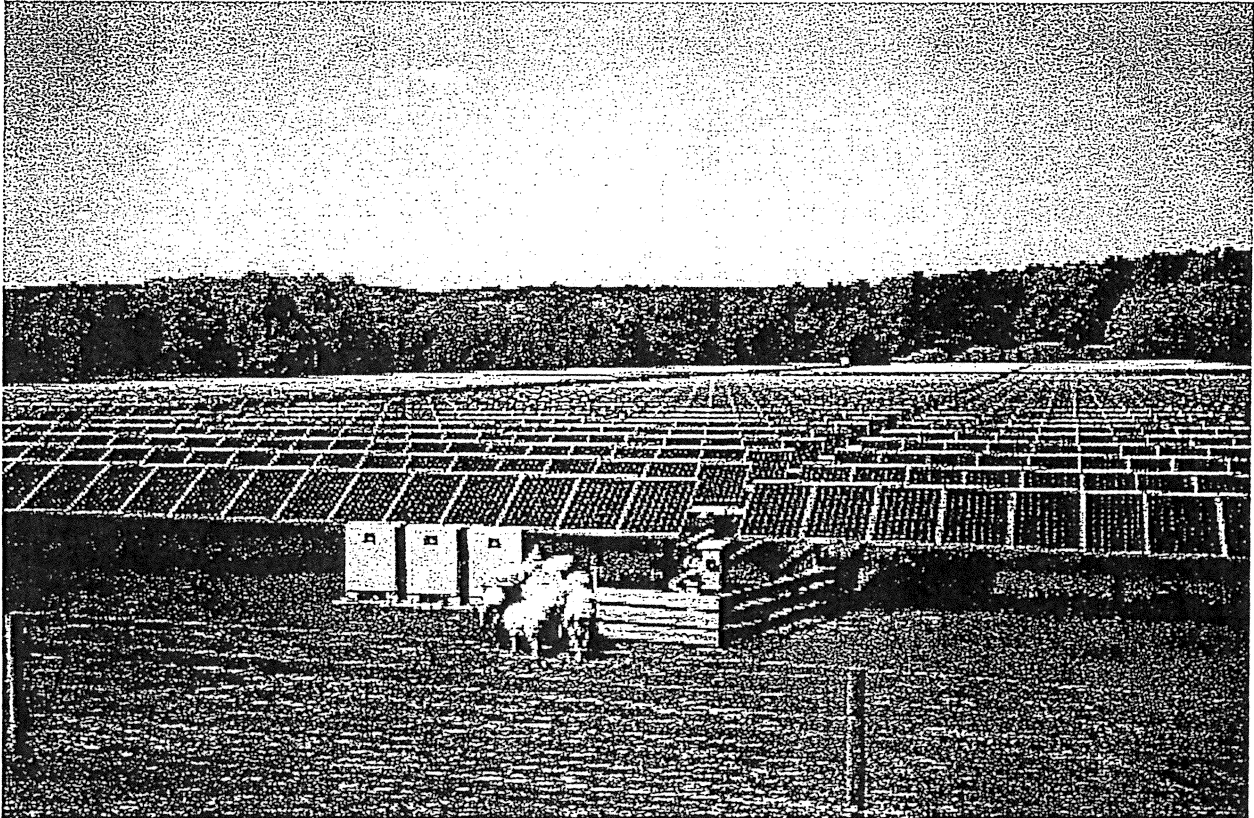
1.11. Installation, Array Assembly, and Racking

The structure supporting the PV module arrays at the PVSGF would consist of galvanized engineered steel I-beams, which would be driven vertically into the soil using pneumatic techniques, similar to a hydraulic hammer attachment on the boom of a rubber-tired backhoe excavator. The I-beams are typically spaced 14 feet on center and installed to a height of approximately 4 to 6 feet above grade.

The single-axis tracking system panel rows would be oriented in a north-south direction (access roads would be oriented in an east-west direction). Once the I-beams are installed, the horizontal cross-members of the tracking system and associated motors would be placed and secured. A galvanized metal racking system, which would hold the PV modules in the ideal position for maximum capture of solar insolation, would then be field assembled and attached to the horizontal cross members. The racking system would include a mechanism that would allow the array to track the path of the sun (from east to west) throughout the day. In the morning the panels would face the east (45 degree angle); throughout the day, the panels would slowly move to the horizontal position (0 degree angle) at noon and then move on to face the west (45 degree angle) at sundown. The panels would reset to the east in the evening or early morning to receive sunlight at sunrise. When excessive wind speeds are detected from the meteorological data collection system, the tracking system automatically positions the solar module in the "Stowe Position" horizontal decreasing the high wind effect on the modules.

The single-axis the panel configuration would be approximately 7 feet wide (East-West), as shown in Figures 1-5 and 1-6. The total height of the panel system, measured from ground surface, would be typically 6'9" to a maximum of 10 feet as a function of the terrain. Each row of panels would be a maximum length of 300 feet (North-South), with spacing between each row of approximately 16 to 17 feet.

Typical Solar Photo-voltaic Array



1.12. Panel Interconnections, Inverters, and Transformers

Panels would be electrically connected into panel strings using wiring attached to the racking, and the panel strings would be electrically connected to each other via underground wiring. Underground electrical cables (underground collection system) would be installed from groups of PV arrays configured into power blocks. The cables would carry direct current (DC) electricity to inverters that would convert the DC to AC.

The underground cables would be installed using standard trenching techniques, which typically include a rubber-tired backhoe excavator or trencher. Wire depths would be in accordance with local, State, and federal codes, and would likely be buried at a minimum 24 inches below grade by excavating a trench wide enough to accommodate the conduits. A polyvinyl chloride conduit (schedule 40 min.) would be installed in the trench and, once the cables were installed in the conduit, the excavated soil would be used to fill the trench and then compacted.

The AC power is then routed to a step-up transformer where the 1,000 volts is converted to 12 kV. The converted electricity from the transformer then travels to the point of interconnection on the PG&E 12-kV power line that runs along the **Eastern boundary of the parcel** perpendicular to **E. Parlier Road**, adjacent to the site. The length of the interconnection generation tie line would be approximately **100 to 175** feet. Three new utility poles would be needed to install PGE safety and metering equipment. The electrical inverter and the transformer are installed on concrete foundations, which are engineered and constructed to local building codes.

Commissioning of equipment would include testing, calibrating, and troubleshooting. All transformers, inverters, collector system, and PV array systems would be tested before commercial operations would commence.

1.13. Solar Generation Facility Power Line Interconnection

The PVSGF would interconnect directly to the existing PG&E 12-kV power line that is located parallel to the **Eastern edge of the parcel** perpendicular to **E. Parlier Road**. The overhead generation tie line that would connect the step-up transformer to the 12-kV line would be approximately 100 to 175 feet long. Three new utility power poles would be installed within the PVSGF site near the Point of Interconnection.

1.14. Telecommunications

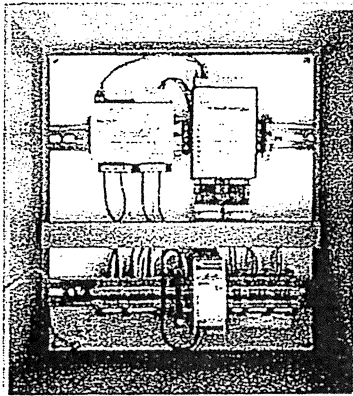
The PVSGF would be designed with a comprehensive Supervisory Control and Data Acquisition (SCADA) system to allow remote monitoring of operations and/or remote control of critical components. Within the site, the cabling required for the monitoring system would typically be installed in a buried conduit, leading to a centrally located (or series of appropriately located) SCADA system cabinets. External telecommunications connections to the SCADA system cabinets would likely be through hard-wired connections anticipated to be placed on existing telecommunication or utility infrastructure.

1.15. Meteorological Data Collection System

The PVSGF would include a meteorological (met) data collection system. The met station would have up to five weather sensors: a pyrometer for measuring solar irradiance; a thermometer to measure air temperature; a barometric pressure sensor; and two wind sensors to measure speed and direction. The 4-foot horizontal cross-arm of the met system would include the pyrometer mounted on one side and the two wind sensors installed on a vertical mast on the other side. The temperature sensor would be mounted inside a solar shield behind the main mast. Each sensor would be connected by a cable to the data logger inside the enclosure.

A typical met station is depicted on Figure 1-8.

Figure 1-8 Typical Meteorological Station Components



NEMA 4 Outdoor Enclosure – a weather-proof housing for your data logger, revenue grade meter and weather station. You receive the enclosure pre-assembled with your hardware to streamline installation and data collection.

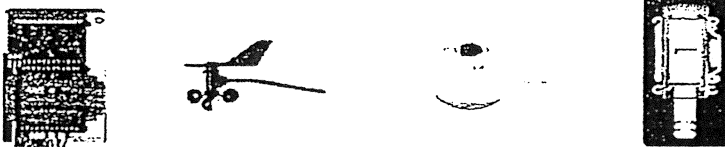
Data Logger (top right) – with our software loaded onto commercial hardware, upload your raw data in real-time. It connects with meters, inverters and weather stations to provide complete information about your system's performance.

Revenue Grade Production Meter – providing the high level of accuracy already required by many energy agencies. Dedicated alerts can reveal discrepancies between meter and inverter readings. That way you'll be assured of data reliability and profit maximization.

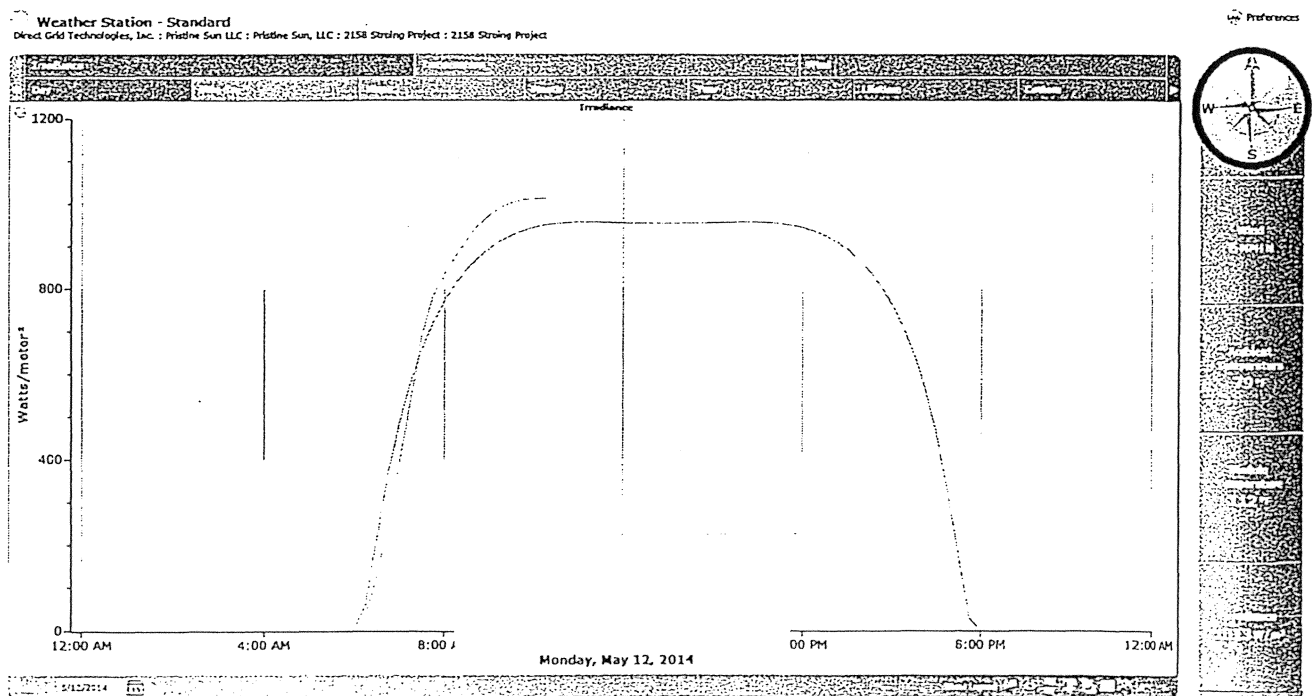


Weather Stations - designed for your needs, our high quality weather stations can accommodate any solar or wind metric requirements. We offer reliable weather station instruments including: Anemometers, pyranometers and temperature sensors. Basic and high performance instruments are available. Weather stations can fit into the main monitoring communications enclosure or have their own dedicated enclosure.

No matter what product or service you're looking for, AlsoEnergy has complete solutions for your renewable energy monitoring and portfolio management needs.



Weather Station Daily Data Print Out



1.16. Site Access and Roads

- 1.16.1. Access to the PVSGF site would be provided from **E. Parlier Avenue** to the **South** of the array site. Inside the site, pervious, durable, dustless roadways would provide access to the PV modules and the equipment pad.
- 1.16.2. The internal roadway system would consist of durable, dustless roads surfaced to meet Fresno County Improvement Standards. Roads would be graded and compacted in accordance with typical construction practices, and surfaced in a manner consistent with the **Fresno County Cal Fire Standards**. Points of ingress/egress would maintain driveways a minimum of 20 feet long (from the edge of the pavement).

1.17. Lighting

There will be no continuous lighting on this site.

1.18. Signs

During both construction and operation, safety and identification signs would be posted at the entrance to PVSGF site and any place where needed. The project applicant would post signs required by all jurisdictions with authority. All signs would conform to Fresno County sign requirements.

2. Land Management

2.1. Integrated Pest & Weed Management Plan

Pristine Sun (PS) will maintain the site in a way that vegetation & pests do not impact the Solar Array System's performance. Please refer to the Pristine Sun Pest & Weed Management plan for project 2267 Estrella.

2.2. Disease Management

Due to the nature of Pristine Sun's renewable energy operations, we do not believe that PV Solar Generating Facilities are an important source for diseases that may impact local farm operations but will consult with the **Fresno County Agricultural Commissioner** and local **USDA County Agricultural Extension** staff on this issue to ensure operations do not contribute to disease generation or transmission in **Fresno County**.

2.3. Water Control

No permanent storm water management equipment will be required for this site as this solar equipment is not expected to have an impact on storm water, surface water, or groundwater quality during operation.

2.4. Access Roads

An access road will be developed for vehicles to enter the site and access the panel arrays for emergency access, maintenance and cleaning.

2.5. Right to Farm

Pristine Sun acknowledges that farming is the primary land use and activity in the region and is committed to working cooperatively with local farming operations to ensure the SGF and farming can coexist and will comply with County requirements.

2.6. Impermeable Site Coverage

During operation, more than 92.9 percent of the site (approximately 9 acres) will remain permeable; impermeable structures, including the foundations supporting the inverter pads, and the center and

perimeter roads cover 0.66 acres of the project site (See Table 1-2, Impermeable Site Coverage). Permeable areas of the PVSGF site would be planted with a native seed mixture to discourage weed infestation. No irrigation would be required to support plant growth. Vegetation would be managed to reduce fire risk, in accordance with Fresno County Fire Department requirements, in order to avoid fuel build-up on site.

Table 1-2 Impermeable Site Coverage from Project Elements

Impermeable Structures	Impermeable Square Feet	Impermeable Acres	Percent of Site
All Roads	28,488.24	0.654	6.5%
Parking Lot	N/A		
Inverter Pads	261.36	0.006	0.6%
Total	28,749.60	0.66	7.1%

3. Fire Suppression and Safety

The applicant would coordinate with the California Office of the State Fire Marshall and the Fresno County Fire Department in providing training for personnel to safely interrupt electrical power in the event of emergency incidents requiring fire suppression or rescue activities. A Class 40 Fire extinguisher will be mounted on the inverter equipment pad.

To minimize fire risk, a Weed and Pest Management Plan will be implemented to ensure that combustible vegetation under and around solar panels, along all roadways, buildings, fence lines, and on and around the PVSGF boundary would be actively managed by the PVSGF owner or its affiliates. Combustible vegetation would either be limited in height or removed.

The applicant would coordinate with the Fresno County Fire Department in the development of a fire prevention and emergency action plan for the site, to address potential exposure to fire and other hazards in the PVSGF area. The plan would include:

- 3.1. **Fire Prevention Training.** The applicant would provide training for fire personnel in the safe interruption of electrical power for emergency incidents requiring fire suppression or rescue activities.
- 3.2. **Emergency Action Training.** The applicant would train all construction and O&M personnel in:
 - 3.2.1. Evacuation routes from the PVSGF site to safe areas, in the event of fire or other natural hazards.
 - 3.2.2. Coordination with local fire department, sheriff department, and emergency medical services.
 - 3.2.3. Safety measures in accordance with the California Occupational Safety and Health Administration (Cal/OSHA) regulations and guidance for construction, which would be reviewed by all PVSGF construction staff prior to starting work. Safety measures would include those that address potential electrical incidents and fire hazards.
- 3.3. **Fire Prevention Measures.** The applicant would implement the following measures during PVSGF construction and operation:
 - 3.3.1. All applicable Fresno County improvement standards would be followed, to ensure accessibility and ground clearance of emergency vehicles (e.g., fire engines).
 - 3.3.2. All weeds and vegetation growing on-site, including crops grown for harvest from the possible on-site farming operation, would be maintained to reduce potential fire hazards at the PVSGF site.

- 3.3.3. Smoking would be prohibited at the PVSGF site, except within designated areas.
- 3.3.4. Work crews would be required to park vehicles away from flammable vegetation such as dry grass and brush. At the end of each workday, heavy equipment would be required to be parked over mineral soil, asphalt, or concrete, where available, to reduce the risk of fire.
- 3.3.5. Fire-suppression equipment (e.g., fire extinguishers) would be made available on the PVSGF site at all times. All heavy equipment would be required to include mechanisms for fire suppression, including spark arresters or turbo-charging (which eliminates sparks in exhaust) and fire extinguishers.

4. Material Disposal and Solid Waste Management Plan

Prior to project construction, the applicant would prepare a material disposal and solid waste management plan, which would cover construction and operation activities. The plan would require recycling of 50 percent of all recyclable waste materials from construction, operations, and maintenance activities.

5. Operation, Maintenance, Security, and Monitoring

5.1. Operation

Upon commissioning, the PVSGF would enter the operation phase of the project. The solar modules at the site would operate during daylight 7 days a week, 365 days a year. The PVSGF operator would be located off site.

The applicant's maintenance program would include an industry standard SCADA. The operator would be on call to respond to alerts generated by the monitoring equipment at the PVSGF, and would analyze collected data on an ongoing basis to schedule maintenance.

- Operations activities at the PVSGF would include:
 - Solar module washing;
 - Vegetation, weed, and pest management;
 - Security;
 - Responding to automated alarms based on monitored data, including actual versus expected tolerances for system output and other key performance metrics; and
 - Communicating with customers, transmission system operators, and other entities involved in facility operations.

5.2. Maintenance

Pristine Sun site maintenance program would be largely conducted on site during daytime hours. Equipment repairs could take place in the early morning or evening when the plant would be producing the least amount of energy. Key program elements would include maintenance activities (originating from the regional O&M facility) and on-site maintenance as required to clear weeds for ground-mount systems.

Maintenance would typically include panel repairs; panel washing; maintenance of transformers, inverters, and other electrical equipment as needed; and road and fence repairs. Pest management would also be performed in accordance with the Weed and Pest Management Plan.

Solar modules would be washed several (up to two) times a year using light utility vehicles with tow-behind water trailers, as needed, to maintain optimal electricity production. No chemical cleaners would be used for module washing. Pristine Sun would use water from an on-site groundwater well located on the PVSGF site. Approximately 8,000 gallons would be used for washing the panels up to 2 times a year (4,000 gallons of water per washing period). Mr. Estrella has two wells on site. The first one is for the home and has a production capacity of 40 gallons per minute and 2 horse power pump. The second pump 300 feet deep with an 80 foot water table depth. It is 10 horsepower pump @ 200-300 gallons per minute and has never been used. He will provide us access to both. If we need additional water it will be brought in by truck.

5.3. Security

Security measures would be taken to ensure the safety of the public and the PVSGF. The PVSGF would be fenced along all perimeters with specified points of ingress and egress. The planned six-foot chain-link galvanized metal perimeter fence would likely be topped with standard three-strand barbed wire (totaling approximately seven feet in height). Fence posts would be drilled and grouted or driven pneumatically into the soil profile. A vehicle access gate would be installed as indicated on the attached site plan; this gate would remain locked when not in use. A remote controlled security camera and recording system will be installed as an additional security measure. Off-site security personnel could be dispatched during nighttime hours or could be on site, depending on security risks and operating needs.

5.4 Monitoring

The applicant or its representative would continually monitor facility outputs and performance against forecast production to identify equipment failure or abnormalities. Attributes that would be monitored include:

- Energy generated compared with expected generation.
- Inverter monitored for inverter voltage and current flow and failures.
- Combiner and re-combiner monitoring for failures comparison with expected current.
- Weather, including horizontal and plane-of-array irradiance, ambient air temperature, wind speed and direction, and back-of-module temperature for:
 - Comparison with forecasts, and
 - Calculation of expected generation and expected currents.

6. Operations Employees

It is anticipated that scheduled PVSGF O&M activities would require 2 or fewer workers total on site at any one time. However, on intermittent occasions, up to 4 workers could be required if repairs or replacement of equipment were needed in addition to panel washing. A record of inspections would be kept at the site. The duration of maintenance activities would vary, but would typically involve 2 workers for one day four times a year for panel washing, and two workers regularly visiting the site for routine maintenance activities.

6.1. Operations Equipment

Equipment that would be used during operation and maintenance of the PVSGF is detailed in Table 1-3.

Table 1-3 Solar Generation Facility Operations and Maintenance Equipment

Maintenance Phase and Duration	Equipment	Estimated Usage		
		Hours/Day	Days/Quarter	Total Days
Operations and Maintenance	1 Portable Water Trailer with pump	8	2	8
		Miles/Round Trip	Round Trips	Total Days
	1 - Ford F150s (Routine O&M)	36	1	4
	1 - Ford F250s (Panel Washing)	36	2	8

Key:

ATV = all-terrain vehicle

O&M = operations and maintenance

7. Construction

7.1. Solar Generation Facility Project

The maximum PVSGF project footprint would be approximately **10** acres. Construction activities on the PVSGF site would include:

7.1.1. Pre-construction:

- 7.1.1.1. Survey of site and finalization of PVSGF layout, including roads, panel, substation, and support structures.
- 7.1.1.2. Installation of chain-link fence and gates around the perimeter of the project site and staging and laydown areas.
- 7.1.1.3. Site preparation, including vegetation clearance and grading. Grading would be minimized. The project would be constructed to follow the existing topography of the site as much as possible to limit erosion potential and maintain existing drainage patterns, with the objective of ensuring that project post-construction flows match pre-construction flows.
- 7.1.1.4. Installation of erosion and sediment control measures, including watering for dust control and soil compaction during grading and throughout construction activities.
- 7.1.1.5. Creation of temporary staging and storage areas for materials and equipment during construction of the PVSGF project components. Construction laydown and staging areas would be located within the project site. These areas would be secured by temporary free-standing chain-link fencing for the duration of construction activities. These areas would also be used for parking of construction workers' personal vehicles during daily work activities.
 - 7.1.1.5.1. Following construction, the full restoration of the laydown and staging areas to as close as possible to pre-construction conditions.
- 7.1.1.6. Prior to construction, identification and demarcation of areas in which construction activities would not be permitted. These would include protected areas of cultural or biological significance, buffer zones adjacent to such areas, and shallow washes that could traverse the site. Demarcation would involve temporary construction fencing.
- 7.1.1.7. Perform all preconstruction biological surveys according to the CDFW protocols.
- 7.1.1.8. Prior to road construction, grading and compaction of temporary and permanent internal project site access roadways. Project access roads would be approximately 12 feet wide, and would be designed and installed per the Fresno County Improvement Standards. The ultimate depth of roads would be designed in accordance with site-specific geotechnical conditions, engineering guidelines, and applicable County Improvement Standards.
- 7.1.1.9. Compaction of pad sites/foundations for the substation, inverter, and control room.

8. Construction of the PVSGF:

- 8.1. Installation of the racking system and assembly of modules:
 - 8.1.1. Installation of engineered steel I-beams using pneumatic or hydraulic equipment techniques
 - 8.1.2. Installation of single-axis tracking system infrastructure and associated motors on the I-beams;
 - 8.1.3. Installation of PV solar modules to the single-axis tracking system infrastructure.

- 8.2. Installation of DC wire, combiner boxes, and wire grounding; and
 - 8.2.1. Trenching and installation of buried wires at a depth of approximately 24 inches.
 - 8.2.2. Installation of the inverter/transformer and controls
 - 8.2.3. Installation of the DC wiring and combiner boxes
 - 8.2.4. Trenching and installation of
 - 8.2.5. Construction of interconnection to PG&E power/distribution system.
 - 8.2.6. Telecommunication system installation.
 - 8.2.7. Connection to local telephone network.
 - 8.2.8. Installation of meteorological stations.

- 8.3. The applicant would adopt the final design recommendations for aboveground structures at the PVSGF site as detailed in the site-specific geotechnical investigation report prepared by the applicant's contractor.

9. Grading and Compaction

- 9.1. The solar PV panels would be installed in an east-west orientation in rows (see Figure 1-4, Typical Solar PV Array) or a north-south orientation with tracking. The land surface on the PVSGF site is flat and recently tilled, and thus would require minimal grading to allow for installation of the PV panels. In general, the solar arrays would follow the existing topography of the site to further minimize the extent of re-grading required and to maintain existing drainage patterns. Storm water drainage would be managed in accordance to the Storm Water Pollution Prevent Plan, discussed below, and County requirements. Post-construction flows from the site would match pre-construction flows.

- 9.2. The entirety of the project site would be minimally graded to prepare for installation of the PVSGF inverter pads, and access roads.

10. Testing and Energizing

- 10.1. Prior to energizing the equipment, the solar PV panels would be tested. Upon completion of successful testing, the equipment would be energized.

11. Storm Water Pollution Prevention Plan and Best Management Practices

- 11.1. The maximum PVSGF project footprint would be 10 acres, including construction staging areas. Staging areas would comprise a total area of 0.66 acres within the site. Minimal grading would be conducted over this entire area.

-
- 11.2. Because construction of the PVSGF would be 0.66 acres of graded disturbance of the surface area, the applicant would not be required to obtain coverage under the State Construction General Permit, under the National Pollutant Discharge Elimination System (NPDES) program.
 - 11.3. Pristine Sun would prepare a SWPPP by a qualified engineer or erosion control specialist, and would be implemented before construction. The SWPPP would be designed to reduce potential impacts related to erosion and surface water quality during construction activities and throughout the life of the project. It would include project information, monitoring and reporting procedures, and best management practices (BMPs). The BMPs would include dewatering procedures, storm water runoff quality control measures, concrete waste management, watering for dust control, and construction of perimeter silt fences, as needed. Specific BMPs would include:
 - 11.4. Measures to prevent sediment from entering aquatic habitat near work areas, including the use of silt fencing, straw wattles, jute netting, and/or sterile hay bales.
 - 11.5. Measures to prevent the cleaning of equipment in drainages or other wetlands.
 - 11.6. Measures addressing temporary sediment disposal.
 - 11.7. Measures to ensure that equipment storage, fueling, and staging areas are located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas would be located so as to prevent any runoff from entering sensitive habitat.
 - 11.8. Measures to prevent releases of cement or other toxic substances into surface waters.
 - 11.9. Reporting of project-related spills of hazardous materials to appropriate regulatory entities, including but not limited to: Fresno County; the U.S. Fish and Wildlife Service (USFWS); and the California Department of Fish and Wildlife (CDFW). Hazardous materials spills would be cleaned up immediately, and contaminated soils would be excavated and transported to approved disposal areas.

12. Construction Personnel Training

- 12.1. Prior to construction, a qualified biologist would be retained by the Pristine Sun to conduct environmental awareness training for project personnel. Such training would communicate information related to the protection of sensitive biological resources that might be present at the PVSGF site, and would include:
 - 12.2. A description of species of concern and associated habitats.
 - 12.3. The general provisions of applicable environmental regulations and the need to adhere to the provisions of the regulations.
 - 12.4. General measures being implemented to conserve the species of concern as they relate to the project.
 - 12.5. A discussion of the defined access routes to the PVSGF site and project site boundaries within which project activities must be accomplished. Construction employees would strictly limit their activities, vehicles, equipment, and construction materials to the project footprint and designated staging areas and routes of travel. The construction area(s) would be the minimum area necessary to complete the project and would be specified in the construction plans. Construction areas would be demarcated on site, and employees would be instructed to limit activities to these areas.

13. Construction Access and Equipment

- 13.1. All materials for PVSGF project construction would be delivered by truck. The majority of truck traffic would occur on designated truck routes and major streets. Flatbed trailers and trucks would be used to transport construction equipment and construction materials to the site. The PVSGF project components would be assembled on site. Traffic resulting from construction activities would be temporary and could occur along area roadways as workers and materials were transported to and from the PVSGF project site.
- 13.2. The anticipated average number of vehicle trips and the equipment to be used for the construction of the PVSGF is detailed in Tables 1-4. Construction of the PVSGF is not expected to cause a significant short-term increase in traffic volumes on area roads due to the nature and scope of the required construction activities (i.e., limited grading, delivery of pre-constructed panels to the sites, etc.).
- 13.3. Water used during project construction would primarily come from nearby private off-site wells; however, other water sources could be used, including existing and/or planned wells on the PVSGF site. During construction, it is anticipated that up to 500 gallons of water would be used daily for construction purposes and dust suppression (including truck wheel washing)

Project Size 1,000 MW

CONSTRUCTION VEHICLE EMISSIONS

Construction Equipment	Number of Vehicles	Duration of Construction	Hours Per Day	Days Worked Per Week
Grader	1	2-3 weeks		
Ground Packer	1			
Mini Excavator	1			
Track Loaders	2			
Post Pounding Machine	1	2 Weeks		
Forklift	1			
Water Truck	1			
Generator (for construction)	1	6 Weeks		
ATV's	3			
Onsite Mobile Office	1			
Product Storage Containers	2			
Duration of construction (months, total for all activities):		6-8 Weeks		
Days worked per week:				5 to 6
Hours equipment used per day:			6 to 7	
Duration of grading & road activities (weeks)		2-3 weeks, but project specific, depending on existing condition of roads. Panel installation location requires very minimal grading, if any.		
Duration of trenching activities (weeks)		6-8 Weeks		
Trenching will occur throughout the construction:		6-8 Weeks		
Duration of panel installation activities (weeks)		4 Weeks		
Duration of building construction activities (weeks)		N/A		
Average Vehicle Speeds				
Average off-site vehicle speed (mph)		Speed Limit		
Average on-site vehicle speed (mph)		5-10 mph		

OPERATIONAL VEHICLE EMISSIONS

Delivery Vehicle Information	
Vehicle Type:	Tractor Trailers & Box Trucks
Number of vehicles per week:	2-3 Deliveries
Days per year:	20-35 Deliveries over construction period (6-8 weeks)
Average off-site travel distance (round trip) per truck (miles):	50-100 miles. This is site and delivery specific.
Average on-site travel distance (daily total) per truck (miles):	1-2 Miles
General Maintenance Worker Commute Information	A maintenance worker will visit the site 2 times per year to check equipment and clean
Vehicle type:	Pickup Truck
Number of vehicles per day:	1 to 2
Days per year:	3-4 Days
Average off-site travel distance (round trip) per vehicle (miles):	30-60 Miles
Average on-site travel distance (daily total) per vehicle (miles):	1-2 Miles
Security Worker Commute Information	No On Site Security
Vehicle type:	N/A
Number of shifts per day:	
Number of vehicles per shift:	
Days per year:	
Average off-site travel distance (round trip) per vehicle (miles):	
Average on-site travel distance (daily total) per vehicle (miles):	
Water Truck Worker Commute Information	
Vehicle type:	4000 gallon water truck
Number of vehicles per day:	1 truck every 3-4 days during construction if site requires Dust Control Plan. Otherwise 1-2 trucks during construction cleanup, and 2-4 trucks per year for panel cleaning.
Number of cleanings per year:	2
Number of gallons per panel wash:	2,800
Number of days per cleaning:	1-2 Days
Average off-site travel distance (round trip) per truck (miles):	50-100 miles. This is project specific.
Average on-site travel distance (daily total) per truck (miles):	2-3 miles. Project specific.

14. Site Restoration and Re-vegetation

- 14.1. Following the completion of major construction and if the site is not going to be intensively farmed with row crops or field crops between solar panels, the site would be re-seeded/re-vegetated with low-growing appropriate species to lessen soil erosion and control weed growth to reduce fire hazards. Vegetation would be selected based on growth habit (lower growing cover would be preferred) and suitability for the area. Site restoration activities would include:
- 14.2. On-site repurposing or removal of all vegetative material from grubbing, clearing, and pruning;
- 14.3. Removal of all trash and construction debris;
- 14.4. Removal of temporary construction fencing marking the perimeter of sensitive areas (washes, set-aside areas); and
- 14.5. Removal of all construction equipment and any supplies and materials that were not consumed on site.
- 14.6. Following the completion of site restoration activities, the construction staging areas will be restored to their original condition by the planting of appropriate species.

15. Construction Waste Recycling

- 15.1. Construction materials would be sorted on site throughout construction and transported to appropriate waste management facilities. Recyclable materials would be separated from non-recyclable items and stored until they could be transported to a designated recycling facility. It is anticipated that at least 20 percent of construction waste would be recyclable, and 50 percent of those materials would be recycled. Wooden construction waste (such as wood from wood pallets) would be sold, recycled, or chipped and spread on the project site for weed control as appropriate. Other compostable materials, such as vegetation, might also be composted off site at an existing permitted facility. Hazardous waste and electrical waste would not be placed in a landfill, but rather would be transported to a hazardous waste handling facility (e.g., electronic-waste recycling). All contractors and workers would be educated about waste sorting, appropriate recycling storage areas, and how to reduce landfill waste.

16. Project Schedule and Personnel Requirements

16.1. Solar Generation Facility Schedule

- 16.1.1. Construction activities are expected to begin by **March 2015**, following completion of the CEQA review process, receipt of all necessary construction permits, and compliance with any applicable pre-construction conditions. Construction of the PVSGF is expected to be completed within approximately 2-3 months, with commissioning of the PVSGF scheduled for **August 2015**. The PVSGF project elements would be constructed in phases, as follows:
 - 16.1.1.1. Site preparation,
 - 16.1.1.2. Solar PV system installation, and
 - 16.1.1.3. Installation of inverters/transformers, and interconnection.

16.1.2. Crews would typically work 8- to 10-hour days, 5 to 6 days a week. Depending on local permit requirements, Construction would begin following County approval of permits and other entitlements, final engineering, and procurement activities.

16.2. Solar Generation Facility Personnel

16.2.1. During construction, an average of 10 construction workers would be on site each day. During the peak construction period (anticipated to last up to 2 months), up to 15 workers would travel to and from the site on a daily basis, at an average one-way distance of 36 miles. Local labor would be utilized to the maximum extent practicable.

17. Decommissioning and Reclamation Plan

The Project has an estimated useful lifetime of 30 years or more, with an opportunity for a lifetime of 50 years or more with equipment replacement and repowering. The Decommissioning and Reclamation plan, however, assumes that at the end of the 20 year power generation contract with Pacific Gas and Electric (PG&E) the system will be completely dismantled and the site restored to its preconstruction state. Please refer to the Pristine Sun PV Solar Generator Facility Management & Reclamation Plan for project 2267 Estrella in Attachment B.

18. References

California Air Resource Board. <http://www.arb.ca.gov/cc/ab32/ab32.htm>. Last reviewed August 2014.

California Energy Commission. <http://www.energy.ca.gov/renewables/>

The White House. <http://www.whitehouse.gov/the-press-office/2014/05/09/fact-sheet-president-obama-announces-commitments-and-executive-actions-a/> May 09, 2014.

President Obama's Climate Action Plan. Cutting carbon pollution, protecting American communities, and leading internationally.
http://www.whitehouse.gov/sites/default/files/docs/cap_progress_report_update_062514_final.pdf

US Energy Information Administration. <http://www.eia.gov/tools/faqs/faq.cfm?id=97&t=3>

U.S. Environmental Protection Agency (EPA). 2015. Greenhouse Gas Equivalencies Calculator. www.epa.gov/cleanenergy/energy-resources/calculator.html. Last updated April 16, 2014.

University of California, Davis. 2003. Integrated Pest Management for Home Gardeners and Landscape Professionals – Rats. Pest Notes Publication 74106. Website:
<http://www.imp.usdavis.edu/PMG/PESTNOTES/pn74106.html>. Accessed November 11, 2014

EXHIBIT 8

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

SOLAR ELECTRICAL GENERATION FACILITY SUPPLEMENTAL INFORMATION

CUP 3477 Project: 2267 Estrella
Jose & Julia Estrella
22694 East Parlier Avenue,
Reedley, CA 93654

Any person or entity wishing to submit a land use entitlement application proposing to establish a solar electrical generation facility in an agricultural area of the County, as well as any petition to cancel a Williamson Act Contract to establish a solar electrical generation facility as an alternate use, shall submit a supplemental information packet with the land use entitlement application and the cancellation petition addressing the following items:

1. Information about the historical agricultural operational/usage of the parcel including, specific crop type for the last ten years. (If no agricultural operation in the last ten years, specify when land was last in agricultural use)
 - a. No crops in the last ten years. Mr. Estrella bought the parcel about 10 years ago it was already open land. He doesn't know when the last agricultural use took place on the land.
2. Information identifying the source of water for the subject parcel (surface water from irrigation district, individual well(s), conjunctive system). If the source of water is via district delivery, the applicant shall submit information documenting the allocations received from the irrigation district and the actual disposition of. The water (i.e. utilized on-site or moved to other locations) for the last ten years. If an individual well system is used, provide production capacity of each well, water quality data and data regarding the existing water table depth; and
 - a. Mr. Estrella has two wells on site. 1 well for purpose of agriculture but he never used it because he never had agriculture on the land. There is a separate well for the home.
 - b. The ag well will be used for onsite water use for the project for things such as vegetation buffer maintenance if a vegetation buffer is implemented.
 - i. First well for the home has a Production capacity of 40 gallons per minute, & 2 horse power pump
 - ii. Second pump is 300 feet deep with an 80 foot water table depth. It is 10 horsepower pump @ 200-300 gallons per minute.

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AND PLANNING
DEVELOPMENT SERVICES DIVISION

3. Identify all current restrictions on the parcel (Williamson Act Contract, Conservation Easement, retired land, etc.), as well as the purpose of any easement and limitations of the parcel. The applicant shall submit a Title Report or Lot Book Guarantee for verification; and
 - a. No restrictions on the parcel exist.
 - b. Please see attached title report & plotted easements
4. Identify (with supporting data) the current soil type and mapping units of the parcel pursuant to the standards of the California State Department of Conservation and Natural Resources Conservation Service.
 - a. Please see attached Soil Report
5. List all proposed measures and improvements intended to create a buffer between the proposed solar facility and adjacent agricultural operations (detailed information must be shown on the Site Plan) and provide factual/technical data supporting the effectiveness of said proposed buffering measures
 - a. The proposed solar array site will be fenced. There will be a 50-foot set-back buffer between the property line and the array. Please see attached site plan
6. Submit a Reclamation Plan detailing the lease life, timeline for removal of the improvements and specific measures to return the site to the agricultural capability prior to installation of solar improvements (guidelines for preparing the Reclamation Plan is attached)
 - a. Please see Decommissioning & Reclamation Plan
7. Provide information documenting efforts to locate the proposed solar facility on non-agricultural lands and non-contracted parcels and detailed information explaining why the subject site was selected; and
 - a. Property owner contacted Pristine Sun about developing solar to pursue an alternate source of income for his property as it has not been agriculturally productive for over 10 years.
 - b. Parcel is not under Williamson Act contract
8. Submit a project site Pest Management Plan to identify methods and frequency to manage weeds, insects, disease and vertebrate pests that may impact adjacent- sites; and
 - a. Please see Pest & Weed Management Plan
9. Acknowledge the County's Right-to-Farm Ordinance and record a Right-to-Farm Notice prior to issuance of any permits.
 - a. Pristine Sun acknowledge the Right-to-Farm Ordinance
 - b. Property owners will record a Right-to-Farm Notice
10. Note: The life of the approved land use permit will expire upon expiration of the initial life of the solar lease. If the solar lease is to be extended, approval of new land use permit will need to be obtained.

GUIDELINES FOR PREPARING A SOLAR ELECTRICAL GENERATION FACILITY RECLAMATION PLAN

1. Description of present use of the site.
2. Describe the proposed alternate use of the land (all equipment to be installed above and underground, structures, fencing, etc.).
3. Duration of the alternate use of the property (specify termination date).
4. Address ownership of the property (lease or sale).
 - a. Describe how the subject property will be reclaimed to its previous agricultural condition, specifically
 - b. Timeline for completion of reclamation after solar facility lease has termed (identify phasing if needed); and
 - c. Handling of any hazardous chemicals/materials to be removed; and
 - d. Removal of all equipment, structures, buildings and improvements at and above-grade; and
 - e. Removal of any below-grade foundations
 - f. Removal of any below-grade infrastructure (cables/lines, etc.) that are no longer deemed necessary by the local public utility company; and
 - g. Detail any grading necessary to return the site to original grade; and
 - h. Type of crops to be planted; and
 - i. Irrigation system details to be used (existing wells, pumps, etc. should remain throughout the solar facility use).
5. A Site Plan shall be submitted along with the text of the Reclamation Plan showing the location of equipment, structures, above and underground utilities, fencing, buffer area, reclamation phasing, etc.
6. An engineering cost estimate of reclaiming the site to its previous agricultural condition shall be submitted for review and approval.
7. Financial assurances equal to the cost of reclaiming the land to its previous agricultural condition shall be submitted to ensure the reclamation is performed according to the approved plan. Financial assurances shall be made to the County of Fresno and may take the form of cash, letter of credit or bond that complies with Section 66499 of the California Government Code, et. Seq.
8. Evidence that all owners of record have been notified of the proposed Reclamation Plan.



Fidelity National Title Company

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, Fidelity National Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a 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 referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions 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 Attachment One. 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 Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) 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.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a California Corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One 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.

Countersigned by:

Authorized Signature



BY

President

ATTEST

Secretary

Authorized Signature

CUP 3477

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COUNTY OF FRESNO

AUG 19 2014

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



Fidelity National Title Company

1300 Dove Street, Suite 310, Newport Beach, CA 92660
Phone: (949) 622-5000 • Fax: (949) 477-6813

PRELIMINARY REPORT

Title Officer: Mitch LaRiva

Order No.: 997-23049342-PP2

TO:

Pristine Sun
649 Mission, 5th Floor
San Francisco, CA 94105

ATTN: Jessie O'Malley
YOUR REFERENCE: 2267 Estrella

PROPERTY ADDRESS: 22694 East Parlier Avenue, Reedley, CA

EFFECTIVE DATE: July 11, 2014 at 7:30 a.m.

The form of policy or policies of title insurance contemplated by this report is:

CLTA Std. Owner's

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A FEE

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Jose Estrella and Julia Estrella, husband and wife as joint tenants

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

See Exhibit A attached hereto and made a part hereof.

/hm 07/24/14

PRELIMINARY REPORT
Your Reference:

Fidelity National Title Company
Order No.: 997-23049342-PP2

LEGAL DESCRIPTION

EXHIBIT "A"

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

LOT 22 OF SPRINGFIELD COLONY, BEING THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 15 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 2 PAGE 30 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS

APN: 373-360-19/10

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2014-2015.
2. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
3. Taxes and assessments levied by the Alta Irrigation District.

All taxes and assessments currently due and payable to said District to date affecting said property have been paid.
4. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat:

Purpose: Sand Ridge Ditch
Affects: as shown on said map
5. Rights of the public to any portion of the Land lying within the area commonly known as

Parilier Avenue formerly North Avenue.
6. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Reserved by: California Fruit and Wine Land Company
Purpose: Frank Flamming
Recording Date: May 17, 1922
Recording No.: Book 213, Page 397. of Official Records
Affects: portion of said land
7. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Lease
Lessor: Jose Estrella and Julia Estrella, individuals
Lessee: Pristine Sun Fund 2 LLC, a California Limited Liability Company
Recording Date: April 11, 2013
Recording No.: 2013-0052979. of Official Records
8. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$169,500.00
Dated: July 5, 2013
Trustor/Grantor: Jose Estrella and Julia Estrella, husband and wife as joint tenants
Trustee: ReContrust Company, N.A.
Beneficiary: Mortgage Electronic Registration Systems, Inc. ("MERS) as Nominee for Bank of America N. A.

Loan No.: None Shown
Recording Date: July 26, 2013
Recording No.: 2013-0104883-00. of Official Records

ITEMS (Continued)
Your Reference:

Fidelity National Title Company
Order No.: 997-23049342-PP2

9. In order to complete this report, the Company requires a Statement of Information to be completed by the following party(ies),

Party(ies): All parties

The Company reserves the right to add additional items or make further requirements after review of the requested Statement of Information.

NOTE: The Statement of Information is necessary to complete the search and examination of title under this order. Any title search includes matters that are indexed by name only, and having a completed Statement of Information assists the Company in the elimination of certain matters which appear to involve the parties but in fact affect another party with the same or similar name. Be assured that the Statement of Information is essential and will be kept strictly confidential to this file.

10. Matters which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.
11. Any easements not disclosed by the public records as to matters affecting title to real property, whether or not said easements are visible and apparent.
12. Water rights, claims or title to water, whether or not disclosed by the public records.
13. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

14. Any right, interest or claim that may exist, arise or be asserted against the Title under or pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.
15. The Company will require that an Owner's Affidavit be completed by the party(s) named below before the issuance of any policy of title insurance.

Party(s): All Parties

The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.

END OF ITEMS

NOTES

Note 1. Note: The name(s) of the proposed insured(s) furnished with this application for title insurance is/are:

No names were furnished with the application. Please provide the name(s) of the buyers as soon as possible.

Note 2. Note: The charge for a policy of title insurance, when issued through this application for title insurance, will be based on the Short Term Rate.

Note 3. Note: Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts were:

Tax ID No.:	373-360-19
Fiscal Year:	2013-2014
1st Installment:	\$2,631.01
2nd Installment:	\$2,631.01
Exemption:	\$0.00
Land:	\$144,948.00
Improvements:	\$278,324.00
Personal Property:	\$0.00
Code Area:	169-001

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note 4. Note: The Company is not aware of any matters which would cause it to decline to attach CLTA Endorsement Form 116 indicating that there is located on said Land Agricultural Land, known as 22694 East Parlier Avenue, Reedley, California, to an Extended Coverage Loan Policy.

Note 5. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

Note 6. Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

Note 7. If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.

Note 8. Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.

END OF NOTES

OWNER'S DECLARATION

The undersigned hereby declares as follows:

1. (Fill in the applicable paragraph and strike the other)
 - a. Declarant ("Owner") is the owner or lessee, as the case may be, of certain premises located at _____, further described as follows: See Preliminary Report/Commitment No. 997-23049342-PP2 for full legal description (the "Land").
 - b. Declarant is the _____ of _____ ("Owner"), which is the owner or lessee, as the case may be, of certain premises located at _____, further described as follows: See Preliminary Report/Commitment No. 997-23049342-PP2 for full legal description (the "Land").
2. (Fill in the applicable paragraph and strike the other)
 - a. During the period of six months immediately preceding the date of this declaration no work has been done, no surveys or architectural or engineering plans have been prepared, and no materials have been furnished in connection with the erection, equipment, repair, protection or removal of any building or other structure on the Land or in connection with the improvement of the Land in any manner whatsoever.
 - b. During the period of six months immediately preceding the date of this declaration certain work has been done and materials furnished in connection with _____ upon the Land in the approximate total sum of \$_____, but no work whatever remains to be done and no materials remain to be furnished to complete the construction in full compliance with the plans and specifications, nor are there any unpaid bills incurred for labor and materials used in making such improvements or repairs upon the Land, or for the services of architects, surveyors or engineers, except as follows: _____. Owner, by the undersigned Declarant, agrees to and does hereby indemnify and hold harmless Fidelity National Title Insurance Company against any and all claims arising therefrom.
3. Owner has not previously conveyed the Land; is not a debtor in bankruptcy (and if a partnership, the general partner thereof is not a debtor in bankruptcy); and has not received notice of any pending court action affecting the title to the Land.
4. Except as shown in the above-referenced Preliminary Report/Commitment, there are no unpaid or unsatisfied mortgages, deeds of trust, Uniform Commercial Code financing statements, claims of lien, special assessments, or taxes that constitute a lien against the Land or that affect the Land but have not been recorded in the public records.
5. The Land is currently in use as _____; _____ occupy/occupies the Land; and the following are all of the leases or other occupancy rights affecting the Land:

6. There are no other persons or entities that assert an ownership interest in the Land, nor are there unrecorded easements, claims of easement, or boundary disputes that affect the Land.
7. There are no outstanding options to purchase or rights of first refusal affecting the Land.

This declaration is made with the intention that Fidelity National Title Insurance Company (the "Company") and its policy issuing agents will rely upon it in issuing their title insurance policies and endorsements. Owner, by the undersigned Declarant, agrees to indemnify the Company against loss or damage (including attorneys fees, expenses, and costs) incurred by the Company as a result of any untrue statement made herein.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on ____ at _____.

Signature: _____

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the "Website"). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

Collection and Use of Information

The types of personal information FNF collects may include, among other things (collectively, "Personal Information"): (1) contact information (e.g., name, address, phone number, email address); (2) demographic information (e.g., date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student ID (SIN), driver's license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- From consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

Additional Ways Information is Collected Through the Website

Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

Cookies. From time to time, FNF or other third parties may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive and that can be re-sent to the serving website on

subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the Third Party Opt Out section below.

Web Beacons. Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as "clear gifs"). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the Third Party Opt Out section below.

Unique Identifier. We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

Third Party Opt Out. Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (e.g., click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity.

You can opt-out of online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at <http://www.networkadvertising.org/>.
- You can opt-out via the Consumer Choice Page at www.aboutads.info.
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at www.youronlinechoices.com.
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

When Information Is Disclosed By FNF

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your

prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party's own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

Information from Children

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this Privacy Notice, and to abide by and comply with this Privacy Notice. In any case, you affirm that you are over the age of 13, as **THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN.**

Parents should be aware that FNF's Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children – or others – in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

Privacy Outside the Website

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

European Union Users

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

Choices with Your Personal Information

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you.

You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances ("opt out"). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization unless you affirmatively consent to such disclosure and use.

You may opt out of online behavioral advertising by following the instructions set forth above under the above section "Additional Ways That Information Is Collected Through the Website," subsection "Third Party Opt Out."

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please contact us in the manner specified at the end of this Privacy Notice. We ask individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

Your California Privacy Rights

Under California's "Shine the Light" law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2013 will receive information regarding 2012 sharing activities).

To obtain this information on behalf of FNF, please send an email message to privacy@fnf.com with "Request for California Privacy Information" in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California's Online Privacy Protection Act requires us to disclose how we respond to "do not track" requests and other similar mechanisms. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

Your Consent to This Privacy Notice

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354
privacy@fnf.com

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EFFECTIVE AS OF: JANUARY 24, 2014

LAST UPDATED: JANUARY 24, 2014

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the field rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for each discount. These discounts only apply to transaction involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Company

FNTC - Fidelity National Title Company
FNTCCA - Fidelity National Title Company of California

FNF Underwriter

FNTIC - Fidelity National Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (FNTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 or 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (FNTC, FNTCCA and FNTIC)

Eligible customers shall receive \$20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al., Sacramento Superior Court Case No. 99AS02793, and related cases.*

DISASTER LOANS (FNTIC)

The charge for a lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (FNTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 40% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.

Notice

You may be entitled to receive a \$20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is the subject of your current transaction, you must inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provided the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount.

Effective through November 1, 2014

ATTACHMENT ONE (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.
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, 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; and
 - 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 are recorded 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, state insolvency, or similar creditors' rights laws.

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:

Covered Risk	Your Deductible Amount	Our Maximum Dollar Limit of Liability
16:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$10,000.00
18:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$25,000.00
19:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$25,000.00
21:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$5000.00

**AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)**

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 any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:

- * land use
- * improvements on the land
- * land division
- * environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:

- * a notice of exercising the right appears in the public records
- * on the Policy Date
- * the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking

3. Title Risks:

- * that are created, allowed, or agreed to by you
- * that are known to you, but not to us, on the Policy Date – unless they appeared in the public records
- * that result in no loss to you
- * that first affect your title after the Policy Date – this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks

4. Failure to pay value for your title.

5. Lack of a right:

- * to any land outside the area specifically described and referred to in Item 3 of Schedule A

OR

- * in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

**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) that 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, 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) that 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 in 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, 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.

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10) EXCLUSIONS FROM COVERAGE

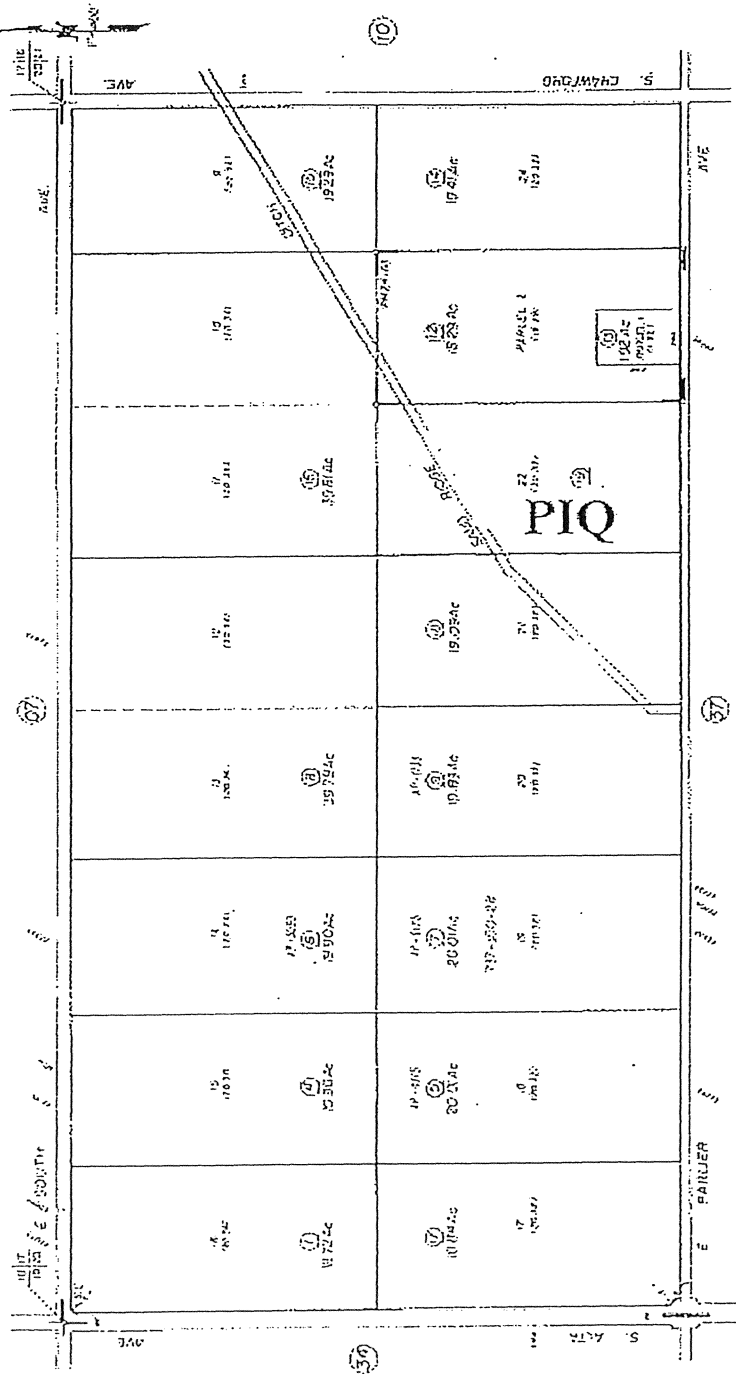
The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, 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, 6, 13(c), 13(d), 14 or 16.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
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, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); 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. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. 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 27(b) of this policy.

373-36

Tax Rate Area
15-15

SUBDIVIDED LAND IN POR. SEC. 20, T. 15. S., R. 24 E., M. D. B. & M.



NOTE -
Use map as evidence of interest only.
All other information including legal
description, acreage, etc. take for 1953-54
at Survey or subdivision map.

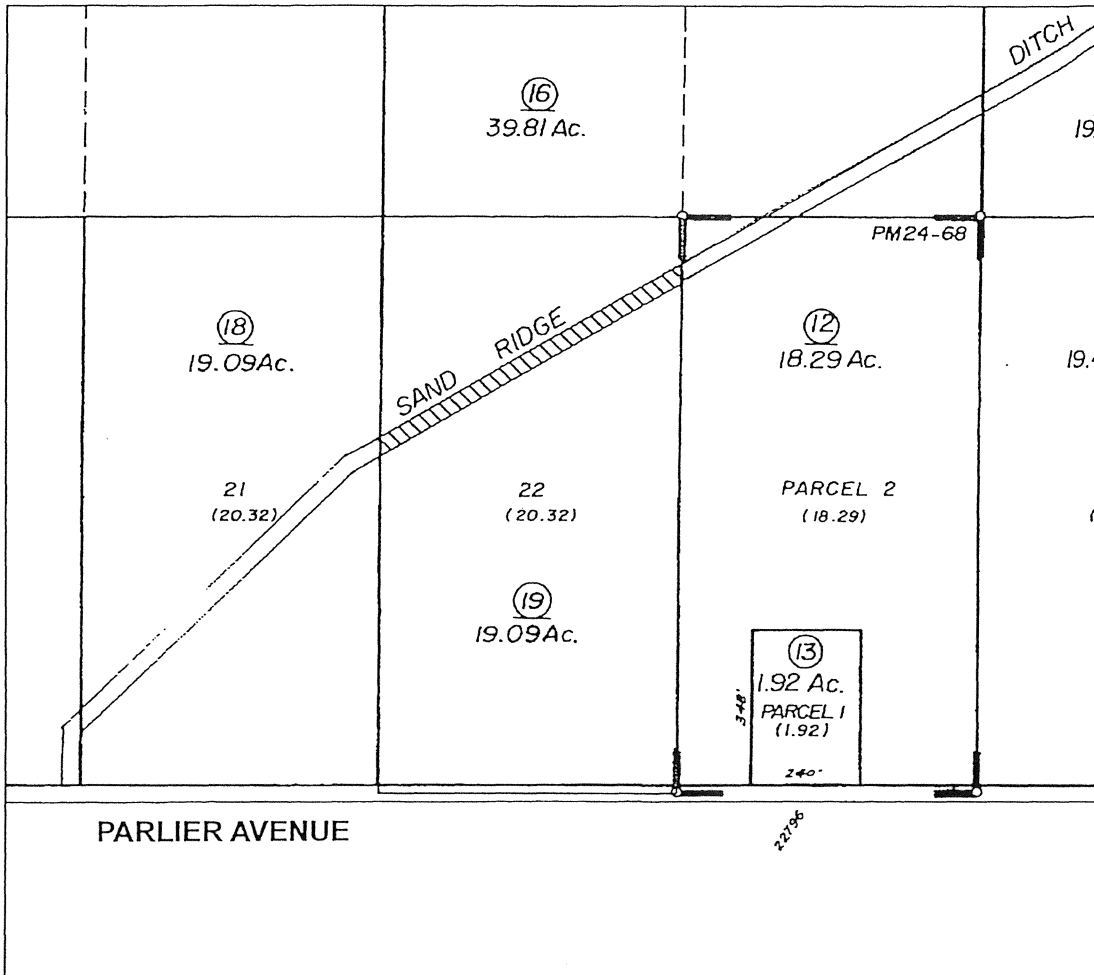
Agricultural Preserve
Parcel Map No. 3699 - Bk. 24, Pg. 68
Springfield Colony - R. S. Bk. 2, Pg. 30

Assessor's Map Bk. 373 - Pg. 36
County of Fresno, Calif.




NOTE - Assessor's Block Numbers Shown in Circles
Assessor's Parcel Numbers Shown in Squares

IMPORTANT: This plot is not a survey, it is merely furnished as a convenience
to locate the land in relation to adjoining streets and other lands, and not to
guarantee dimensions, distances, bearings or acreage.

Scale 1 inch = 255.25 feet



Legend

-  Property In Question - Fee
-  Item No. 4 - Easement for Sand Ridge Ditch
In Bk2 Pg30 of Record of Survey
Affects said portion as shown on the map
-  Item No. 6 - Easement for Right of Way
In 05/17/1922 Bk213 Pg397 of Official Records
The exact location of said easement
cannot be determined and is not plottable

C2014
Fidelity National Title Company
 1300 Dove Street, Suite 310
 Newport Beach, CA 92660
 Phone: (949) 622-5000 Fax: (949) 477-6813

Title Order No. : 23049342, Preliminary Report dated July 11 2014

Drawing Date : 08/19/2014 - FNFJ

Reference : 2267 Estrella

Assessor's Parcel No. : 373-360-19

Property : 22694 East

Data :

Any discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose and are not shown by the public records. This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any reason of reliance thereon.

Plat Showing : LOT 2,
 TOWNSHIP 15 SOUTH
 BOOK 2 PAGE 30 OF

ARTER OF THE NORTHEAST QUARTER OF SECTION 20,
 N, ACCORDING TO THE MAP THEREOF RECORDED IN

Sheet
 1 of 1

Arch Plans 1



United States
Department of
Agriculture



NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Eastern Fresno Area, California

2267-Estrella

Cup 3477
RECEIVED
COUNTY OF FRESNO

AUG 19 2014

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://soils.usda.gov/sqi/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://soils.usda.gov/contact/state_offices/).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Soil Data Mart Web site or the NRCS Web Soil Survey. The Soil Data Mart is the data storage site for the official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means

for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

Custom Soil Resource Report

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

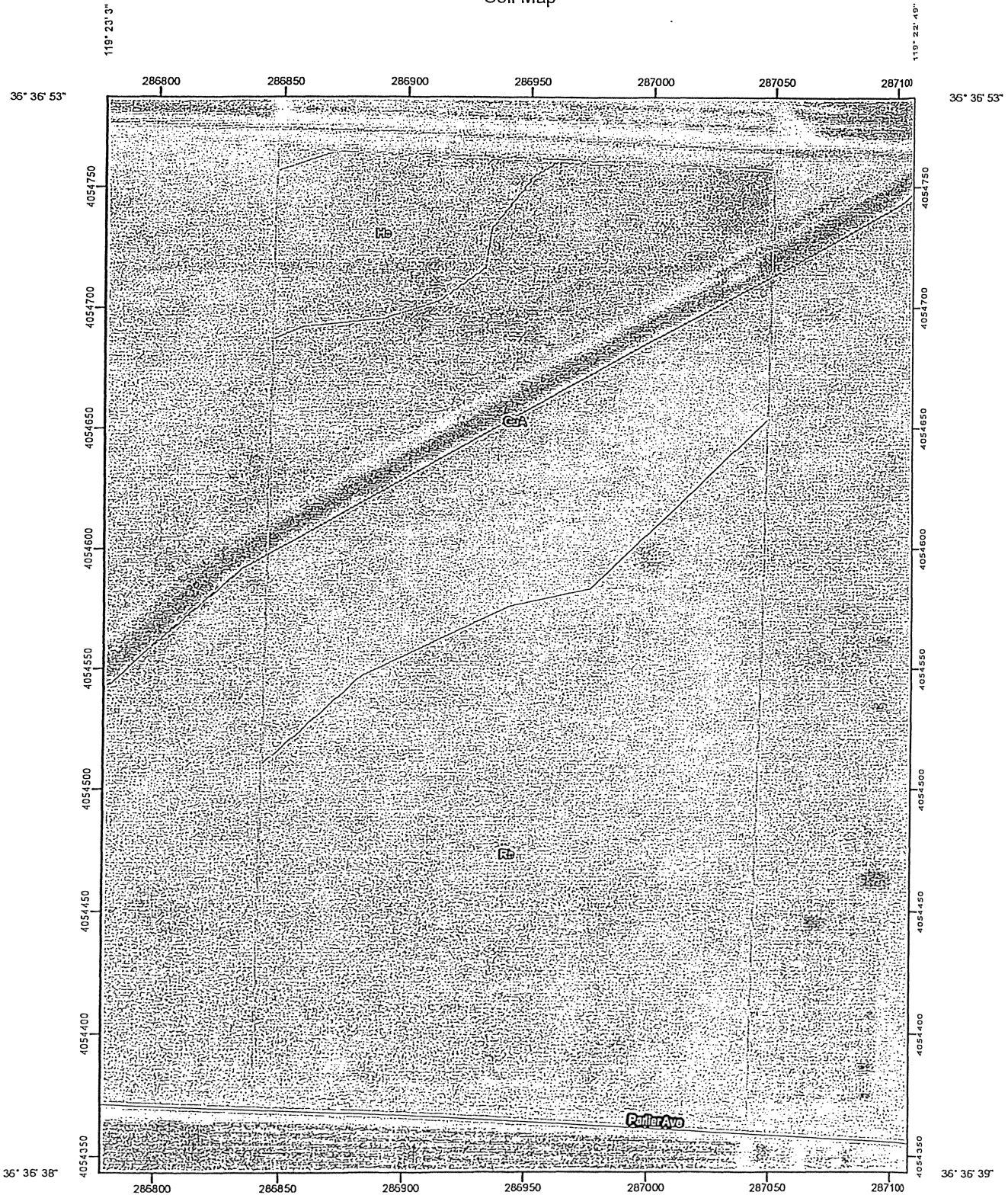
Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

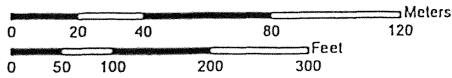
Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map










































Map Scale: 1:2,120 if printed on A size (8.5" x 11") sheet.



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MAP LEGEND

	Area of Interest (AOI)		Very Stony Spot
	Area of Interest (AOI)		Wet Spot
	Soils		Other
	Soil Map Units	Special Line Features	
	Special Point Features		Gully
	Blowout		Short Steep Slope
	Borrow Pit		Other
	Clay Spot	Political Features	
	Closed Depression		Cities
	Gravel Pit	Water Features	
	Gravelly Spot		Streams and Canals
	Landfill	Transportation	
	Lava Flow		Rails
	Marsh or swamp		Interstate Highways
	Mine or Quarry		US Routes
	Miscellaneous Water		Major Roads
	Perennial Water		Local Roads
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		
	Spoil Area		
	Stony Spot		

MAP INFORMATION

Map Scale: 1:2,120 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 11N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Eastern Fresno Area, California
 Survey Area Data: Version 5, Sep 26, 2008

Date(s) aerial images were photographed: 7/1/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Eastern Fresno Area, California (CA654)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
GuA	Greenfield sandy loam, moderately deep, 0 to 3 percent slopes	7.7	39.4%
Hc	Hanford sandy loam	1.5	7.5%
Rb	Ramona sandy loam, hard substratum	10.4	53.1%
Totals for Area of Interest		19.5	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If

Custom Soil Resource Report

intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Custom Soil Resource Report

Eastern Fresno Area, California

GuA—Greenfield sandy loam, moderately deep, 0 to 3 percent slopes

Map Unit Setting

Elevation: 250 to 2,000 feet
Mean annual precipitation: 9 to 17 inches
Mean annual air temperature: 60 to 63 degrees F
Frost-free period: 200 to 275 days

Map Unit Composition

Greenfield and similar soils: 85 percent
Minor components: 15 percent

Description of Greenfield

Setting

Landform: Alluvial fans
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Granitic alluvium

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: 24 to 48 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low (0.01 to 0.14 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.2 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability (nonirrigated): 4s

Typical profile

0 to 16 inches: Sandy loam
16 to 38 inches: Sandy loam
38 to 48 inches: Cemented

Minor Components

Unnamed, compact subsoil

Percent of map unit: 5 percent
Landform: Alluvial fans

Unnamed, moderately sloping

Percent of map unit: 5 percent
Landform: Alluvial fans

Hanford

Percent of map unit: 5 percent
Landform: Alluvial fans

Custom Soil Resource Report

Hc—Hanford sandy loam

Map Unit Setting

Elevation: 200 to 500 feet

Mean annual precipitation: 8 to 15 inches

Mean annual air temperature: 61 to 63 degrees F

Frost-free period: 250 to 275 days

Map Unit Composition

Hanford and similar soils: 85 percent

Minor components: 15 percent

Description of Hanford

Setting

Landform: Alluvial fans, flood plains

Landform position (two-dimensional): Footslope, toeslope

Landform position (three-dimensional): Base slope, rise

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Granitic alluvium

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Moderate (about 7.8 inches)

Interpretive groups

Land capability classification (irrigated): 2s

Land capability (nonirrigated): 4s

Typical profile

0 to 16 inches: Sandy loam

16 to 72 inches: Sandy loam

Minor Components

Unnamed

Percent of map unit: 10 percent

Landform: Alluvial fans, flood plains

Unnamed, channel

Percent of map unit: 5 percent

Landform: Channels on alluvial fans

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Rb—Ramona sandy loam, hard substratum

Map Unit Setting

Elevation: 250 to 500 feet

Mean annual precipitation: 9 to 15 inches

Mean annual air temperature: 60 to 62 degrees F

Frost-free period: 225 to 275 days

Map Unit Composition

Ramona and similar soils: 80 percent

Minor components: 20 percent

Description of Ramona

Setting

Landform: Stream terraces, alluvial fans

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Base slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Granitic alluvium

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: 40 to 60 inches to duripan

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately low (0.01 to 0.14 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Low (about 5.6 inches)

Interpretive groups

Land capability classification (irrigated): 2s

Land capability (nonirrigated): 4s

Typical profile

0 to 12 inches: Sandy loam

12 to 24 inches: Sandy loam

24 to 40 inches: Sandy clay loam

40 to 50 inches: Cemented

Minor Components

Ramona, moderately deep

Percent of map unit: 15 percent

Landform: Alluvial fans, stream terraces

Down-slope shape: Linear

Across-slope shape: Linear

Custom Soil Resource Report

Unnamed, clay subsoil

Percent of map unit: 5 percent

Landform: Alluvial fans, stream terraces

Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

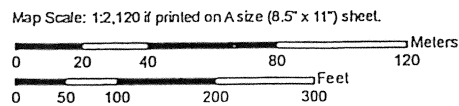
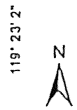
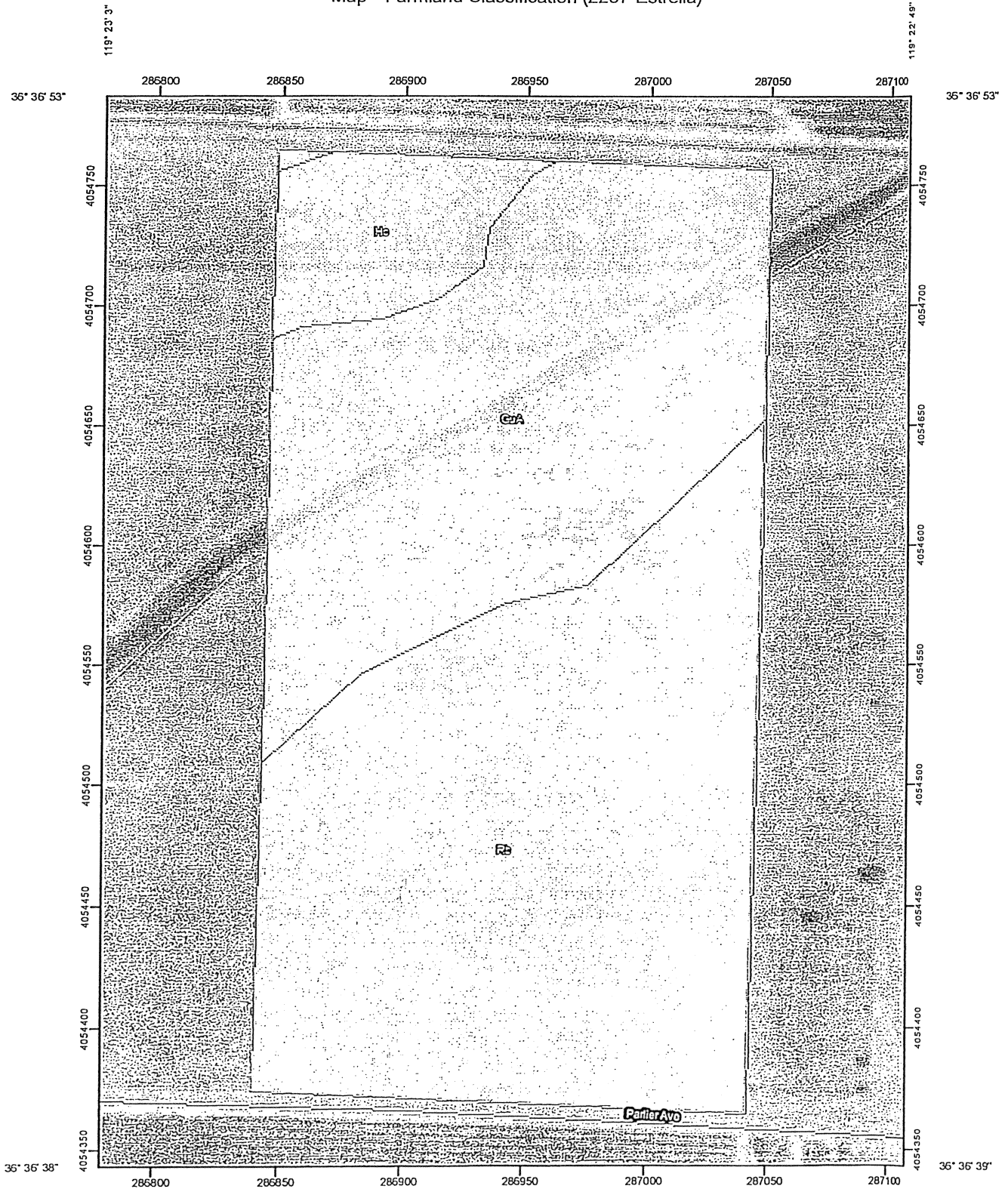
Land Classifications

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

Farmland Classification (2267-Estrella)

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Custom Soil Resource Report
Map—Farmland Classification (2267-Estrella)




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





MAP LEGEND








Area of Interest (AOI)
 Area of Interest (AOI)

Soils

 Soil Map Units

Soil Ratings


-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of local importance
-  Farmland of unique importance
-  Not rated or not available




Political Features



 Cities

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes

-  Major Roads
-  Local Roads

MAP INFORMATION

Map Scale: 1:2,120 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 11N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Eastern Fresno Area, California
 Survey Area Data: Version 5, Sep 26, 2008

Date(s) aerial images were photographed: 7/1/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Table—Farmland Classification (2267-Estrella)

Farmland Classification—Summary by Map Unit—Eastern Fresno Area, California (CA654)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
GuA	Greenfield sandy loam, moderately deep, 0 to 3 percent slopes	Farmland of statewide importance	7.7	39.4%
Hc	Hanford sandy loam	Prime farmland if irrigated	1.5	7.5%
Rb	Ramona sandy loam, hard substratum	Prime farmland if irrigated	10.4	53.1%
Totals for Area of Interest			19.5	100.0%

Rating Options—Farmland Classification (2267-Estrella)

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

References

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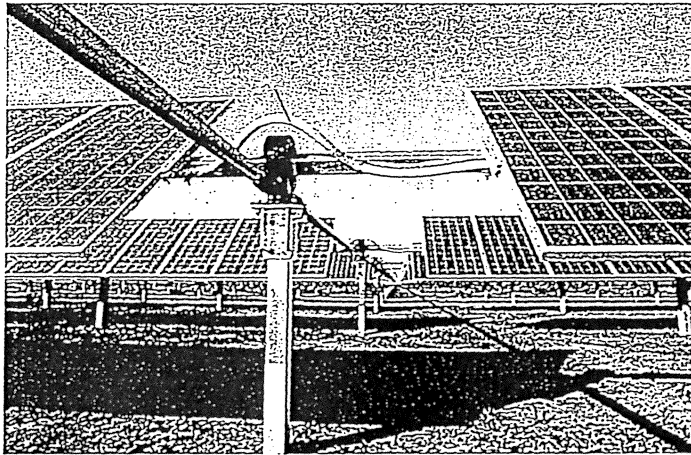
United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210.



Pristine Sun PV Solar Generator Facility Decommissioning & Reclamation Plan

Site: 2267 Estrella 0.999 MW
22964 E. Parlier Avenue
Reedley, CA 93654

CUP #3477



Contact Information

Pristine Sun LLC 101 Mission Street, #1050

San Francisco, CA 94105

info@pristinesun.com

Telephone: 415-848-8100

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COUNTY OF FRESNO

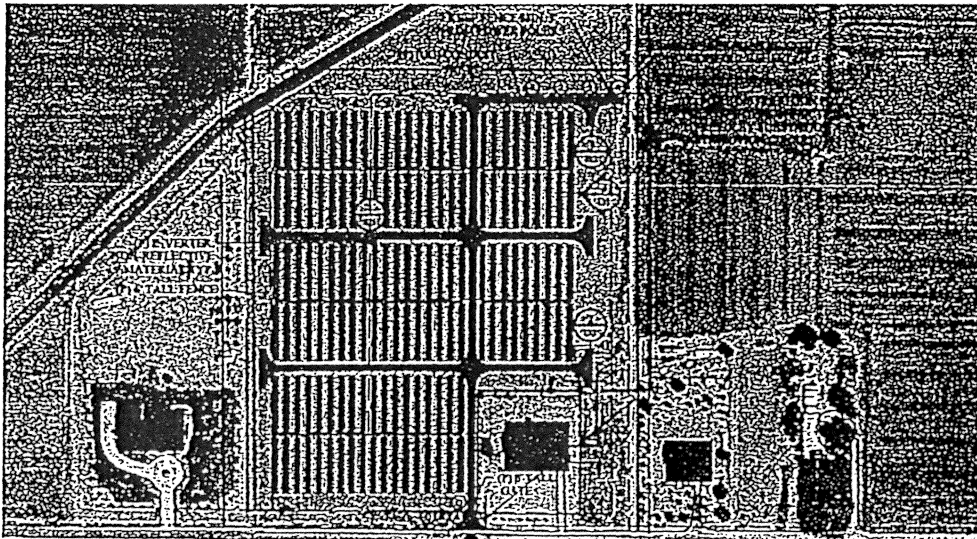
JAN 29 2015

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Pristine Sun LLC | www.PristineSun.com | info@PristineSun.com

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1. INTRODUCTION

The purpose of this document is to outline the operation, maintenance, and the decommissioning plan for Pristine Sun’s proposed 0.999 MW photovoltaic solar electric generating facility (PVSGF) 2267 Estrella. This plan covers the initial commissioning, long-term operation, and outlines decommissioning the facility at the end of its service. The PVSGF will be built on private land owned by Jose and Julia Estrella. Pristine Sun has entered into an agreement to lease the land for 20 years.

SYSTEM DESCRIPTION

The 0.999 MW 2267 Estrella photovoltaic solar electric generating system will facility that sells electricity to Pacific Gas & Electric under the California Public Utility Commission (CPUC) Feed-in-Tariff (FIT) program. Pacific Gas & Electric have entered into a power purchase agreement (PPA) for a term of 20 years.

The facility generates electricity by harvesting the sun’s energy through 1,080 anti-reflective – 300-watt direct current (DC) photovoltaic poly-crystalline panels. The PVSGF would generate clean renewable energy from solar power; the generated energy would be sold to a public utility company and distributed through the local power lines from the Fresno Substation for public consumption. The PVSGF project would require County approval of a conditional use permit (CUP), under the name Pristine Sun LLC, to allow for facility construction, operation, and maintenance. Approval of the CUP is a discretionary action triggering environmental review of the project under the California Environmental Quality Act (CEQA).

SYSTEM DESCRIPTION

System Description 0.999 MW Solar photovoltaic power system
Location: 22694 East Parlier Ave, Reedley, CA 93654
Utility Granting Operating Permission: Pacific Gas and Electric
Operator Representative: Peter Coughlin Sr.
Customer Representative: Alison Khalaf
Emergency Contacts for Site: Peter Coughlin Sr.

The facility includes the following equipment to be installed above and below ground, structures, fencing etc.

- 18 rows of trackers
- 60 modules per row
- Total 1080 modules
- 2 inverters
- Combiner boxes/AC/DC wiring, power poles
- 1 Transformer
- Fencing 2780 linear feet
- I-beams

LOCATION

The PVSFG project site is located on flat agricultural land at an elevation of approximately 378 feet. The site is has not been productive over the past 10 years. The PVSFG site is located approximately .25 miles west of Crawford Avenue, .50 miles South of E. South Avenue, .50 miles north of J19/E Manning Ave, and .75 miles east of Rd 80/Alta Avenue. The nearest population center is the community of Reedley California. The PVSFG project site can be accessed from E. Parlier Avenue to the south. The 0.999 MW 2267 Estrella solar electric generating facility will be enclosed by high security fencing, a six-foot-high chain-link perimeter fence topped with three-strand barbed wire; one point of ingress/egress would be provided equipped with a locked gate. Minimum setbacks from the security fencing to the array blocks are 50 feet. The south end of the facility will have a pole mounted full pan-tilt-zoom security camera which is accessible remotely through the internet.



2. Procedures for Decommissioning after Ceasing Operation

The Project has an estimated useful lifetime of 30 years or more, with an opportunity for a lifetime of 50 years or more with equipment replacement and repowering. This section, however, assumes that at the end of the 20 year power generation contract with Pacific Gas and Electric (PG&E) the system will be completely dismantled and the site restored to its preconstruction state.

Pristine Sun (PS) is committed to improving the global environment. Therefore, as a renewable energy developer PS is dedicated to recycling as many of the products as possible throughout the project site. Along with the recycling of the used equipment on the project we will minimize waste throughout the decommissioning process.

The decommissioning and reclamation plan is intended to provide a secure mechanism for the removal of the solar energy equipment (Embedded Energy System™, or “EES”) at the end of the 20 year term, including any extensions, either planned or unplanned, during the useful life of the EES, and restoring the land to its previous agricultural condition, estimated to take approximately 100 to 120 days.

It is not expected that any water courses, hazards or bodies will be impacted by the renewable energy project. The required setbacks will be respected in the site layout. As a result, no specific restoration of the water courses, either during construction or decommissioning, is planned.

2.1 PV Module Collection and Recycling

PS will be utilizing solar PV modules with recycling plans to promote the collection and recycling of modules and to minimize the potential for modules to be disposed of as municipal waste. Alternatively, solar panels with remaining useful life can be sold for other applications. The module recycling program includes the glass and the encapsulated semiconductor material, which will be collected by the manufacturer and recycled into new solar modules or other products.

Some key elements of recycling PV Modules include:

- **Collection:** PS will manage the logistics of collecting the modules and provide packing and transportation to the recycling center. The module owners only requirement is to dismantle and package the modules in accordance with the Mann Engineering’s instructions;
- **Recycling:** The module manufacturer, or a comparable recycler, will recycle or reuse as much of the module as possible. All recycling processes are monitored to ensure compliance with applicable regulatory requirements regarding occupational health & safety, recycling, waste management, etc. Any elements that can’t be recycled will be disposed of outside the project location’s municipality and in an environmentally friendly way.

Managing the product life cycle, from raw material sourcing through end-of-life collection and recycling, enables PS to create a sustainable product life cycle that strives to provide the most environmental benefits.

2.2 Facility Dismantling and Site Restoration

The Project consists of numerous recyclable materials, including glass, semiconductor material, steel, and wiring. When the Project reaches the end of its operational life, the component parts can be dismantled and recycled. The Project components will be dismantled and removed using minimal impact conventional construction equipment and recycled or disposed of safely. All components shall be removed from the site using experienced local subcontractors.

2.3 Decommission / Reclamation Methodology:

Please note that no hazardous materials will be stored onsite. The Decommissioning Plan shall consist of the following:

- 1) A timeline of 100-120 days, including weather delay, comprised of the following phases:
 - a) Phase 1: Decommission (35 days).
 - i) Removal of solar modules, trackers, racking and driven posts (15 days).
 - ii) Removal of the PowerStation electrical equipment (5 days).
 - iii) Removal of the below-grade conduits and associated cables (5 days).
 - iv) Removal of the concrete pad under the PowerStation or PowerStation ground screws, where applicable (5 days, concurrent with step (iii) above).
 - v) Removal of fences and any remaining equipment including but not limited to 3 power poles, security camera, weather station anemometer, rainfall catchment cup, irradiance meter(s), etc. (5 days, concurrent with step (iii) above).
 - vi) Removal and haul off of gravel contained in any roads added as part of the Project plus the underlying aggregate, unless the land adjacent to the Premises as defined in the site lease is used for livestock grazing or non-tilled farming such as alfalfa, hay, and/or other grasses in which case the gravel shall be removed to a level of 12" below the surface and the underlying aggregate beneath shall remain in place (10 days).
 - vii) No grading is necessary, since the Project construction plan does not require any grading other than possibly smoothing or knocking down any piles of debris, dirt, or aggregate that may already be on the Premises. This is due to the design of the single axis tracker from Array Technologies to be installed as part of the EES.
 - viii) Note: in the event that the landowner elects to keep the fence and/or the gravel road(s) installed as part of the Project in order to increase the agricultural output of the property (such as to contain sheep or other livestock for grazing and have use of the gravel road for servicing water or feed troughs for the livestock), and Jose Estrella approves such request in writing either as a part of this permit application or at a later date, Pristine Sun and its assigns shall comply with that request and remove all other equipment pursuant to this Plan.
 - b) Phase 2: Reclamation (35 to 65 days).
 - i) Hire a third party biologist to determine a species of crop, native grass or grasses that are consistent with the crop or grasses contained on the property immediately adjacent to the Premises ("Crop"). At this time Pristine Sun's first choice for the biologist is Ecorp, based in San Francisco, California (to be contacted and engaged

by the Pristine Sun or the Trustee (defined below) at least 90 days prior to the end of the Term, and completed at least 30 days prior to the end of the Term).

- ii) Order the appropriate Crop seeds (30 days prior to the end of the Term).
 - iii) Prepare the soil as needed to plant the Crop (15 days).
 - iv) Prepare any necessary temporary irrigation, such as a temporary water tank, hose, or rental of a watering truck to nurture the Crop seeds after planting (15 days, concurrent with step (iv) above).
 - v) Plant the Crop seeds (5 days).
 - vi) Water and fertilize as needed, using agricultural grade probiotics and if needed additional non-toxic fertilizers (15-45 days).
- c) Weather delay allowance, needed only for below grade removal as described in Phase 1, sections (iii), (iv), and (vi) (30 days).

3. Project Decommissioning Cost

Financial Guarantee / Security

Pristine Sun or its designated subsidiary shall issue a bond in the amount of \$99,709 to the benefit of Fresno County in the amount of the Plan Cost and in full compliance with Section 66499 of the California Government Code, et. seq. (the "LOC").

Signed: _____

Name: Jose Estrella

Title: Owner

Date: _____

Signed: _____

Name: Julia Estrella

Title: Owner

Date: _____

Exhibit A

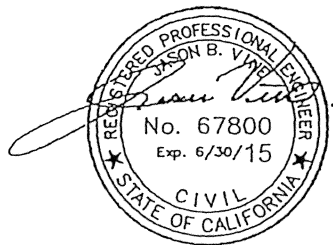
REALM ENGINEERING

1135 Pine Street, Suite 006 Redding CA 96001 530.526.7493



**ENGINEERS OPINION OF RECLAMATION COSTS
FOR 2267 Estrella Decommissioning Project
Reedly, CA 93654**

ITEM	DESCRIPTION	QTY.	UNIT	UNIT COST	COST
1	Disconnect, dismantle, pack and store solar modules for shipping	30	EA	\$792.42	\$23,773
2	Removal of inverters and AC/DC combiner boxes AC/DC wiring, power poles, refill trenching, and any holes with native soil	2	EA	\$2,377.25	\$4,755
		8	EA	\$1,285.00	\$10,280
3	Removal of Power Station and concrete pad	1	LS	\$2,500.00	\$2,500
4	Removal of I-Beams	841	EA	\$8.00	\$6,728
5	Removal of dirt/gravel roads 12" deep	1,110	CY	\$10.00	\$11,100
6	Removal of Fencing and Posts	2,780	LF	\$3.50	\$9,730
7	Re-vegetation back to native	434,926	SF	\$0.06	\$26,096
			Subtotal	\$6,976.23	\$94,961
			Contingency of 5%	5%	\$99,709
			TOTAL		\$99,709



**EXHIBIT B
INSURANCE**

General Liability Insurance. Single limit insurance against claims for third-party bodily injury, including death, and third-party property damage occurring as a result of the ownership, use, maintenance or operation of the System in an amount at least equal to \$1,000,000 per occurrence and \$2,000,000 in aggregate.

Biological Resources Assessment

ESTRELLA SOLAR FACILITY Reedley, Fresno County, California

Prepared for:

Alison Biondi Khalaf
Pristine Sun
101 Mission Street, Suite 1050
San Francisco, CA 94105

Prepared by:

WRA, Inc.
2169-G East Francisco Blvd.
San Rafael, CA 94901

Contact:

Dana Riggs
riggs@wra-ca.com

Date:

February 2015



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LIST OF ACRONYMS AND ABBREVIATIONS

CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
Corps	United States Army Corps of Engineers
ESA	Federal Endangered Species Act
Inventory	CNPS Inventory of Rare and Endangered Plants
MTBA	Migratory Bird Treaty Act
Rank	California Rare Plant Rank
RWQCB	Regional Water Quality Control Board
SJKF	San Joaquin Kit Fox
SWPPP	Stormwater Pollution Prevention Plan
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WRA	WRA, Inc.

EXECUTIVE SUMMARY

The purpose of this report is to provide an analysis of natural community and special-status species issues at the Estrella property in Reedley, Fresno County, California.

On January 15, 2015, WRA, Inc. (WRA) conducted a biological resources assessment within the Estrella property. WRA observed two biological communities, 28 plant species and seven wildlife species. One potentially sensitive biological community type covering 0.4 acre was identified. Four special-status wildlife species and no special-status plant species have a moderate or high potential to occur within the Project Area.

The Project has no potential to impact special-status plant species, and impacts to the one potentially sensitive community (irrigation canal) within the Project Area will be completely avoided through Project design and the incorporation of a minimum setback. The Project has the potential to impact special-status wildlife species including San Joaquin kit fox, loggerhead shrike, tricolored blackbird, and Swainson's hawk, if no avoidance, minimization or mitigation measures are implemented. However, with the incorporation of the prescribed avoidance measures described herein, potential impacts to special-status wildlife species and their habitats will be reduced to less than significant.

1.0 INTRODUCTION

On January 15, 2015, WRA, Inc (WRA) performed an assessment of biological resources at the approximately 20-acre Estrella property (Project Area) located at 22694 East Parlier Avenue in Reedley, Fresno County, California (Figures 1 and 2). The purpose of the assessment was to gather information necessary to complete a review of biological resources under the California Environmental Quality Act (CEQA). This report describes the results of the site visit, which assessed the Project Area for the (1) potential to support special-status species; and (2) presence of other sensitive biological resources protected by local, state, and federal laws and regulations. If special-status species were observed during the site visit, they were recorded. Specific findings on the habitat suitability or presence of special-status species or sensitive habitats may require that protocol-level surveys be conducted. This report also contains an evaluation of potential impacts to special-status species and sensitive biological resources that may occur as a result of the proposed Project and potential mitigation measures to compensate for those impacts.

A biological resources assessment provides general information on the potential presence of sensitive species and habitats. The biological assessment is not an official protocol-level survey for listed species that may be required for Project approval by local, state, or federal agencies. This assessment is based on information available at the time of the study and on site conditions that were observed on the date of the site visit.

2.0 REGULATORY BACKGROUND

The following sections explain the regulatory context of the biological assessment, including applicable laws and regulations that were applied to the field investigations and analysis of potential Project impacts.

2.1 Sensitive Biological Communities

Sensitive biological communities include habitats that fulfill special functions or have special values, such as wetlands, streams, or riparian habitat. These habitats are protected under federal regulations such as the Clean Water Act; state regulations such as the Porter-Cologne Act, the CDFW Streambed Alteration Program, and CEQA; or local ordinances or policies such as city or county tree ordinances, Special Habitat Management Areas, and General Plan Elements.

Waters of the United States

The U.S. Army Corps of Engineers (Corps) regulates "Waters of the United States" under Section 404 of the Clean Water Act. Waters of the U.S. are defined in the Code of Federal Regulations (CFR) as waters susceptible to use in commerce, including interstate waters and wetlands, all other waters (intrastate waterbodies, including wetlands), and their tributaries (33 CFR 328.3). Potential wetland areas, according to the three criteria used to delineate wetlands as defined in the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory

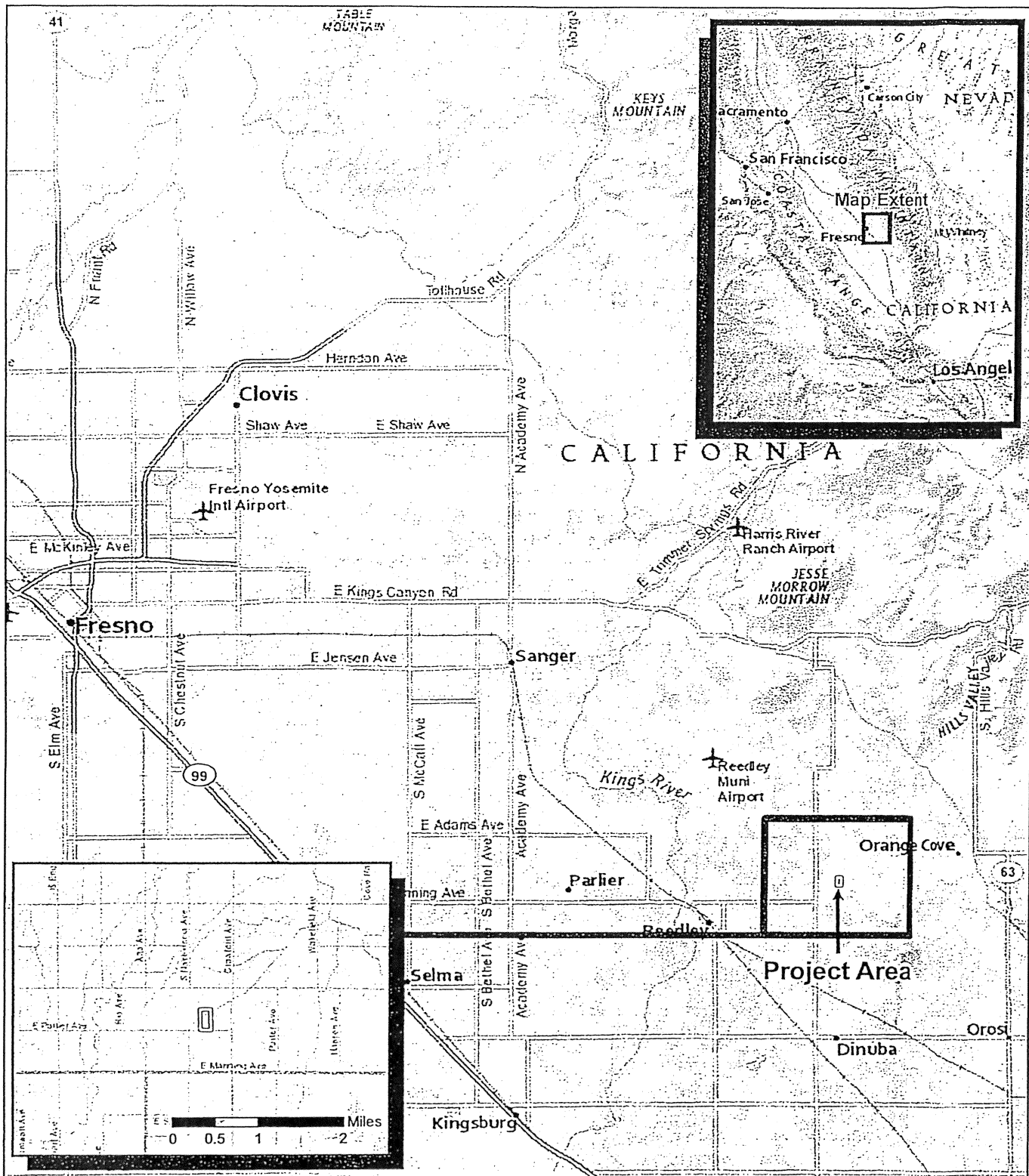
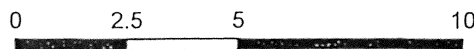


Figure 1. Location of Project Area

Estrella Solar Facility
Fresno County, California



Map Prepared Date: 1/26/2015
Map Prepared By: MROchelle
Base Source: National Geographic
Data Source(s): WRA



 Project Area

Figure 2. Project Area



Estrella Solar Facility
Fresno County, California

Map Prepared Date: 1/26/2015
Map Prepared By: MRochelle
Base Source: Microsoft Aerial flown 8/27/2010
Data Source(s): WRA

1987), are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. Areas that are inundated at a sufficient depth and for a sufficient duration to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as “other waters” and are often characterized by an ordinary high water mark. Other waters, for example, generally include lakes, rivers, and streams. The placement of fill material into Waters of the U.S generally requires an individual or nationwide permit from the Corps under Section 404 of the Clean Water Act.

Waters of the State

The term “Waters of the State” is defined by the Porter-Cologne Act as “any surface water or groundwater, including saline waters, within the boundaries of the state.” The Regional Water Quality Control Board (RWQCB) protects all waters in its regulatory scope and has special responsibility for wetlands, riparian areas, and headwaters. These waterbodies have high resource value, are vulnerable to filling, and are not systematically protected by other programs. RWQCB jurisdiction includes “isolated” wetlands and waters that may not be regulated by the Corps under Section 404. Waters of the State are regulated by the RWQCB under the State Water Quality Certification Program which regulates discharges of fill and dredged material under Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Control Act. Projects that require a Corps permit, or fall under other federal jurisdiction, and have the potential to impact Waters of the State, are required to comply with the terms of the Water Quality Certification determination. If a proposed project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the RWQCB has the option to regulate the dredge and fill activities under its state authority in the form of Waste Discharge Requirements.

Streams, Lakes, and Riparian Habitat

Streams and lakes, as habitat for fish and wildlife species, are subject to jurisdiction by CDFW under Sections 1600-1616 of California Fish and Game Code. Alterations to or work within or adjacent to streambeds or lakes generally require a 1602 Lake and Streambed Alteration Agreement. The term “stream”, which includes creeks and rivers, is defined in the California Code of Regulations (CCR) as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life [including] watercourses having a surface or subsurface flow that supports or has supported riparian vegetation” (14 CCR 1.72). In addition, the term “stream” can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife (CDFG 1994a). “Riparian” is defined as “on, or pertaining to, the banks of a stream.” Riparian vegetation is defined as “vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself” (CDFG 1994a). Removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement from CDFW.

Other Sensitive Biological Communities

Other sensitive biological communities not discussed above include habitats that fulfill special functions or have special values. Natural communities considered sensitive are those identified in local or regional plans, policies, regulations, or by the CDFW. CDFW ranks sensitive communities as “threatened” or “very threatened” and keeps records of their occurrences in its California Natural Diversity Database (CNDDDB; CDFW 2015). Sensitive plant communities are

also identified by CDFW (2010). CNDDDB vegetation alliances are ranked 1 through 5 based on NatureServe's (2010) methodology, with those alliances ranked globally (G) or statewide (S) as 1 through 3 considered sensitive. Impacts to sensitive natural communities identified in local or regional plans, policies, or regulations or those identified by the CDFW or USFWS must be considered and evaluated under CEQA (CCR Title 14, Div. 6, Chap. 3, Appendix G). Specific habitats may also be identified as sensitive in city or county general plans or ordinances.

2.2 Special-Status Species

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These acts afford protection to both listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern, and CDFW special-status invertebrates are all considered special-status species. Bat species are also evaluated for conservation status by the Western Bat Working Group (WBWG), a non-governmental entity. Although CDFW Species of Special Concern and WBWG-evaluated bats generally have no special legal status, they are given special consideration under the CEQA. In addition to regulations for special-status species, most native birds and raptors in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918 and Fish and Game Code protection of raptors sections 3503, 3503.5 and 3513. Under these regulations, destroying active nests, eggs, and young is illegal.

Plant species on the California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (Inventory) with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA. Rank 3 and Rank 4 species are afforded little or no protection under CEQA, but are included in this analysis for completeness. A description of the CNPS Ranks is provided below in Table 1.

Table 1. Description of CNPS Ranks and Threat Codes

California Rare Plant Ranks (formerly known as CNPS Lists)	
Rank 1A	Presumed extirpated in California and either rare or extinct elsewhere
Rank 1B	Rare, threatened, or endangered in California and elsewhere
Rank 2A	Presumed extirpated in California, but more common elsewhere
Rank 2B	Rare, threatened, or endangered in California, but more common elsewhere
Rank 3	Plants about which more information is needed - A review list
Rank 4	Plants of limited distribution - A watch list
Threat Ranks	
0.1	Seriously threatened in California
0.2	Moderately threatened in California
0.3	Not very threatened in California

Critical Habitat

Critical habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. The ESA requires federal agencies to consult with the USFWS to conserve listed species on their lands and to ensure that any activities or projects they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. In consultation for those species with critical habitat, federal agencies must also ensure that their activities or projects do not adversely modify critical habitat to the point that it will no longer aid in the species' recovery. In many cases, this level of protection is similar to that already provided to species by the ESA jeopardy standard. However, areas that are currently unoccupied by the species but which are needed for the species' recovery are protected by the prohibition against adverse modification of critical habitat.

3.0 METHODS

On January 15, 2015, the Project Area was traversed on foot to determine (1) plant communities present within the Project Area, (2) if existing conditions provided suitable habitat for any special-status plant or wildlife species, and (3) if sensitive habitats are present. All plant and wildlife species encountered were recorded, and are summarized in Appendix A. Plant nomenclature follows Baldwin et al. (2012) and subsequent revisions by the Jepson Flora Project (2015), except where noted. Because of recent changes in classification for many of the taxa treated by Baldwin et al. and the Jepson Flora Project, relevant synonyms are provided in brackets. For cases in which regulatory agencies, CNPS, or other entities base rarity on older taxonomic treatments, precedence was given to the treatment used by those entities.

3.1 Biological Communities

Prior to the site visit, available reference materials were reviewed, including soil survey data for the Project Area (California Soil Resource Lab 2015), the U.S. Geological Survey (USGS) 7.5-minute quadrangle map for Reedley and the eight quadrangle maps surrounding Newman (USGS 2012a-i), the USFWS National Wetland Inventory (USFWS 2014a), and aerial imagery of the Project Area (Google Earth 2014) to determine if any unique soil types that could support sensitive plant communities and/or aquatic features were present in the Project Area. Biological communities present in the Project Area were classified based on existing plant community descriptions described in the *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986) and *A Manual of California Vegetation, Second Edition* (Sawyer et al. 2009). However, in some cases it is necessary to identify variants of community types or to describe non-vegetated areas that are not described in the literature. Biological communities were classified as sensitive or non-sensitive as defined by CEQA and other applicable laws and regulations.

3.1.1 Non-sensitive Biological Communities

Non-sensitive biological communities are those communities that are not afforded special protection under CEQA, and other state, federal, and local laws, regulations and ordinances. These communities may, however, provide suitable habitat for some special-status plant or wildlife species and are identified or described in Section 4.1.1 below.

3.1.2 Sensitive Biological Communities

Sensitive biological communities are defined as those communities that are given special protection under CEQA and other applicable federal, state, and local laws, regulations and ordinances. Applicable laws and ordinances are discussed above in Section 2.0. Special methods used to identify sensitive biological communities are discussed below.

Wetlands and Non-Wetland Waters

The Project Area was surveyed to determine if any wetlands and non-wetland waters potentially subject to jurisdiction by the Corps, RWQCB, or CDFW were present. The assessment was based primarily on the presence of wetland plant indicators, but may also include any observed indicators of wetland hydrology or wetland soils. Any potential wetland areas were identified as areas dominated by plant species with a wetland indicator status¹ of OBL, FACW, or FAC as given on the U.S. Army Corps of Engineers National Wetlands Plant List (Lichvar et al. 2014). Evidence of wetland hydrology can include direct evidence (primary indicators), such as visible inundation or saturation, algal mats, and oxidized root channels, or indirect (secondary) indicators, such as a water table within two feet of the soil surface during the dry season. Some indicators of wetland soils include dark colored soils, soils with a sulfidic odor, and soils that contain redoximorphic features as defined by the Corps Manual (Environmental Laboratory 1987) and Field Indicators of Hydric Soils in the United States (NRCS 2010).

Other Sensitive Biological Communities

The Project Area was evaluated for the presence of other sensitive biological communities, including riparian areas and sensitive plant communities recognized by CDFW. Prior to the site visit, aerial photographs, local soil maps, the *List of Vegetation Alliances* (CDFG 2009), and *A Manual of California Vegetation* (Sawyer et al. 2009) were reviewed to assess the potential for sensitive biological communities to occur in the Project Area. All alliances within the Project Area with a ranking of 1 through 3 were considered sensitive biological communities and mapped, if found. These communities are described in Section 4.1.2 below.

3.2 Special-Status Species

3.2.1 Literature Review

Potential occurrence of special-status species in the Project Area was evaluated by first determining which special-status species occur in the vicinity of the Project Area through a literature and database search. Database searches for known occurrences of special-status species focused on the Reedley 7.5 minute USGS quadrangle and the eight surrounding USGS quadrangles (USGS 2012a-i). The following sources were reviewed to determine which special-status plant and wildlife species have been documented to occur in the vicinity of the Project Area:

¹ OBL = Obligate, always found in wetlands (> 99% frequency of occurrence); FACW = Facultative wetland, usually found in wetlands (67-99% frequency of occurrence); FAC = Facultative, equal occurrence in wetland or non-wetlands (34-66% frequency of occurrence).

- California Natural Diversity Database (CNDDDB) records (CDFW 2014)
- USFWS quadrangle species lists (USFWS 2014)
- CNPS Inventory records (CNPS 2014)
- California Department of Fish and Game (CDFG) publication "California's Wildlife, Volumes I-III" (Zeiner et al. 1990)
- CDFG publication "California Bird Species of Special Concern" (Shuford and Gardali 2008)
- CDFG publication "Amphibians and Reptile Species of Special Concern in California" (Jennings and Hayes 1994)
- Western Bat Working Group (WBWG) Species Accounts (WBWG 2010)
- A Field Guide to Western Reptiles and Amphibians (Stebbins 2003)
- Fairy Shrimps of California's Puddles, Pools and Playas (Eriksen and Belk 1999)

3.2.2 Site Assessment

A site visit was made to the Project Area to search for suitable habitats for special-status species. Habitat conditions observed at the Project Site were used to evaluate the potential for presence of special-status species based on these searches and the professional expertise of the investigating biologists. The potential for each special-status species to occur in the Project Area was then evaluated according to the following criteria:

- No Potential. Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- Unlikely. Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- Moderate Potential. Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- High Potential. All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
- Present. Species is observed on the site or has been recorded (i.e. CNDDDB, other reports) on the site recently.

The site assessment is intended to identify the presence or absence of suitable habitat for each special-status species known to occur in the vicinity in order to determine its potential to occur in the Project Area. The site visit does not constitute a protocol-level survey and is not intended to determine the actual presence or absence of a species; however, if a special-status species is observed during the site visit, its presence will be recorded and discussed.

In cases where little information is known about species occurrences and habitat requirements, the species evaluation was based on best professional judgment of WRA biologists with experience working with the species and habitats. If necessary, recognized experts in individual species biology were contacted to obtain the most up to date information regarding species biology and ecology.

If a special-status species was observed during the site visit, it was recorded and discussed below in Section 4.2. For some species, a site assessment visit at the level conducted for this report may not be sufficient to determine presence or absence of a species to the specifications of regulatory agencies. In these cases, a species may be assumed to be present or further protocol-level special-status species surveys may be necessary. Special-status species for which further protocol-level surveys may be necessary are described below in Section 5.0

4.0 RESULTS

The Project Area is located in rural Fresno County and is surrounded by agricultural land. The Project Area is primarily flat, with elevations in the Project Area ranging from approximately 375 to 380 feet. The Project Area has been significantly altered from its native state. The majority of the site is a fallow field that has been historically used for agriculture. A 10-foot wide, manmade irrigation canal drains from northeast to southwest across the northern portion of the Project Area. In addition, a house is present in the southeast corner of the Project Area. The site is characterized by ruderal herbaceous vegetation, though landscaped vegetation is present around the house. Indications of wildlife use of the Project Area include visual observations of passerine birds and black-tailed jack rabbit (*Lepus californicus*), as well as a few gopher burrows with characteristic dirt splays obscuring the burrow entrances. No other burrows with larger entrances (e.g., fox, ground squirrel) or dirt splays and runways characteristic of other small mammals (e.g., kangaroo rat) were present at the time of the site visit. The following sections present the results and discussion of the biological assessment within the Project Area.

4.1 Biological Communities

Table 2 summarizes the area of each biological community type observed in the Project Area. Non-sensitive biological communities in the Project Area include developed land and ruderal herbaceous vegetation. One potentially sensitive biological community—an irrigation canal—is found in the Project Area. Descriptions for each biological community are contained in the following sections. Biological communities within the Project Area are shown in Figure 3.

Table 2. Summary of Biological Communities in the Project Area

Community Type	Area
Developed land	1.64 acres
Ruderal herbaceous vegetation	17.5 acres
Irrigation canal	0.4 acres
Total Project Area Size	19.5 acres

4.1.1 Non-Sensitive Biological Communities

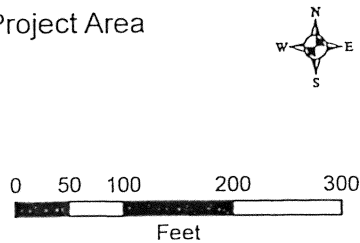
Developed/disturbed land

Although not described in the literature, developed/disturbed areas are those that have been altered by humans and may contain structures, landscaped areas, paved areas, or other non-



Figure 3. Biological Communities within the Project Area

Estrella Solar Facility
 Fresno County, California



Map Prepared Date: 1/26/2015
 Map Prepared By: M.Rochelle
 Base Source: Microsoft Aerial flown 8/27/2010
 Data Source(s): WRA

natural surfaces. This land cover type is present in the southeast corner of the Project Area and includes a gravel driveway, a house, other built structures, and landscape plantings. This land cover type is also located along dirt roads that follow the irrigation canal in the Project Area where the ground is highly compacted and appears to be frequently graded.

Ruderal herbaceous vegetation

Although not described in the literature, ruderal herbaceous vegetation includes areas that have been used in the past for agriculture. However, these areas are not currently used for agricultural activities, and have been allowed to revert to a semi-natural condition. Approximately 17.5 acres of the Project Area is composed of ruderal herbaceous vegetation in fields that appear to be frequently disked. Plant species observed in ruderal herbaceous vegetation in the Project Area include red maids (*Calandrinia ciliata*), bull mallow (*Malva nicaeensis*), white-stemmed filaree (*Erodium brachycarpum*), and long-beaked filaree (*Erodium botrys*). The portion of the Project Area north of the irrigation canal appears to have most recently been used to grow alfalfa (*Medicago sativa*) because that species is common in that area.

4.1.2 Potentially Sensitive Biological Communities

Irrigation canal

An approximately 10-foot wide, 6-foot deep, man-made irrigation canal is present in the northern portion of the Project Area, entering from the east and exiting to the west. It appears recently maintained, as evidenced by low vegetation cover and abundant bare ground. At the time of the site visit, the irrigation canal did not contain water or signs of saturation and was dominated by species typically known from uplands, including Johnsongrass (*Sorghum halepense*; FACU), Bermuda grass (*Cynodon dactylon*; FACU) and bull mallow (UPL). Other species present include white-stemmed filaree and red maids. Although not dominant in the canal, some wetland species were observed in low concentrations including variable flatsedge (*Cyperus difformis*; OBL) and rough cocklebur (*Xanthium strumarium*; FAC). The irrigation canal appeared recently maintained and appears to be a ditch dug in uplands, and such features are sometimes considered jurisdictional by the Corps and RWQCB. As such, the irrigation canal is being considered a potentially sensitive biological community for the purposes of this report.

4.2 Special-Status Species

As described in Section 3.2, potential occurrence of special-status species in the Project Area was evaluated by first determining which special-status species occur in the vicinity of the Project Area through a literature and database search. Within the vicinity of the Project Area, 11 special-status plants and 23 special-status animals were documented to occur. None of the special-status plants observed were determined to have a high or moderate potential for occurrence. Four special-status wildlife species were determined to have a moderate potential for occurrence.

4.2.1 Plants

Based upon a review of the resources and databases given in Section 3.2.1, 11 special-status plant species have been documented in the vicinity of the Project Area (Figure 4). All 11 of these species, as listed below, are unlikely or have no potential to occur in the Project Area:

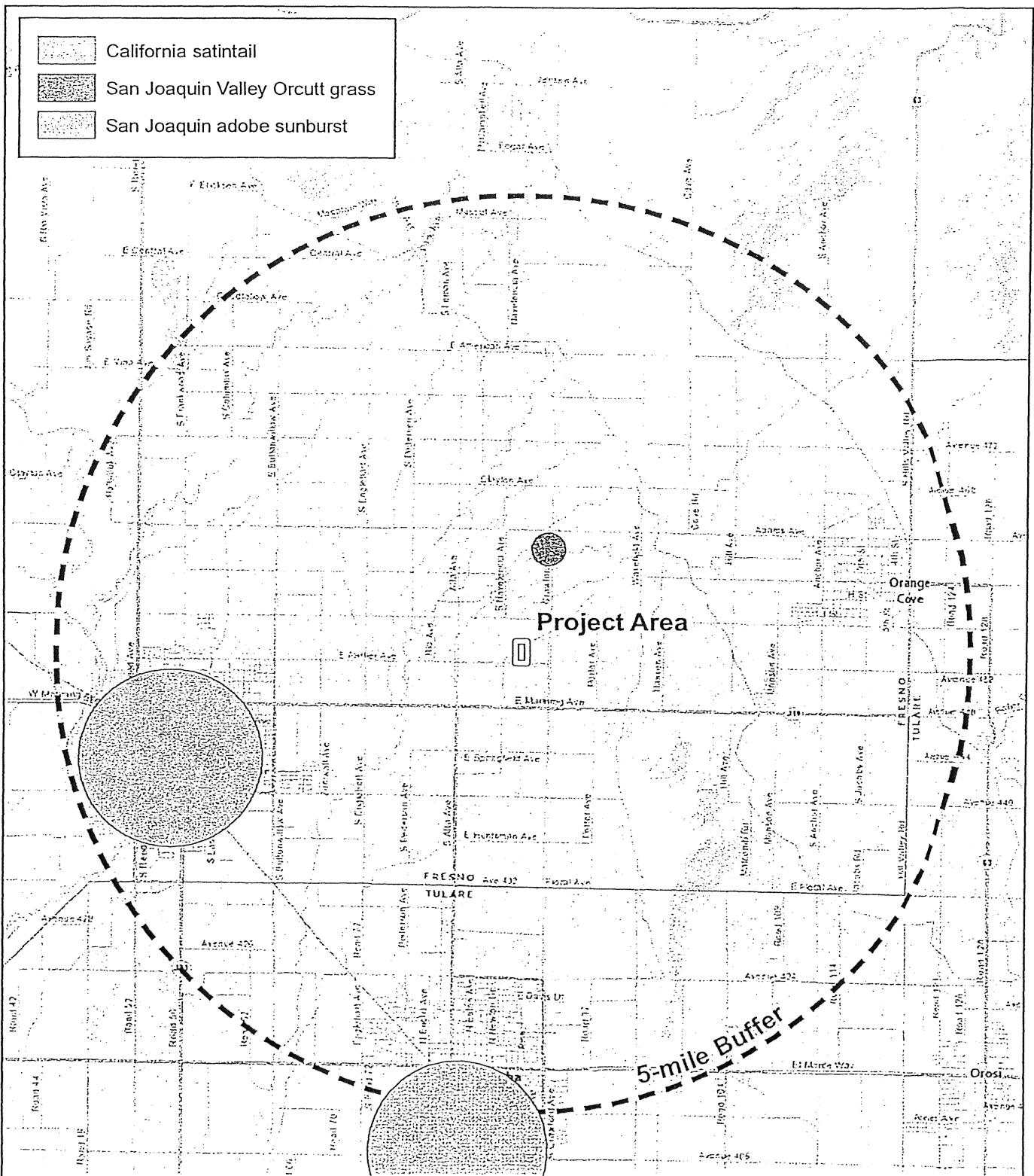
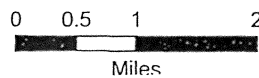


Figure 4. Special-Status Plant Species within 5 miles of the Project Area

Estrella Solar Facility
Fresno County, California



Map Prepared Date: 1/26/2015
Map Prepared By: MRochelle
Base Source: National Geographic
Data Source(s): CNDDb (December 2014)

- Earlimart orache (*Atriplex cordulata* var. *erecticaulis*). Rank 1B.2
- brittlescale (*Atriplex depressa*). Rank 1B.2
- lesser saltscale (*Atriplex minuscula*). Rank 1B.1
- Hoover's spurge (*Euphorbia hooveri* [*Chamasyce* h.]). Federal Threatened; Rank 1B.2
- recurved larkspur (*Delphinium recurvatum*). Rank 1B.2
- spiny-sepaled button-celery (*Eryngium spinosepalum*). Rank 1B.2
- Winter's sunflower (*Helianthus winteri*). Rank 1B.2
- California satintail (*Imperata brevifolia*). Rank 2B.1
- San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*). Federal Threatened; State Endangered; Rank 1B.1
- San Joaquin adobe sunburst (*Pseudobahia peirsonii*). Federal Threatened; State Endangered; Rank 1B.1
- Greene's tuctoria (*Tuctoria greeneri*); Federal Endangered. State Rare; Rank 1B.1

These species are unlikely or have no potential to occur in the Project Area due to one or more of the following reasons:

- Hydrologic conditions (e.g., marsh habitat, vernal pools) necessary to support the special-status plant(s) are not present in the Project Area;
- Edaphic (soil) conditions (e.g., sand, serpentine) necessary to support the special-status plant(s) are not present in the Project Area;
- Topographic positions (e.g., slopes) necessary to support the special-status plant(s) are not present in the Project Area;
- Associated vegetation communities (e.g., chaparral, chenopod scrub, cismontane woodland) necessary to support the special-status plant(s) are not present in the Project Area.

No special-status plant species were observed in the Project Area during the assessment site visit. See Appendix B for the CNDDDB records of special-status species documented in the vicinity of the Project Area. Federal- or State-listed species that are documented in the vicinity of the Project Area but are unlikely to occur within the Project Area are described below.

San Joaquin adobe sunburst. Federal Threatened; State Endangered; Rank 1B.1. San Joaquin adobe sunburst is an annual herb that occurs on adobe clay in cismontane woodland and valley and foothill grassland at elevations ranging from 295 to 2,625 feet. It blooms between March and April. This species is unlikely to occur in the Project Area because the ruderal herbaceous vegetation is poor quality grassland-like habitat, and the substrate is loamy, not clayey.

4.2.2 Wildlife

Twenty-three special-status species of wildlife have been recorded in the vicinity of the Project Area. Special-status wildlife species documented to occur within 5 miles of the Project Area are shown in Figure 5. No special-status wildlife species were observed in the Project Area during the site assessment. No special-status wildlife species have a high potential to occur in the Project Area, and four special-status wildlife species have a moderate potential to occur in the Project Area. Most of the species found in the review of background literature were determined to have no potential or to be unlikely to occur within the Study Area due to one or more of the following reasons:

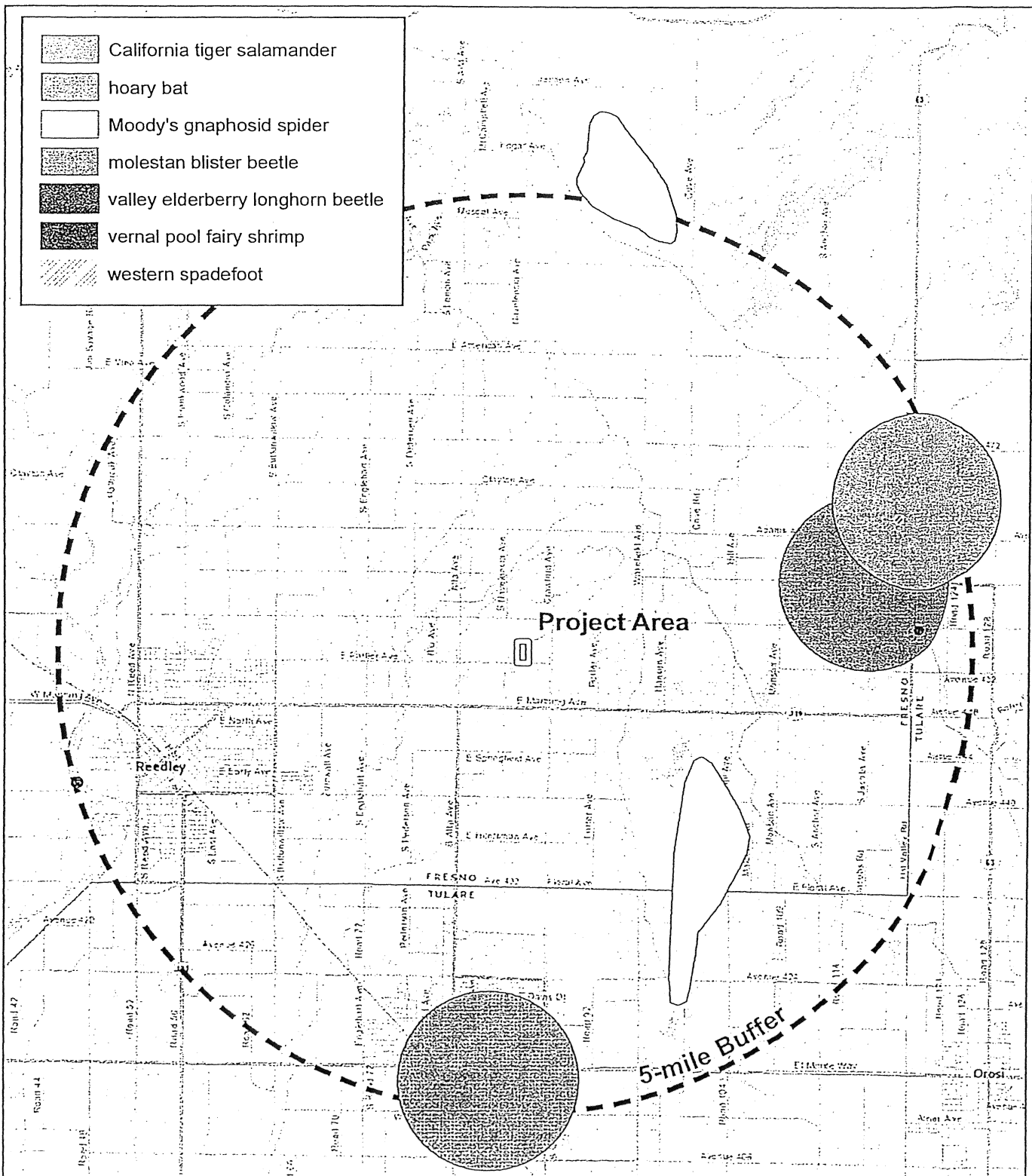
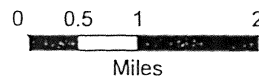


Figure 5. Special-Status Wildlife Species within 5 miles of the Project Area



Estrella Solar Facility
Fresno County, California



Map Prepared Date: 1/26/2015
Map Prepared By: MRochelle
Base Source: National Geographic
Data Source(s): CNDDDB (December 2014)

- Lack of suitable aquatic features. The only aquatic feature in or adjacent to the Project Area is the irrigation canal, which provides water only occasionally and irregularly for agricultural use. Thus, no fish, reptiles, amphibians or invertebrates dependent on aquatic habitat have potential to occur within the Project Area.
- Lack of suitable burrows. Only a few scattered gopher burrows were present within the site, eliminating the potential for burrow-dependent wildlife, as well as larger burrowing mammals, to occupy the site under current conditions.
- Lack of roost structures within or adjacent to the Project Area. Bats are unlikely to roost within the Project Area because the landscape vegetation is sparsely vegetated and the house is relatively new and maintained, with few (if any) crevices or overhangs that could act as bat roosts.
- No elderberry shrubs were observed within or adjacent to the Project Area. Thus there is no potential for Valley elderberry longhorn beetle to occur.
- The Project site is outside the known range of the species.

Special-status wildlife species that were observed, or have a moderate potential to occur in the Project Area are discussed below.

Swainson's hawk (*Buteo swainsoni*). **State Threatened, USFWS Bird of Conservation Concern.** Swainson's hawk is a summer resident and migrant in California's Central Valley and scattered portions of the southern California interior. Nests are constructed of sticks and placed in trees located in otherwise largely open areas. Areas typically used for nesting include the edge of narrow bands of riparian vegetation, isolated patches of oak woodland, lone trees, and also planted and natural trees associated with roads, farmyards and sometimes adjacent residential areas. Nesting success declines when the foraging radius of a breeding pair is more than 5 miles from the nest (England et al. 1995). Foraging occurs in open habitats, including grasslands, open woodlands, and agricultural areas. While breeding, adults feed primarily on rodents (and other vertebrates); for the remainder of the year, large insects (e.g., grasshoppers, dragonflies) comprise most of the diet. In many areas, Swainson's hawks have adapted to foraging primarily in and around agricultural plots (particularly alfalfa, wheat and row crops), as prey is both numerous and conspicuous at harvest and/or during flooding or burning (Bechard et al. 2010).

The nearest documented Swainson's hawk nesting occurrence is located approximately 12 miles south of the Project Area (CDFW 2014). Trees within and immediately adjacent to the Project Area are small in stature and do not provide suitable nesting habitat for Swainson's hawk; however, potentially suitable nest trees are present within 0.5 mile of the site. The site consists of dry cropland and thus provides only low- to marginal-quality foraging habitat. Based on the lack of documented occurrences in the vicinity and the absence of suitable nesting habitat on-site, this species has only a moderate potential to occur.

Loggerhead shrike (*Lanius ludovicianus*), **CDFW Species of Special Concern, USFWS Bird of Conservation Concern. Moderate Potential.** A common resident of lowlands and foothills throughout California, this species prefers open habitats with scattered trees, shrubs, posts, fences, utility lines, or other perches. Nests are usually built on a stable branch in a densely-foliaged shrub or small tree. This species is found most often in open-canopied valley foothill hardwood, conifer, pinyon-juniper, or desert riparian habitats. While this species eats mostly arthropods, it also takes amphibians, small reptiles, small mammals or birds, and is also known to scavenge on carrion.

The nearest documented occurrence of loggerhead shrike is approximately 12 miles south of the Project Area (CDFW 2014). The only area that may provide marginal nesting habitat for loggerhead shrike is in the landscape plantings that surround the house. This species may also forage through the Project Area, though its prey base is likely reduced or degraded due to agricultural activities on the site and in the region. Thus, there is a moderate potential for this species to forage within the Project Area and nest adjacent to the house.

Tricolored blackbird (*Agelaius tricolor*). State Endangered, CDFW Species of Special Concern, USFWS Bird of Conservation Concern. The tricolored blackbird is a locally common resident in the Central Valley and along coastal California. Most Tricolored Blackbirds reside in the Central Valley March through August, then moving into the Sacramento-San Joaquin Delta and east to Merced County and coastal locations during winter (Meese et al. 2014). This species breeds adjacent to fresh water, preferring emergent wetlands with tall, dense cattails or tules, thickets of willow or blackberry, and/or tall herbs. Flooded agricultural fields with dense vegetation are also used (Shuford and Gardali 2008). This species is highly colonial; nesting habitat must be large enough to support a minimum of 30 pairs, and colonies are commonly substantially larger (up to thousands of pairs). The tricolored blackbird often intermingles with other blackbird species during the non-breeding season. Individuals typically forage up to 5.6 miles (9 kilometers) from their colonies although in most cases only a small part of the area within this range provides suitable foraging (Hamilton and Meese 2006).

The Project Area is located within the eastern boundary of this species range in the southern San Joaquin Valley. There is no freshwater marsh breeding habitat located within or immediately adjacent to the Project site. Tricolored blackbird breeding colony locations are well-documented, and the closest recorded breeding colony to the Project site is located more than 10 miles (16 kilometers) away to the northwest (CalPIF 2015, CDFW 2015, eBird 2015). This distance is greater than the typical foraging distance limits described by Hamilton and Meese (2006) and greater than the 13 kilometer foraging radius described by Hamilton (1998) as exceptionally far. Therefore, it is unlikely that individuals from a tricolored blackbird breeding colony would forage within the Project Area.

After breeding is complete, the majority of tricolored blackbirds migrate north out of the southern San Joaquin Valley, though some remain as residents throughout the year. For the permanent relatively small number of resident birds that occur in the vicinity of the Project Area, the Project site may provide suitable foraging habitat, particularly to the north of the irrigation canal where vegetation composition is more suitable than that found in the southern Project Area. Therefore, although this species has no potential to breed within the Project Area and is very unlikely to forage within it during the breeding season, year-round resident birds have a moderate potential to forage within the Project Area during the non-breeding season based on the relatively small number of birds that occur in the vicinity outside of the breeding season, and the marginal quality of habitat that is present in the Project Area.

San Joaquin Kit Fox (*Vulpes macrotis mutica*) Federally Endangered. State Threatened.

The San Joaquin kit fox (SJKF) occurs in grasslands, scrublands, vernal pool areas, alkali meadows and playas, and an agricultural matrix of row crops, irrigated pastures, orchards, vineyards, and grazed annual grasslands. This species uses dens year-round and typically inhabits loose-textured soils suitable for burrowing, though they can enlarge existing burrows in areas with high clay content in the soils. Typical dens may include the following: (1) one or more entrances that are approximately 5 to 8 inches in diameter; (2) dirt berms adjacent to the entrances; (3) SJKF tracks, scat, or prey remains in the vicinity of the den; (4) matted vegetation adjacent to the den entrances; and (5) manmade features such as culverts, pipes, and canal

banks. SJKF prey consists primarily of kangaroo rats, California ground squirrels and other small rodents, as well as large insects and occasionally rabbits.

Although SJKF have been found in agricultural settings, farm lands present problems and may be marginally suitable to unsuitable for this species. For example, ground disturbance (e.g., tilling) and irrigation can destroy dens, and the use of herbicides and pesticides can greatly reduce the fox's prey base and/or lead to secondary poisoning. Annual crops (e.g., cotton, tomatoes, alfalfa, carrots) typically provide very little prey and are subject to frequent disturbance. Orchards and vineyards may provide additional prey items and increase the ability of SJKF to detect predators, and thus these lands may provide higher-quality habitat than annual crops. Coyote and red fox are also highly adaptable species that persist in agricultural settings, where they often prey upon or out-compete SJKF. The value of agricultural land for SJKF is therefore dependent on the type of crop present, the management regime, the availability of denning habitat in the area, and the prevalence of predators and competitors.

The Project Area is located near the eastern edge of the SJKF known range. The nearest documented occurrence of this species is approximately 11 miles south of the Project Area, and the most recent report from this location is from 1975 (CNDB 2014). To access the Project Area from surrounding lands, SJKF may travel through low- to marginally-suitable agricultural lands or along the irrigation canal corridor. However, WRA traversed transect lines which allowed 100 percent visual coverage of the site, and no SJKF sign or dens large enough to house this species were observed. Additionally, there was little evidence that small mammals use the site, and thus prey availability for SJKF is low. Although SJKF do not currently occupy the Project Area and are unlikely to forage there, it is possible that SJKF occasionally disperse through the Project Area.

All of the wildlife observed in the Project Area are commonly found species, and many are adapted to occupying disturbed or urban areas. No special-status wildlife species were observed.

5.0 SIGNIFICANCE THRESHOLD CRITERIA

Pursuant to Appendix G, Section IV of the State CEQA Guidelines, a project would have a significant impact on biological resources if it would:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and/or,
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

This report utilizes these thresholds in the analysis of impacts and determination of the significance of those impacts. The assessment of impacts under CEQA is based on the change caused by the Project relative to the existing conditions at the proposed Project Site. The existing conditions at the Project site are described above, based on surveys conducted in 2015. In applying CEQA Appendix G, the terms "substantial" and "substantially" are used as the basis for significance determinations in many of the thresholds, but are not defined qualitatively or quantitatively in CEQA or in technical literature. In some cases, such as direct impacts to special-status species listed under the CESA or ESA, the determination of a substantial impact may be relatively straightforward. In other cases, the determination is less clear, and requires application of best professional judgment based on knowledge of site conditions as well as the ecology and physiology of biological resources present in a given area. Determinations of whether or not Project activities will result in a substantial adverse effect to biological resources are discussed in the following sections for sensitive biological communities, special-status plant species, and special-status wildlife species.

6.0 POTENTIAL IMPACTS AND MITIGATION

6.1 Project Description

The Applicant (Pristine Sun) proposes to construct a 0.999 MW solar electric generating facility on the 20-acre Project Area as part of a 20-year Power Plan Agreement (PPA) with PG&E. The Project will entail construction of solar panels, trackers, inverters, medium-voltage transformers, access roads, and electrical wiring as shown in the Site Plan (Appendix D). Underground conduits will be trenched in approximately two feet to connect adjacent tracker systems; one overground utility line and four utility poles will be installed to connect panels to PG&E transmission lines on East Parlier Avenue. One meteorological data collection system will also be installed on one solar shield.

All components including trackers, inverter, power poles, and telecommunication tower will avoid potentially sensitive resources as depicted in Appendix D. No other federal or state jurisdictional features are present on the property.

Access to the site will be from East Parlier Avenue; access roads will be constructed as shown in Appendix D. These roads will be graded to a width of between 10 to 18 feet and compacted with native soil or gravel. The total area of impact from access roads is 0.65 acre. A 20-foot by 20-foot pad will be constructed at the center of the Project Area for placement of the powerstation consisting of 1 transformer. The total impact area from the transformer is 0.66 acre. No other grading activities are proposed. Solar panels will be installed using 3-point

helical pier anchoring system designed to minimize ground disturbance both during installation and decommissioning.

A barbed wire fence around the perimeter of the property will be installed for security purposes. All fencing will be modified to include a minimum opening of 5 to 7 inches from the bottom of the fence to the ground along the entire length of the fence to allow passage for small mammals and/or SJKF. The bottom of the fence edges will be wrapped back to form a smooth edge to allow unrestricted movement. The fence will be see-through to avoid appearance of a barrier. No additional landscaping or other visual deterrents will be implemented. No continuous night lighting is proposed and all construction and operational activities will be restricted to daylight hours.

Operation and maintenance (O&M) activities would be managed remotely and no on-site O&M facilities are proposed as part of the project. The project would contract with a regional O&M provider, who may lease warehouse and office space in an existing facility in the surrounding community. The regional O&M provider would use this existing facility to store tools, equipment, and supplies necessary for scheduled and unscheduled maintenance, including but not limited to spare parts for inverters, electrical infrastructure, panels, tracking systems, panel washing, and vegetation maintenance. Vegetation and pest management will be controlled using mechanical measures and will not include the use of rodenticides, pesticides, or herbicides.

6.2 Potentially Significant Impacts

Most of the Project Area is comprised of ruderal herbaceous vegetation, which is not considered a sensitive habitat under CEQA. The only potentially sensitive biological community within the Project Area is the irrigation canal. No special-status plants have the potential to occur within the Project Area; thus, there is no potential for the Project to impact special-status plants. Special-status wildlife species, including Swainson's hawk, loggerhead shrike and SJKF have moderate potential to occur on the Project site. Loggerhead shrike may nest and/or forage within the Project Area, though Swainson's hawks only have potential to use the site for foraging. San Joaquin kit fox is unlikely to forage within the Project Area and it does not currently den at the site, but it may occasionally disperse through the Project Area. In addition to these species, non-special-status, native avian species may be impacted if Project activities affect nesting success. Potentially significant impacts as a result of the Project and the associated mitigation measures are discussed below.

Impact BIO-1: Potentially Sensitive Biological Communities

The Project Area contains part of an irrigation canal, which is potentially within Corps jurisdiction under Section 404 of the Clean Water Act and under the jurisdiction of the RWQCB under the Porter-Cologne Act. Potential mitigation measures for impacts to Corps and RWQCB jurisdictional features are discussed below in Section 6.2.

Level of Significance: Not Significant

Impact BIO-2: Special-Status Wildlife Species

The Project has the potential to impact four special-status wildlife species: Swainson's hawk, loggerhead shrike, tricolored blackbird, and SJKF. The Project may affect loggerhead shrike, tricolored blackbird and Swainson's hawk by modifying foraging habitat, and it could affect SJKF

if fencing were to cause an impediment to dispersal. These impacts would be considered significant under CEQA, the ESA, or Fish and Game Code. The Project is not anticipated to impact the nests or dens of special-status species as no trees or shrubs are slated for removal, and all dens of special-status species shall be avoided.

The Project also has the potential to impact birds protected by the Migratory Bird Treaty Act (MTBA) and Fish and Game Code. Potential impacts to these species or their habitats could occur during the removal of vegetation or during grading and ground-disturbing activities. These activities could result in the direct removal or destruction of the active nests of non-special-status bird species. Activities that result in the direct removal of active nests or disturbance to nesting birds sufficient to result in the abandonment of active nests would be considered a significant impacts under CEQA and a violation of the MBTA and Fish and Game Code.

Significance of Impact Before Mitigation: Potentially Significant

6.3 Mitigation Measures

This section describes the mitigation measures to be implemented prior to and during Project activities to reduce the potential impacts described above to a less-than-significant level.

MM BIO-1: Sensitive Biological Communities

All components of the Project, including trackers, substation, and power poles, shall avoid the irrigation canal. A SWPPP shall be prepared and implemented to prevent discharge of any materials during Project-related activities such as trenching. Only natural fiber or biodegradable materials shall be used. All erosion control products shall be removed at the completion of construction activities. With the incorporation of this avoidance measure, impacts to features potentially within jurisdiction of the Corps and RWQCB will be reduced to less than significant.

Level of Significance after Mitigation: Less than Significant

MM BIO-2: Special-Status Wildlife Species

Swainson's Hawk

To avoid potential Project-related impacts to Swainson's hawk during the nesting season (March 1 – September 15), pre-construction nest surveys for Swainson's hawk shall be conducted in accessible areas within 0.5 mile of the Project Area within 30 days prior to the initiation of Project-related activities. Surveys shall follow the methodology developed by the Swainson's hawk Technical Advisory Committee (SWHA TAC 2000). If Swainson's hawk is detected nesting within 0.5 mile of the Project Area during the pre-construction surveys, the biologist shall consult with CDFW to determine an appropriate no-disturbance buffer based on proximity to disturbance, timing, and visual barriers. After the biologist has determined that all young have become independent of the nest or the nest has been naturally predated, then construction activities may take place in the former exclusion zone.

If a Swainson's hawk nest is discovered during pre-construction surveys, degradation of foraging habitat shall be mitigated at a 1:1 ratio in accordance with the *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California*

(CDFG 1994b). If credits are purchased at a CDFW approved bank, the ratio may be reduced to 0.5:1 per Staff Report guidelines (for prey-managed lands).

Furthermore, all hollow vertical pipes associated with the solar mounts and fencing shall be capped as they are installed to prevent bird deaths; construction shall be limited to daylight hours only; and no pesticides, rodenticides or herbicides shall be used. With the implementation of the above-described avoidance, minimization and mitigation measures, Project-related impacts to Swainson's hawk will be less than significant.

Loggerhead Shrike and Tricolored Blackbird

Loggerhead shrike and tricolored blackbird may forage within the Project Area; however, impacts to foraging habitat shall be avoided during both Project construction and maintenance activities. Solar mounts shall be installed with a 3-point helical pier anchoring system, which is designed to minimize ground disturbance and allow vegetation to grow and persist under and between the solar trackers. Access road area has been minimized to further avoid ground and habitat disturbance. The Pest Management Plan also promotes native vegetation growth and prohibits the use of pesticides, rodenticides and herbicides within the Project site, which in combination is expected to enhance potential avian foraging habitat. With the implementation of these design features and impact minimization measures, potential Project-related impacts to loggerhead shrike and tricolored blackbird foraging habitat are reduced to a less-than-significant level.

San Joaquin Kit Fox

SJKF may forage adjacent to and disperse through the Project site. Surveys and avoidance measures described in the USFWS Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented before starting Project-related activities likely to impact SJKF. If Project-related activities are delayed or suspended for more than 30 days, the area shall be resurveyed. If SJKF dens are identified, they shall be avoided completely and exclusion zones will be established in accordance with the USFWS protocol. If dens cannot be avoided, the applicant conduct a 3-day tracking survey to establish occupancy; if dens are unoccupied after 3 days of tracking they shall be collapsed. If occupied, the applicant shall consult with USFWS to implement an appropriate exclusion plan. Additionally, to avoid impacts to SKJF dispersal, the perimeter fence shall be designed to allow SJKF to move unimpeded through the Project site, as described in Section 5.1 above.

Native Nesting Birds

For the protection of raptors and migratory song birds and to assist in avoiding take of avian species as required by Fish and Game Code sections 3503, 3503.5 and 3513, Project activities shall occur during the non-nesting bird season to the extent feasible. However, if ground-disturbing activities must occur during the breeding season (January through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not result in any violation of the MBTA or relevant Fish and Game Code sections as referenced above. Prior to work commencing, surveys for active nests shall be conducted by a qualified wildlife biologist no more than 10 days prior to the start of the Project, and the surveys shall be conducted in a sufficient area around the work site to identify the location and status of any nests that are present. A sufficient area means any nest within an area that could potentially be affected by the Project.

In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests shall be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline, and once work commences, all nests shall be continuously monitored to detect any behavioral changes. If behavioral changes are observed, the work causing that change shall cease and CDFW shall be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around the nests of unlisted raptors shall be established until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. Any variance from these buffers shall be supported by a qualified wildlife biologist and CDFW shall be notified in advance of implementation of a no-disturbance buffer variance.

Level of Significance after Mitigation: Less than Significant

7.0 CONCLUSION

Based on the results of the site assessment, it is not anticipated that the Project will result in potentially significant impacts to sensitive biological communities, special-status plant species, or special-status wildlife species. The irrigation canal shall be avoided, and erosion control materials shall be used to prevent discharge of any materials during Project activity. No special-status plants were observed during the site visit, and none are expected to occur within the Project Area; accordingly, no avoidance measures are required. No special-status wildlife species were observed during the site visit. Four special-status wildlife species have the potential to occur within the Project Area. Avoidance measures including breeding bird surveys, maintaining or enhancing avian foraging habitat, capping all vertical pipes, pre-construction SJKF den surveys and installing a barrier fence that does not impede SJKF movement shall be utilized to avoid impacts to these species. Accordingly, all potential Project-related impacts to sensitive biological resources shall be avoided or reduced to less than significant.

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APPENDIX A

LIST OF OBSERVED PLANT AND WILDLIFE SPECIES

Appendix A.1. List of observed plant species at the Estrella Solar Site during field surveys on January 15, 2015.

Family	Scientific Name	Common Name	Phenology	Form	Origin	Rare Status	Invasive Status ²	Wetland Status (Arid West) ³
Amaranthaceae	<i>Amaranthus albus</i>	pigweed amaranth	annual	forb	non-native	--	--	FACU
Asteraceae	<i>Erigeron [Conyza] canadensis</i>	Canadian horseweed	annual	forb	native	--	--	FACU
Asteraceae	<i>Helianthus annuus</i>	common sunflower	annual	forb	native	--	--	FACU
Asteraceae	<i>Lactuca serriola</i>	prickly lettuce	annual	forb	non-native	--	assessed	FACU
Asteraceae	<i>Senecio vulgaris</i>	old man in the Spring	annual	forb	non-native	--	--	FACU
Asteraceae	<i>Sonchus oleraceus</i>	common sow thistle	annual	forb	non-native	--	--	NL
Asteraceae	<i>Xanthium strumarium</i> *	rough cocklebur	annual	forb	native	--	--	FAC
Boraginaceae	<i>Amsinckia intermedia</i>	common fiddleneck	annual	forb	native	--	--	NL
Brassicaceae	<i>Capsella bursa-pastoris</i>	shepherd's purse	annual	forb	non-native	--	--	FACU
Chenopodiaceae	<i>Dysphania ambrosioides</i>	Mexican tea	perennial	forb	non-native	--	--	FAC
Chenopodiaceae	<i>Salsola australis [S. tragus]</i>	Russian thistle	annual	forb	non-native	--	limited	FACU
Cyperaceae	<i>Cyperus difformis</i> *	variable flatsedge	annual	graminoid	native	--	--	OBL

Family	Scientific Name	Common Name	Phenology	Form	Origin	Rare Status ¹	Invasive Status ²	Wetland Status (Arid West) ³
Euphorbiaceae	Croton [Eremocarpus] setiger	turkey mullein	annual	forb	native	--	--	NL
Fabaceae	Medicago sativa	alfalfa	perennial	forb	non-native	--	--	NL
Fabaceae	Trifolium dubium	Shamrock clover	annual	forb	non-native	--	--	UPL
Geraniaceae	Erodium botrys	longbeak stork's bill	annual	forb	non-native	--	assessed	FACU
Geraniaceae	Erodium brachycarpum	foothill filaree	annual	forb	non-native	--	limited	NL
Geraniaceae	Erodium cicutarium	redstem stork's bill	annual	forb	non-native	--	limited	NL
Lamiaceae	Stachys sp.	hedgenettle	?	forb	?	--	--	?
Malvaceae	Malva nicaeensis	bull mallow	annual	forb	non-native	--	--	NL
Malvaceae	Malva parviflora	cheeseweed mallow	annual	forb	non-native	--	--	NL
Montiaceae [Portulacaceae]	Calandrinia ciliata	common redmaids	annual	forb	native	--	--	FACU
Montiaceae [Portulacaceae]	Claytonia perfoliata	miner's lettuce	annual	forb	native	--	--	FAC
Myrsinaceae [Primulaceae]	Anagallis arvensis	scarlet pimpernel	annual	forb	non-native	--	--	NL

Family	Scientific Name	Common Name	Phenology	Form	Origin	Rare Status	Invasive Status ²	Wetland Status (Arid West) ³
Poaceae	<i>Cynodon dactylon</i>	Bermuda grass	perennial	graminoid	non-native	--	moderate	FACU
Poaceae	<i>Distichlis spicata</i>	saltgrass	perennial	graminoid	native	--	--	FAC
Poaceae	<i>Sorghum halepense</i>	Johnsongrass	perennial	graminoid	non-native	--	--	FACU
Solanaceae	<i>Datura wrightii</i>	sacred thorn apple	perennial	forb	native	--	--	NL

All species identified using the *Jepson eFlora* (eFlora 2015) and the *Jepson Manual, 2nd Edition* (Baldwin et al. 2012); nomenclature follows Jepson eFlora with older names from previous versions of the Jepson Manual given in brackets for ease of reference.

*These species were located within the irrigation ditch in Project Area and not observed elsewhere in the Project Area.

¹Rare Status: The CNPS Inventory of Rare and Endangered Plants (CNPS 2015)

FE: Federal Endangered
 FT: Federal Threatened
 SE: State Endangered
 ST: State Threatened
 SR: State Rare

List 1A: Plants presumed extirpated in California and either rare or extinct elsewhere

List 1B: Plants rare, threatened, or endangered in California and elsewhere

List 2A: Plants presumed extirpated in California, but more common elsewhere

List 2B: Plants rare, threatened, or endangered in California, but more common elsewhere

List 3: Plants about which we need more information – a review list

List 4: Plants of limited distribution – a watch list

²Invasive Status follows the designations follow the 20104 California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory Database

³Wetland Status: National List of Plant Species that Occur in Wetlands, California – Region 10 (Lichvar 2014)

OBL: Almost always a hydrophyte, rarely in uplands
 FACW: Usually a hydrophyte, but occasionally found in uplands
 FAC: Commonly either a hydrophyte or non-hydrophyte
 FACU: Occasionally a hydrophyte, but usually found in uplands
 UPL: Rarely a hydrophyte, almost always in uplands
 NL: Rarely a hydrophyte, almost always in uplands
 NI: No information; not factored during wetland delineation

Appendix A.2. List of observed wildlife species at the Estrella Solar Site during field surveys on January 15, 2015.

Scientific Name	Common name
<i>Lepus californicus</i>	Black-tailed jack rabbit
<i>Thomomys</i> sp.	Gopher species (burrows)
<i>Melospiza melodia</i>	Song sparrow
<i>Passer domesticus</i>	House sparrow
<i>Zonotrichia leucophrys</i>	White-crowned sparrow
<i>Charadrius vociferus</i>	Killdeer
<i>Colaptes auratus</i>	Northern flicker
<i>Corvus brachyrhynchos</i>	American crow

APPENDIX B

CNDDDB DATABASE AND USFWS 9-QUADRANGLE SEARCH RESULTS



Selected Elements by Scientific Name
 California Department of Fish and Wildlife
 California Natural Diversity Database



Query Criteria: Taxonomic Group is (Fish or Amphibians or Reptiles or Birds or Mammals or Mollusks or Arachnids or Crustaceans or Insects) and Quad is (Sanger (3611965) or Orange Cove North (3611963) or Wahtoke (3611964) or Selma (3611955) or Reedley (3611954) or Orange Cove South (3611953) or Burris Park (3611945) or Traver (3611944) or Monson (3611943))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Ambystoma californiense</i> California tiger salamander	AAAAA01180	Threatened	Threatened	G2G3	S2S3	SSC
<i>Antrozous pallidus</i> pallid bat	AMACC10010	None	None	G5	S3	SSC
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	None	G4	S3	SSC
<i>Branchinecta lynchi</i> vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S2S3	
<i>Buteo swainsoni</i> Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T3Q	S1	
<i>Desmocerus californicus dimorphus</i> valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T2	S2	
<i>Emys marmorata</i> western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
<i>Eumops perotis californicus</i> western mastiff bat	AMACD02011	None	None	G5T4	S3S4	SSC
<i>Lanius ludovicianus</i> loggerhead shrike	ABPBR01030	None	None	G4	S4	SSC
<i>Lasiurus cinereus</i> hoary bat	AMACC05030	None	None	G5	S4?	
<i>Lepidurus packardii</i> vernal pool tadpole shrimp	ICBRA10010	Endangered	None	G3	S2S3	
<i>Lithobates pipiens</i> northern leopard frog	AAABH01170	None	None	G5	S2	SSC
<i>Lytta molesta</i> molestan blister beetle	IICOL4C030	None	None	G2	S2	
<i>Spea hammondi</i> western spadefoot	AAABF02020	None	None	G3	S3	SSC
<i>Talanites moodyae</i> Moody's gnaphosid spider	ILARA98020	None	None	G1G2	S1S2	
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2	S2	

Record Count: 17



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Query Criteria: Taxonomic Group is (Ferns or Gymnosperms or Monocots or Dicots or Lichens or Bryophytes) and Quad is (Sanger (3611965) or Orange Cove North (3611963) or Wahtoke (3611964) or Selma (3611955) or Reedley (3611954) or Orange Cove South (3611953) or Burris Park (3611945) or Monson (3611943) or Traver (3611944))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Atriplex cordulata</i> var. <i>erecticaulis</i> Earlimart orache	PDCHE042V0	None	None	G3T1	S1	1B.2
<i>Atriplex depressa</i> brittlescale	PDCHE042L0	None	None	G2	S2	1B.2
<i>Atriplex minuscula</i> lesser saltscale	PDCHE042M0	None	None	G2	S2	1B.1
<i>Chamaesyce hooveri</i> Hoover's spurge	PDEUP0D150	Threatened	None	G2	S2	1B.2
<i>Delphinium recurvatum</i> recurved larkspur	PDRAN0B1J0	None	None	G3	S3	1B.2
<i>Eryngium spinosepalum</i> spiny-sepaled button-celery	PDAPI0Z0Y0	None	None	G2	S2	1B.2
<i>Helianthus winteri</i> Winter's sunflower	PDAST4N260	None	None	G1G2	S1S2	1B.2
<i>Imperata brevifolia</i> California satintail	PMPOA3D020	None	None	G3	S3	2B.1
<i>Orcuttia inaequalis</i> San Joaquin Valley Orcutt grass	PMPOA4G060	Threatened	Endangered	G1	S1	1B.1
<i>Pseudobahia peirsonii</i> San Joaquin adobe sunburst	PDAST7P030	Threatened	Endangered	G1	S1	1B.1
<i>Tuctoria greenei</i> Greene's tuctoria	PMPOA6N010	Endangered	Rare	G1	S1	1B.1

Record Count: 11

U.S. Fish & Wildlife Service
Sacramento Fish & Wildlife Office
Federal Endangered and Threatened Species that Occur in
or may be Affected by Projects in the Counties and/or
U.S.G.S. 7 1/2 Minute Quads you requested
 Document Number: 141208015722
 Current as of: December 8, 2014

Quad Lists

Listed Species

Invertebrates

- Branchinecta conservatio*
Conservancy fairy shrimp (E)
- Branchinecta lynchi*
Critical habitat, vernal pool fairy shrimp (X)
vernal pool fairy shrimp (T)
- Desmocerus californicus dimorphus*
valley elderberry longhorn beetle (T)
- Lepidurus packardii*
Critical habitat, vernal pool tadpole shrimp (X)
vernal pool tadpole shrimp (E)

Fish

- Hypomesus transpacificus*
delta smelt (T)

Amphibians

- Ambystoma californiense*
California tiger salamander, central population (T)
Critical habitat, CA tiger salamander, central population (X)
- Rana draytonii*
California red-legged frog (T)

Reptiles

- Gambelia (=Crotaphytus) sila*
blunt-nosed leopard lizard (E)
- Thamnophis gigas*
giant garter snake (T)

Birds

- Coccyzus americanus occidentalis*
Western yellow-billed cuckoo (T)

Mammals

- Dipodomys nitratooides exilis*
Fresno kangaroo rat (E)
- Dipodomys nitratooides nitratooides*
Tipton kangaroo rat (E)
- Vulpes macrotis mutica*
San Joaquin kit fox (E)

Plants

- Chamaesyce hooveri*
Critical habitat, Hoover's spurge (X)

Hoover's spurge (T)

Orcuttia inaequalis

Critical habitat, San Joaquin Valley Orcutt grass (X)

San Joaquin Valley Orcutt grass (T)

Pseudobahia peirsonii

San Joaquin adobe sunburst (T)

Tuctoria greenei

Greene's tuctoria (=Orcutt grass) (E)

Quads Containing Listed, Proposed or Candidate Species:

MONSON (334A)

TRAVER (334B)

BURRIS PARK (335A)

ORANGE COVE NORTH (356A)

WAHTOKE (356B)

REEDLEY (356C)

ORANGE COVE SOUTH (356D)

SANGER (357A)

SELMA (357D)

Key:

(E) *Endangered* - Listed as being in danger of extinction.

(T) *Threatened* - Listed as likely to become endangered within the foreseeable future.

(P) *Proposed* - Officially proposed in the Federal Register for listing as endangered or threatened.

(NMFS) Species under the Jurisdiction of the National Oceanic & Atmospheric Administration Fisheries Service. Consult with them directly about these species.

Critical Habitat - Area essential to the conservation of a species.

(PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.

(C) *Candidate* - Candidate to become a proposed species.

(V) *Vacated* by a court order. Not currently in effect. Being reviewed by the Service.

(X) *Critical Habitat* designated for this species

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about the size of San Francisco.

The animals on your species list are ones that occur within, **or may be affected by** projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

Plants

Any plants on your list are ones that have actually been observed in the area covered by the

list. Plants may exist in an area without ever having been detected there. You can find out what's in the surrounding quads through the California Native Plant Society's online [Inventory of Rare and Endangered Plants](#).

Surveying

Some of the species on your list may not be affected by your project. A trained biologist and/or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. See our [Protocol](#) and [Recovery Permits](#) pages.

For plant surveys, we recommend using the [Guidelines for Conducting and Reporting Botanical Inventories](#). The results of your surveys should be published in any environmental documents prepared for your project.

Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a formal [consultation](#) with the Service. During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would result in a biological opinion by the Service addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.
- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as critical habitat. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may be found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our [MapRoom](#) page.

Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Species of Concern

The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts. [Moreinfo](#)

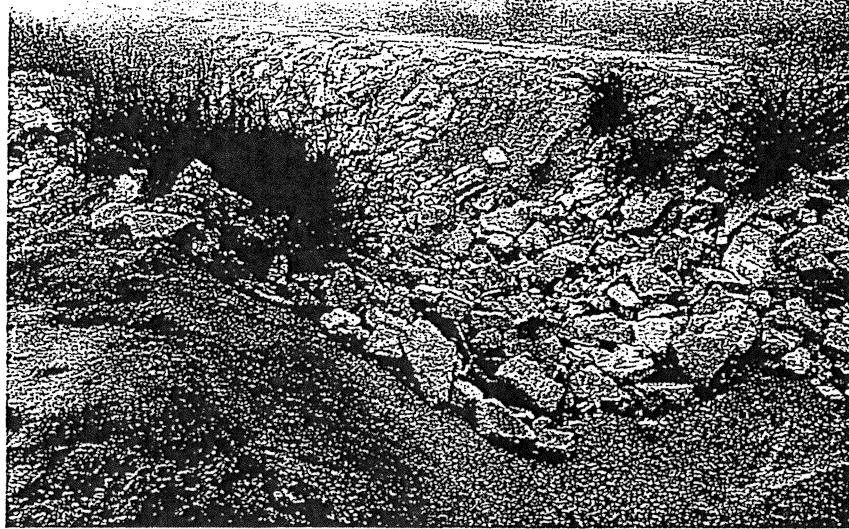
Wetlands

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6520.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be March 08, 2015.

APPENDIX C
SITE PHOTOGRAPHS

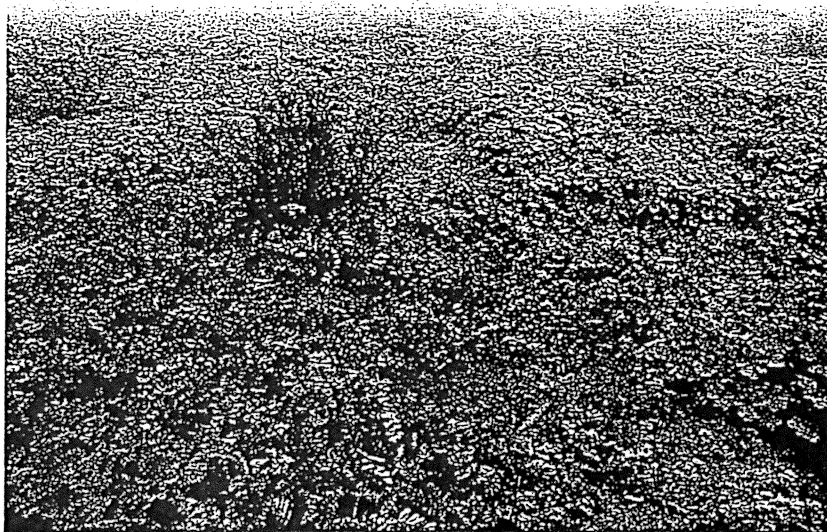


Above: Irrigation canal looking west from the eastern edge of the Project Area.

Below: Irrigation canal looking east from the western edge of the Project Area. The irrigation canal was dominated by non-native annual, ruderal weeds, most of which were FACU species although small amounts of FAC and FACW species were present. Species included sorghum (*Sorghum halepense*), storksbill (*Erodium spp.*), dove weed (*Croton setigerus*), rough cocklebur (*Xanthium strumarium*), and flatsedge (*Cyperus difformis*). A large amount of bare ground was present. Vegetation was low-lying and showed evidence of frequent disturbance due to maintenance activities.

Photographs taken January 15, 2015





Above: Photograph showing site conditions and species assemblages in the field north of the irrigation canal. Species included Mexican tea (*Dysphania ambrosioides*), common fiddleneck (*Amsinckia intermedia*), alfalfa (*Medicago sativa*), and various other grasses and forbs.

Below: Photograph showing vegetation assemblages in the field south of the irrigation canal. Species included high amounts of storksbill (*Erodium spp.*), bull mallow (*Malva nicaeensis*), cheeseweed (*Malva parviflora*), and red maids (*Calandrinia ciliata*).

Photographs taken January 15, 2015





Above: Overview of Project Area facing southeast with residence and landscaping in the background.

Below: Fresh gopher burrows along eastern Project Area boundary. Few burrows were observed within the Project Area, and of those found few were active and all were likely gopher burrows.

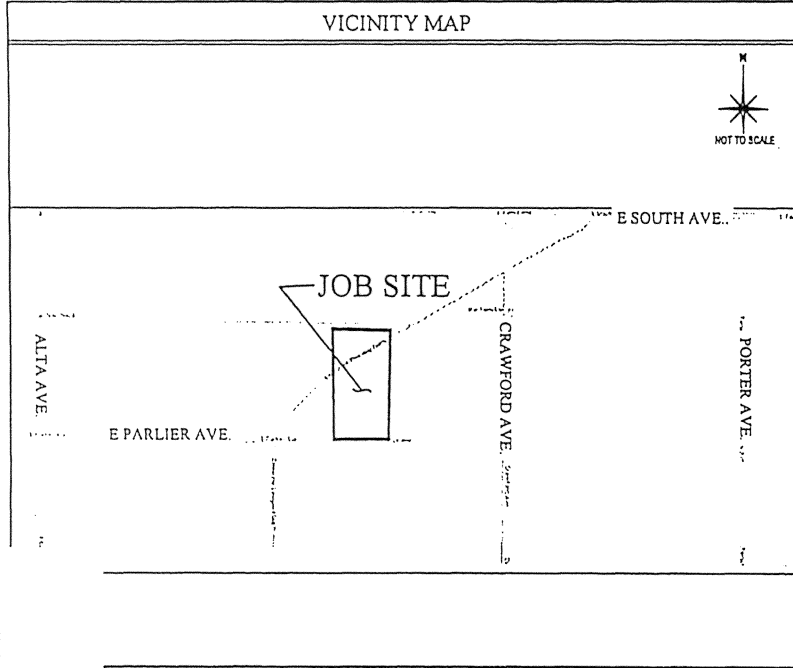
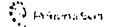
Photographs taken January 15, 2015



APPENDIX D

SITE PLANS

PRISTINE SUN, LLC



PROJECT INFORMATION:	
OWNER'S NAME:	JOSE ESTRELLA
APH:	373-360-19
COUNTY:	FRESNO
ZONING:	AGRICULTURE
PARCEL ACREAGE:	19.39 ACRES

FENCING INFORMATION:	
TOTAL LINEAL FOOTAGE:	2787'-4"
TOTAL ACREAGE INSIDE FENCE:	9.91 ACRES
TOTAL LAND IMPROVEMENT RATIO:	0.51
TOTAL LAND DISTURBANCE AREA:	
TOTAL AREA OF ACCESS ROADS:	0.654 ACRES
TOTAL AREA OF EQUIPMENTS:	0.006 ACRES
TOTAL LAND DISTURBANCE AREA:	0.66 ACRES

- ### KEYNOTE SCHEDULE
- ① KNOX BOX:
 1. EXACT LOCATION AND HEIGHT AS PER LOCAL FIRE MARSHALL.
 2. KNOX BOX TO BE ORDERED THRU THE LOCAL FIRE MARSHALL.
 3. KNOX BOX AT THE ENTRANCE GATE SHALL CONTAIN THE KEY FOR THE ENTRANCE GATE.
 4. KNOX BOX AT THE FACILITY GATE SHALL CONTAIN THE KEYS FOR THE FACILITY GATE AND THE DOOR AT THE POWER STATION.
 - ② PERMANENTLY POSTED ADDRESSING VISIBLE 100 FEET IN BOTH DIRECTIONS OF TRAVEL. SIZE OF LETTERS SHALL BE 3 INCH MINIMUM IN HEIGHT, 3/8 THS INCH STROKE, REFLECTIVE WITH CONTRASTING BACKGROUND.
 - ③ PERMANENT POSTED SIGN LOCATED AT THE MAIN FACILITY ENTRANCE DISPLAYING THE SITE ADDRESS AND A 24 HOUR EMERGENCY CONTACT PHONE NUMBER. SIZE OF LETTERS, NUMBERS AND SYMBOLS FOR THE SIGN SHALL BE A MINIMUM 3 INCH STROKE, REFLECTIVE AND CONTRASTING WITH THE BACKGROUND. THE SIGN SHALL BE VISIBLE WHEN APPROACHING THE SITE FROM THE REQUIRED ROAD ACCESS AND SHALL BE MAINTAINED THROUGHOUT THE PRODUCTIVE LIFE OF THE FACILITY.
 - ④ 2-A-10-B-C-RATED FIRE EXTINGUISHER, 10 POUND EACH WITH STATE FIRE MARSHAL CERTIFICATION TAGS. FIRE EXTINGUISHERS SHALL BE INSTALLED NEAR THE EXITS AND IN VISIBLE LOCATIONS IN EGRESS PATHS. PROVIDE A FIRE EXTINGUISHER SIGN AT A MAXIMUM HEIGHT OF (8) FEET ABOVE EACH LOCATION, THE DISTANCE FROM FINISH FLOOR OR GRADE TO TOP OF EXTINGUISHER SHALL NOT EXCEED 4 FEET. EXACT NUMBER OF REQUIRED EXTINGUISHERS AS PER LOCAL FIRE MARSHALL.

- ### PG&E KEYNOTE SCHEDULE
- ① POWER POLE #1 (RISER POLE), CUSTOMER RISER POLES SPACED @ 50'-0" MAX., LAST RISER POLE CONNECT TO INVERTER/POWER STATION VIA 6-IN. DIA. UNDERGROUND CONDUIT.
 - ② POWER POLE #2 (SECOND POLE), WITH CUSTOMER INSTALLED PRIMARY PROTECTION (RE-CLOSER) ON THE SECOND POLE ON THEIR PROPERTY, NOT TO EXCEED 50'-0" FROM THE REVENUE METERING POLE (POLE#3)
 - ③ POWER POLE #3 (THIRD POLE), CUSTOMER WILL INSTALL POLE-TOP REVENUE-METERING
 - ④ POWER POLE #4 (FOURTH POLE), PG&E WILL INSTALL POLE WITH AIR SWITCH

- ### SOLAR ARRAY NOTES
- OPEN SPACE:**
- GROUND COVERAGE RATIO - 33.3%
- PHOTOVOLTAIC SYSTEM:**
- DESIGNED WITH RENESOLA 300W MODULES
 - 1000 MODULES PER TRACKER
- ATI TRACKER SYSTEM:**
- 12 MODULES PER STRING
 - 3 STRINGS PER TRACKER ROW
 - 60 MODULES PER TRACKER ROW
 - 18 ROWS PER TRACKER TYP.
- ADVANCED ENERGY INVERTER SYSTEM:**
- (2) - ADVANCED ENERGY SOLARON 500KW, 480V INVERTER

- ### LEGEND
- PL — PL — PROPERTY LINES
 - — — — — SETBACK LINES
 - ELEVATION & CONTOUR LINES
 - X - X - (N) PROPOSED 6'-HIGH FENCE LINE
 - OHP — (E) OVER HEAD POWER LINES
 - POWER POLE
 - TRACKER ROW — SOLAR ARRAY TRACKER ROW
 - POWER STATION OR INVERTER, PER PLAN, NON-REFLECTIVE MATERIAL, TYP.
 - ☁ VEGETATION TO REMAIN
 - VEGETATION TO BE REMOVED BY OWNER
 - WATER, WETLANDS, IRRIGATION, DRAINAGE
 - FLOOD PLAIN
 - NEW ROADS
 - (P) PROPOSED
 - (E) EXISTING

- ### NOTES
1. MAIN ROAD: COUNTY, CITY OR STATE HIGHWAY THAT TAKES YOU TO THE PROJECT LOCATION.
 2. ACCESS ROAD: THIS ROAD SHALL BE 18 FT MIN. IN WIDTH AND 30 FT MIN. IN LENGTH. THE LENGTH SHALL BE MEASURED FROM THE EDGE OF THE MAIN ROAD. ALL RADII OFF THE MAIN ROAD SHALL BE 30 FT MIN.
 3. ALL DRIVEWAYS: ALL DRIVEWAYS SHALL BE 10 FT MIN. IN WIDTH AND SHALL START FROM THE END OF THE ACCESS ROAD. ALL RADII AT DRIVEWAY INTERSECTIONS, CIRCULAR & HAMMERHEAD/T TURNAROUNDS SHALL HAVE 30 FT MIN. RADII, TYP. U.N.O.
 4. ENTRANCE GATE: GATE MUST BE 2 FEET WIDER THAN THE ROAD ON EACH SIDE.
 5. ALL SKEWED FENCE LINES ARE AT 45° ANGLES, TYP., U.N.O.
 6. NO NIGHT-TIME LIGHTING WILL BE INSTALLED, ONLY SECURITY LIGHTING ON MOTION SENSORS, SHIELDED FROM LIGHT TRESPASS BEYOND THE SOLAR FARM, AND TURNED OFF IN A SHORT RESONABLE TIME.

PRISTINE SUN, LLC
 101 Mission Street #1050,
 San Francisco, CA 94105
 (415) 848-8100



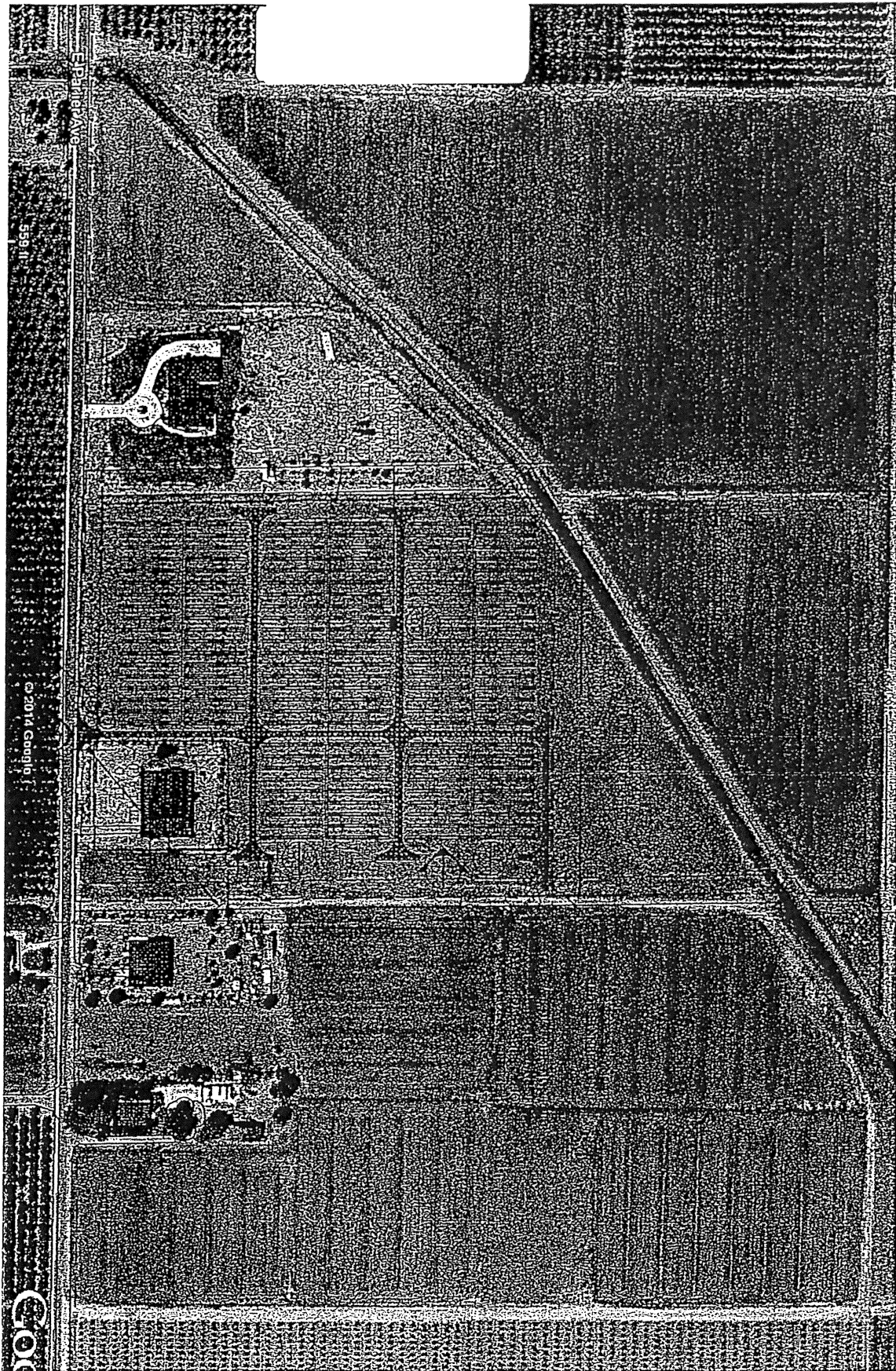
0.99 MW AC
 1.3 MW DC
 PHOTOVOLTAIC
 ON GRID SYSTEM

PROJECT TITLE:
 PROJECT NO.: 2267 ESTRELLA
 PROJECT ADDRESS:
 22694 East Parlier Avenue,
 Reedley, CA 93654

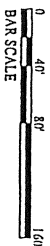
DATE	BY	REVISION

DATE OF PLOT: 7/13/2018
 DRAWN BY: G1.0
 CHECKED BY: G1.0
 SCALE: NOT TO SCALE

PROPOSED SOLAR ARRAY SITE PLAN



© 2014 Google

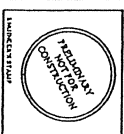


GRAPHIC SCALE

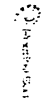
NO.	QUANTITY	UNITS	DATE

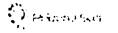
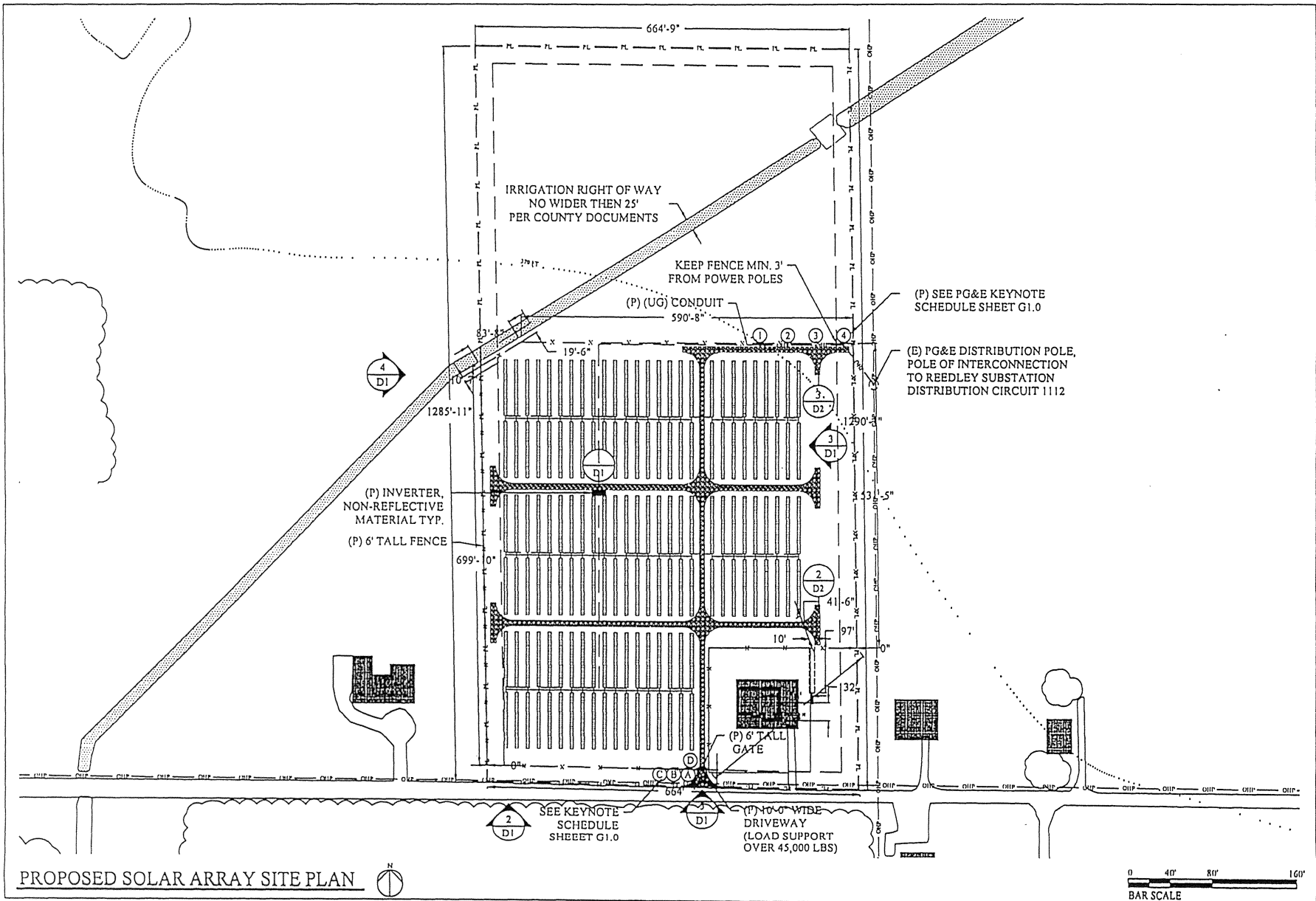
PROJECT NO: 2267 ESTRELLA
 PROJECT ADDRESS: 22694 East Parlier Avenue, Reedley, CA 93654

PROJECT TITLE: 0.99 MW AC
 1.30 MW DC
 PHOTOVOLTAIC
 ON GRID SYSTEM



CLIENT: PRISTINE SUN, LLC
 101 Mission Street, #1050, San Francisco, CA 94105
 (415) 848-8100





COMPANY:
PRISTINE SUN, LLC
101 Mission Street, #1050,
San Francisco, CA 94105
(415) 848-8100



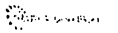
PROJECT TITLE:
0.99 MW AC
1.30 MW DC
PHOTOVOLTAIC
ON GRID SYSTEM

PROJECT NO.:
2267 ESTRELLA
PROJECT ADDRESS:
22694 East Parlier Avenue,
Reedley, CA 93654

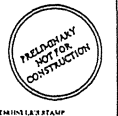
DATE	DESCRIPTION	BY	CHK

SHEET NO.:
PROJECT SHEET
SHEET TITLE:
CI.1
SCALE:
1" = 150'

NOT USED	Not to Scale	11	ROAD SECTIONS	Not to Scale	6B	ROAD SECTIONS	Not to Scale	6A	"T" TURNAROUND	Not to Scale	3
NOT USED	Not to Scale	10	NOT USED	Not to Scale	8	MAIN ACCESS ROAD	Not to Scale	5	HAMMERHEAD TURNAROUND	Not to Scale	2
NOT USED	Not to Scale	9	NOT USED	Not to Scale	7	TURNOUT	Not to Scale	4	CIRCULAR TURNAROUND	Not to Scale	1



PRISTINE SUN, LLC
 101 Mission Street, #1050,
 San Francisco, CA 94105
 (415) 848-8100



**PHOTOVOLTAIC
 ON GRID SYSTEM**

PROJECT NO: 2267 ESTRELLA
 PROJECT ADDRESS:
 22694 East Parlier Avenue,
 Reedley, CA 93654

DATE	DESCRIPTION	BY	CHECKED

SHEET NO: ROAD DETAILS
 TOTAL SHEETS: 2
 SHEET NO: D2
 SCALE: AS NOTED

Pest and Weed Management Plan

PRISTINE SUN ESTRELLA PHOTOVOLTAIC SOLAR GENERATION FACILITY REEDLEY, FRESNO COUNTY, CALIFORNIA

Prepared For:

Alison Biondi Khalef
Pristine Sun, LLC
101 Mission St., Suite 1050
San Francisco, California 94105

WRA Contact:

Dana Riggs
riggs@wra-ca.com

Date:

January 2015

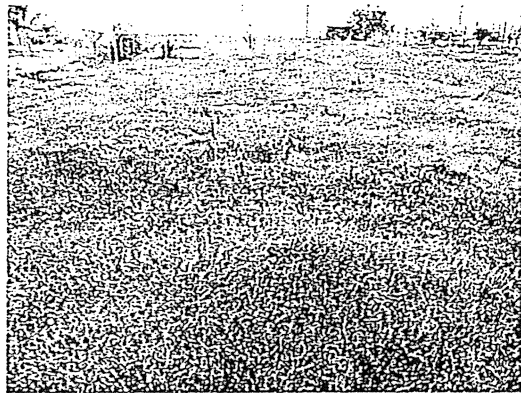


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1.0 INTRODUCTION

On behalf of Pristine Sun, LLC (Pristine Sun), WRA, Inc. (WRA) submits this Pest and Weed Management Plan (PWMP) to the Fresno County Department of Public Works and Planning as a requirement of the Solar Facility Guidelines for the construction of the Estrella Photovoltaic Solar Generation Facility Project (Project). The Project is located approximately four miles north of the town of Reedley, in Fresno County, California (APN 373-360-19; Figure 1). The primary objective of this PWMP is to establish pest management procedures and strategies for controlling noxious weeds and pests that may impact properties adjacent to the project site. All pest management activities will be conducted in a manner that ensures the lowest environmental impact whenever feasible.

1.1 Property Description

The Project Area (Figure 2) is characterized as “Ruderal Field” that is surrounded by agricultural land and has been significantly altered from its native state. The majority of the site is fallow field that has been historically used for agriculture. A 10-foot wide, manmade irrigation canal drains from northeast to southwest across the northern portion of the Project Area. In addition, a house is present in the southeast corner of the Project Area. The site is characterized by ruderal herbaceous vegetation, though landscaped vegetation is present around the house. The topography, natural biotic community, and physical characteristic of the site have been significantly altered by human activity.

1.2 Project Description

The Project consists of the construction of a photovoltaic (PV) solar installation on 10 acres of a 19.09-acre project site within APN 373-360-19 at 22694 East Parlier Avenue (Figure 3).

1.3 Responsible Parties

The Project contact is: Alison Biondi Khalef
Pristine Sun, LLC
101 Mission St., Suite 1050
San Francisco, California 94105

The preparer of this plan is: WRA, Inc.
2169 East Francisco Boulevard, Suite G
San Rafael, California 94901
Contact: Erich Schickenberg
Phone: (415) 454-8868 ext. 1870

Pristine Sun will implement this Pest Management Plan for the duration of project operations.

Figure 1. Project Area Location Map

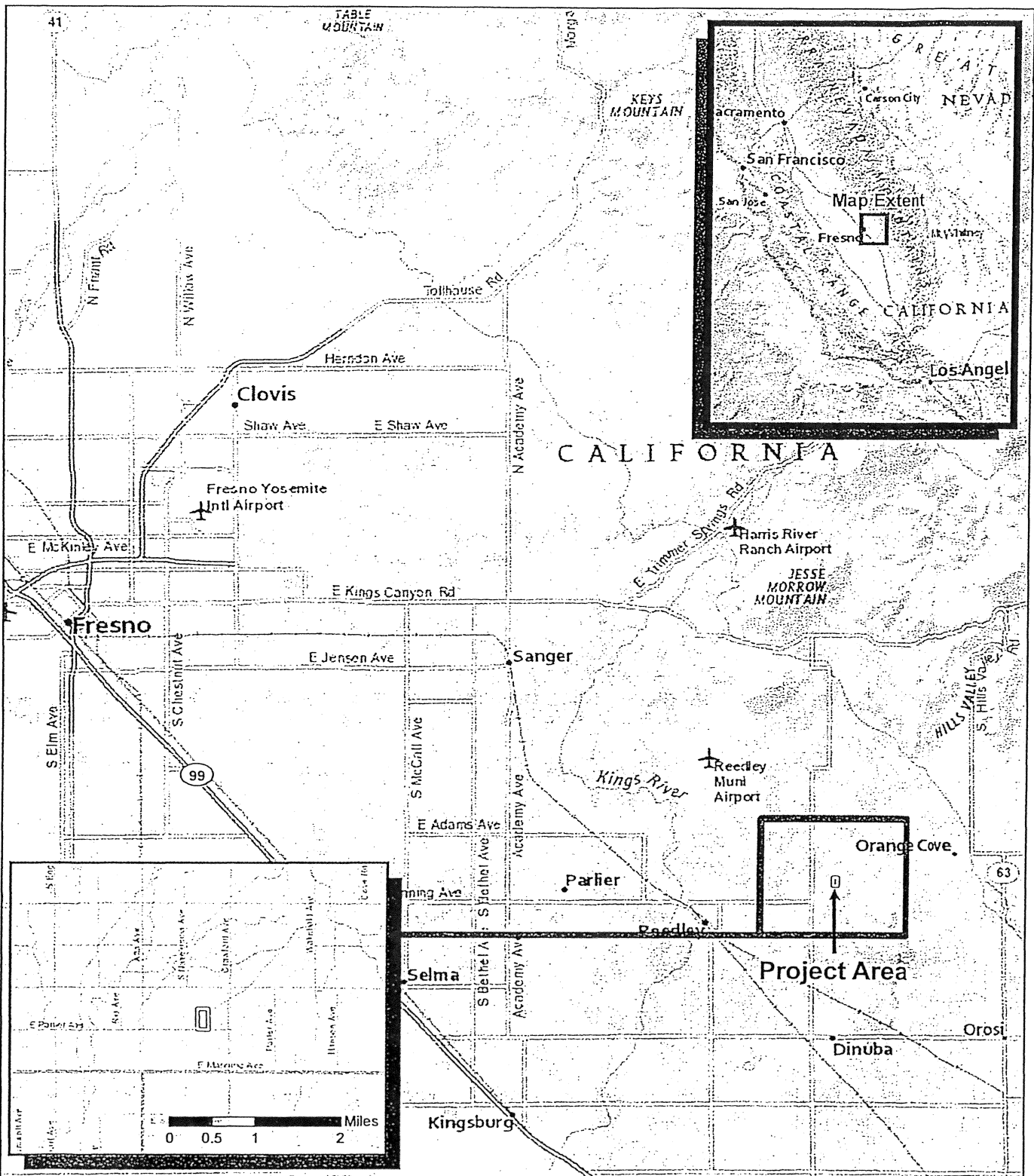
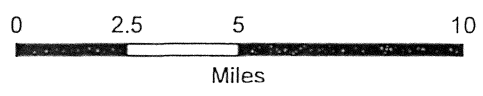


Figure 1. Location of Project Area

Estrella Solar Facility
 Fresno County, California



Map Prepared Date: 1/26/2015
 Map Prepared By: M.Rochelle
 Base Source: National Geographic
 Data Source(s): WRA

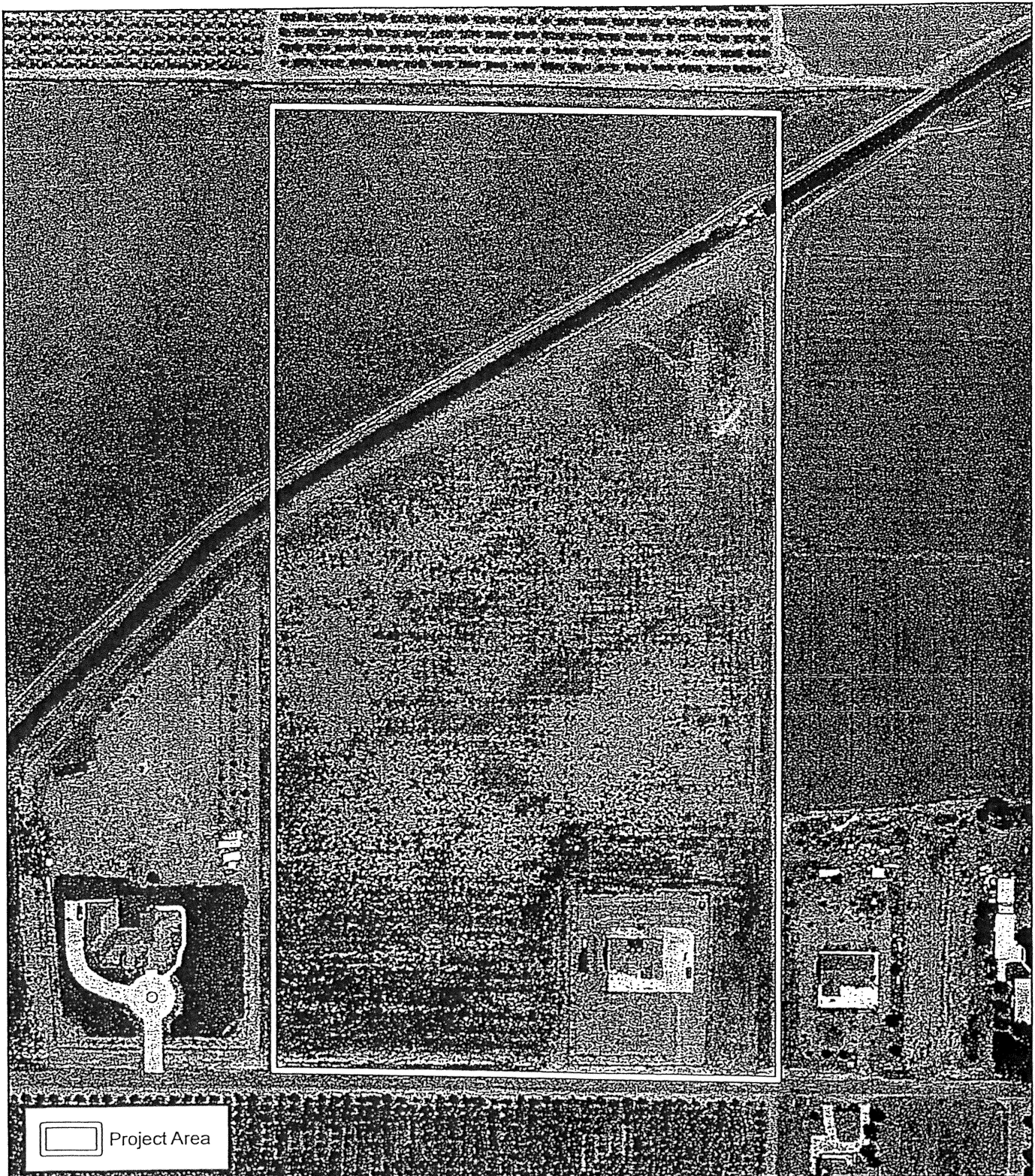
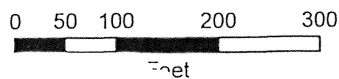


Figure 2. Project Area

Estrella Solar Facility
 Fresno County, California



ENVIRONMENTAL CONSULTANTS



Map Prepared Date: 1/26/2015
 Map Prepared By: MRochelle
 Base Source: Microsoft Aerial from 8/27/2010
 Data Source(s): WRA

2.0 BASELINE CONDITIONS

The Project Area is entirely flat and consists of a developed/disturbed area in the southeast corner of the parcel and includes a gravel driveway, a house, other built structures, and landscape plantings as well as dirt roads that follow the irrigation canal. The ground along the roads is highly compacted and appears to be frequently graded. Also present in the Project Area is a field that has been historically used for agriculture. However, these areas are not currently used for agricultural activities, and have been allowed to revert to a semi-natural condition. Approximately 17.5 acres of the Project Area is composed of ruderal herbaceous vegetation in fields that appear to be frequently disked. No highly invasive plants species were observed in the Project Area. Two soil types are found in the Project Area. These include Ramona sandy loam soil in the southern portion and Greenfield sandy loam soil in the north. An approximately 10-foot wide, 6-foot deep, man-made irrigation canal is present in the northern portion of the Project Area, entering from the east and exiting to the west. It appears recently maintained, as evidenced by low vegetation cover and abundant bare ground. Indications of wildlife use of the Project Area include visual observations of passerine birds and black-tailed jack rabbit (*Lepus californicus*), as well as a few gopher burrows with characteristic dirt splays obscuring the burrow entrances. No other burrows or dirt splays and runways characteristic of other small mammals (e.g., kangaroo rat) were present at the time of the site visit.

3.0 WEED MANAGEMENT

The management and control of noxious weeds, with a California Invasive Plant Council (Cal-IPC; 2014) rating of "high", would be implemented throughout the Project Area for the duration of the solar site operations. Plant species classified as "high" by CAL-IPC are defined as having severe ecological impacts on physical processes, plant and animal communities, and vegetation structure. These plants have reproductive biology and other attributes that are conducive to moderate to high rates of dispersal and establishment and most are widely distributed ecologically. Management will consist of mechanical or manual control methods only. Pristine Sun will determine the method and frequency of the management strategies bases on weed species and location, fuel load, environmental conditions, and availability of resources and equipment.

3.1 Mechanical and Manual Management

Both mechanical and manual methods can be used to manage invasive weed populations and reduce fuel load within the Project Area. Pristine Sun will make reasonable efforts to use local or regional labor and equipment operators to assist with weed and vegetation control. Mechanical and manual vegetation management techniques result in fewer impacts than herbicides and will be used as the primary methods of weed abatement for this site.

4.0 RODENT MANAGEMENT

In a joint effort to control populations of undesirable pests, such as rodents, and protect non-target wildlife species, two management strategies are proposed. These include habitat reduction and predator-prey methods.

4.1 Habitat Reduction

Because uncontrolled, dense, or tall vegetation can provide food and shelter for rodents, the construction of the solar array and subsequent vegetation management would make the Project Area less attractive to rodents when compared to existing site conditions. The UC Davis Integrated Pest Management (IMP) guidance (US Davis 2010) recommends removing weeds, heavy mulch, and dense vegetation cover to make habitat for voles less favorable.

Although the UC Davis guidance for rat control indicates that solar panels do not provide habitat preferred by rats (UC Davis 2003), the wire trays used by this solar array can serve as a nesting place for rodents. Habitat reduction will eliminate pathways, cover, and food sources for rats, making the panels not suitable for nesting activities.

4.2 Predator-Prey Techniques

In an effort to support and increase wildlife habitat value on the Project Area during operations, natural predator-prey techniques are recommended to control rodent populations.

In order to continue to provide or improve foraging habitat for raptors and to reduce rodent populations, raptor poles and owl boxes will be installed in the Project Area. The weed and vegetation management methods listed in Section 3 will provide optimum foraging habitat for predator species by ensuring vegetation height do not impede visual spotting of or access to prey.

4.3 Chemical Management

In accordance with the California Department of Fish and Wildlife comments regarding the IS, the use of rodenticides that may impact non-target species and/or reduce prey sources for existing wildlife will be prohibited. Rodents will be removed using live traps instead of rodenticides. Live traps should be sized such that inadvertent trapping of non-target species would not occur.

5.0 INSECT MANAGEMENT

Because no agricultural crops will be grown within the Project Area, agricultural insect pests are not expected to be attracted to the site. No standing water is expected to be necessary as part of the project installation or long-term maintenance. As such, no additional vector controls for mosquitos are needed.

6.0 DISEASE MANAGEMENT

Insects such as mosquitos can act as vectors for disease. As stated in Section 5, the solar array would not attract or harbor insect pests that could serve as disease vectors.

7.0 REPORTING

Reporting requirements will include a yearly activity calendar and an annual re-assessment of the PWMP that will identify any adaptive management actions, which may be needed. The

annual re-assessment will take place in the spring of each year. The re-assessment will also serve to identify noxious weeds, vegetation height, insects, disease, and vertebrate pests that may impact adjacent sites and to identify any new threats not identified in this management plan. Pristine Sun will maintain a log containing all reports and records. This log will contain photograph files, all records of inspections, all records of weed treatment applications, and all records of pest management actions.

8.0 REFERENCES

Brannon Solar. 2012. Integrated Pest Management Plan Rodent Control. Pacific Valley LLC, Santa Barbara, CA

California Invasive Plant Council (Cal-IPC). 2014. California Invasive Plant Inventory: Cal-IPC Publication 2006-2. California Invasive Plant Council, Berkeley, CA. Available online: <http://www.cal-ipc.org/ip/inventory/index.php>.

The County of Fresno. 2014. County Department Contact Information. Website: <http://www.co.fresno.ca.us/CountyPage.aspx?id=32283>. Accessed January 24, 2015

University of California, Davis. 2010. Integrated Pest Management for Home Gardeners and Landscape Professionals – Voles (Meadow Mice). Pest Notes Publication 7439. Website: <http://www.imp.usdavis.edu/PDF/PESTNOTES/pnvoles.pdf>. Accessed January 24, 2015

University of California, Davis. 2003. Integrated Pest Management for Home Gardeners and Landscape Professionals – Rats. Pest Notes Publication 74106. Website: <http://www.imp.usdavis.edu/PMG/PESTNOTES/pn74106.html>. Accessed January 24, 2015



EXHIBIT 9

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Pristine Sun, LLC

APPLICATION NOS.: Initial Study Application No. 6879 and Unclassified
Conditional Use Permit Application No. 3477

DESCRIPTION: The applicant proposes to construct and operate a 0.999-MW photovoltaic solar generation facility (PVSGF) with related improvements on a 10.00-acre portion of a 19.09-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The interconnection from the PVSGF to a local electrical distribution power line will consist of a short (100- to 175-foot) interconnection generation tie line.

LOCATION: The project site is located adjacent to Parlier Avenue, between Alta Avenue and Crawford Avenue, approximately 2.2 miles northeast of the nearest city limits of the City of Reedley (Sup. Dist.: 4) (APN: 373-360-19).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT

The site of the proposed project is located in an established agricultural area with four residences in close proximity. No scenic vistas, scenic resources, or historic buildings that may be impacted by the proposed project were identified on or near the site. The site is not located along or near a state scenic highway. The proposed project will have no impact on scenic resources.

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

DEVELOPMENT SERVICES DIVISION

2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 262-4055 / 262-4029 / 262-4022 FAX 262-4893
Equal Employment Opportunity • Affirmative Action • Disabled Employer

FINDING: LESS THAN SIGNIFICANT IMPACT

The proposed PVSGF will consist of photovoltaic (PV) modules, trackers, inverters, medium-voltage transformers, access roads, electrical wiring, a medium-voltage interconnection tie line, and four new utility poles.

Module arrays will be mounted on I-beams typically spaced 14 feet on center and installed to a height of 4 to 6 feet above grade. A single-axis tracking system will be utilized to maximize capture of solar insolation. The system consists of a galvanized metal racking system to hold the PV modules in the ideal position starting at a 45 degree angle facing east at sunrise and tracking to a 45 degree angle facing west at sunset. Each row of panels (north to south) will be a maximum length of 300 feet with spacing between each row of approximately 16 to 17 feet. The height of the modules measured from ground surface will be a maximum of 10 feet.

An equipment pad with two inverters, a transformer, and a switchboard will be located near the center of the project site. The switchboard will typically measure 11 and one-half feet above ground surface, and will be the tallest equipment on the pad. The PVSGF will interconnect directly to the existing PG&E 12-kV power line that runs along the eastern boundary of the parcel, perpendicular to East Parlier Avenue. Three new power poles will be installed by the applicant at the south end of the project, more than 500 feet to the south of the existing residence. Another power pole will be installed by PG&E approximately 100 feet to the north of the applicant's power poles.

The subject parcel is located in an agricultural area marked by relatively large agricultural parcels, but with four residences adjacent or in close proximity to the project site. A County required 50-foot buffer from the edges of the property boundaries to the closest structural improvements or equipment will protect the existing visual character of the area. As such, this project will not have a significant impact on the visual character of the site or 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 regard to project development, improvements will be constructed during a four month construction period. The presence of construction workers and the operation of construction equipment may have the potential of generating new sources of light and glare in the area. However, such impacts will be less than significant considering the temporary presence of such sources.

Once operational, the project will have no lighting on site. The modules are covered by a tempered glass pane with highly absorptive properties resulting in very low reflectivity properties.

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

FINDING: LESS THAN SIGNIFICANT IMPACT

The parcel on which the proposed PVSGF will be located is classified as Farmland of Local Importance on the Fresno County Important Farmland 2012 Map, is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size), and is designated Agriculture in the Fresno County General Plan. The proposed PVSGF is an allowed use on land designated for agriculture with discretionary approval and adherence to applicable General Plan Policies. The Fresno County Ag Commissioner did not express any concerns regarding this matter.

The parcel is not under a Williamson Act Contract.

- C. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g)); 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 use or conversion of forest land to non-forest use?

FINDING: NO IMPACT

Neither the subject parcel nor any surrounding land is zoned for forest land, timberland, or timberland zoned Timberland Production. Therefore, the proposed project will not result in the loss or conversion of forest. The proposed project will not result in a permanent conversion of Farmland to non-agricultural uses. The proposed project will require the removal of the panels at the end of their lease or discontinuance per the Reclamation Plan submitted by the Applicant.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or

- B. Would the project violate any air quality standard or contribute substantially 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 an applicable 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

The San Joaquin Valley Air Pollution Control District (Air District) has approved an Air Impact Assessment application for the proposed project. The District determined that baseline emissions for construction and operation will be less than two tons NO_x and two tons PM₁₀. There are no objectionable odors anticipated from the proposed project. Compliance with the Air District's Monitoring and Reporting Schedule 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 species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The proposed project has the potential to impact four special-status wildlife species: Swainson's hawk (SWHA), loggerhead shrike, tricolored blackbird, and San Joaquin Kit Fox (SJKF). The proposed project may affect loggerhead shrike, tricolored blackbird and SWHA by modifying foraging habitat, and it could affect SJKF if fencing were to cause an impediment to dispersal. These impacts would be considered significant under CEQA, the Endangered Species Act, or Fish and Wildlife Code. The proposed project is not anticipated to impact the nests or dens of special-status species as no trees or shrubs are slated for removal, and all dens of special-status species shall be avoided.

The proposed project also has the potential to impact birds protected by the Migratory Bird Treaty Act (MBTA) and Fish and Wildlife Code. Potential impacts to these species or their habitats could occur during the removal of vegetation or during grading and ground-disturbing activities. These activities could result in the direct removal or destruction of the active nests of non-special-status bird species. Activities that result in the direct removal of active nests or disturbance to nesting birds sufficient to result in the abandonment of active nests would be considered a significant impact under CEQA and a violation of the MBTA and Fish and Wildlife Code.

The Applicant proposes to construct a 0.999 MW solar electric generating facility on the 20-acre project area as part of a 20-year Power Plan Agreement (PPA) with PG&E. The proposed project will entail construction of solar panels, trackers, inverters, medium-voltage transformers, access roads, and electrical wiring. Underground conduits will be trenched in approximately two feet to connect adjacent tracker systems. One overground utility line and four utility poles will be installed to connect panels to PG&E transmission lines on East Parlier Avenue. One meteorological data collection system will also be installed on one solar shield.

All components including trackers, inverters, power poles, and telecommunication system will avoid potentially sensitive resources. No other federal or state jurisdictional features are present on the property.

Access to the site will be from East Parlier Avenue. These roads will be graded to a width of between 10- to 18-feet and compacted with native soil or gravel. The total area of impact from access roads is 0.65 acres. A 20' x 20' pad will be constructed at the center of the project area for placement of the powerstation consisting of one transformer. No other grading activities are proposed. Solar panels will be installed using a 3-point helical pier anchoring system designed to minimize ground disturbance both during installation and decommissioning.

A barbed wire fence around the perimeter of the property will be installed for security purposes. All fencing will be modified to include a minimum opening of 5 to 7 inches from the bottom of the fence to the ground along the entire length of the fence to allow passage for small mammals and/or SJKF. The bottom of the fence edges will be wrapped back to form a smooth edge to allow unrestricted movement. The fence will be see-through to avoid appearance of a barrier. No additional landscaping or other visual deterrents will be implemented. All construction and operational activities will be restricted to daylight hours.

Operation and maintenance (O&M) activities would be managed remotely and no on site O&M facilities are proposed as part of the project. The project would contract with a regional O&M provider, who may lease warehouse and office space in an existing facility in the surrounding community. The regional O&M provider would use this existing facility to store tools, equipment, and supplies necessary for scheduled and unscheduled maintenance such as panel washing, vegetation maintenance, and general maintenance and repairs on the facility. Vegetation and pest management will be controlled using mechanical measures and will not include the use of rodenticides, pesticides, or herbicides.

Most of the project area is comprised of ruderal herbaceous vegetation, which is not considered a sensitive habitat under CEQA. The only potentially sensitive biological community within the project area is the irrigation canal. No special-status plants have the potential to occur within the project area; thus, there is no potential for the proposed project to impact special-status plants. Special-status wildlife species, including SWHA, loggerhead shrike, and SJKF have moderate potential to occur on the project site. Loggerhead shrike may nest and/or forage within the project area, though SWHA only

have potential to use the site for foraging. SJKF is unlikely to forage within the project area and it does not currently den at the site, but it may occasionally disperse through the project area. In addition to these species, non-special-status, native avian species may be impacted if proposed project activities affect nesting success. Potentially significant impacts as a result of the proposed project and the associated mitigation measures are discussed below.

* **Mitigation Measures**

- BIO-1:** A Stormwater Pollution Prevention Plan shall be prepared and implemented to prevent discharge of any materials during project-related activities such as trenching. Only natural fiber or biodegradable materials shall be used. All erosion control products shall be removed at the completion of construction activities.
- BIO-2:** To avoid potential project-related impacts to SWHA during the nesting season (March 1 – September 15), pre-construction nest surveys for SWHA shall be conducted in accessible areas within 0.5 mile of the project area within 30 days prior to the initiation of project-related activities. Surveys shall follow the methodology developed by the Swainson's hawk Technical Advisory Committee (SWHA TAC 2000). If SWHA is detected nesting within 0.5 mile of the project area during the pre-construction surveys, the biologist shall consult with the California Department of Fish and Wildlife (CDFW) to determine an appropriate no-disturbance buffer based on proximity to disturbance, timing, and visual barriers. After the biologist has determined that all young have become independent of the nest or the nest has been naturally predated, then construction activities may take place in the former exclusion zone.
- BIO-3:** If a SWHA nest is discovered during pre-construction surveys, degradation of foraging habitat shall be mitigated in accordance with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994b). If credits are purchased at a CDFW approved bank, the ratio may be reduced per Staff Report guidelines (for prey-managed lands) at the discretion of CDFW.
- BIO-4:** All hollow vertical pipes associated with the solar mounts and fencing shall be capped as they are installed to prevent bird deaths.
- BIO-5:** Construction shall be limited to daylight hours only.
- BIO-6:** No pesticides, rodenticides or herbicides shall be used.
- BIO-7:** Impacts to foraging habitat shall be avoided during both project construction and maintenance activities.

- BIO-8:** *Solar mounts shall be installed with a 3-point helical pier anchoring system, which is designed to minimize ground disturbance and allow vegetation to grow and persist under and between the solar trackers.*
- BIO-9:** *SJKF may forage adjacent to and disperse through the project site. Surveys and avoidance measures described in the United States Fish and Wildlife Service (USFWS) Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented before starting project-related activities likely to impact SJKF. If project-related activities are delayed or suspended for more than 30 days, the area shall be resurveyed.*
- BIO-10:** *If SJKF dens are identified, they shall be avoided completely and exclusion zones will be established in accordance with the USFWS protocol. If dens cannot be avoided, the applicant shall conduct a 3-day tracking survey to establish occupancy; if dens are unoccupied after 3 days of tracking they shall be collapsed. If occupied, the applicant shall consult with USFWS to implement an appropriate exclusion plan.*
- BIO-11:** *Additionally, to avoid impacts to SJKF dispersal, the perimeter fence shall be designed to allow SJKF to move unimpeded through the project site, as described in Section 6.1 of the Biological Resources Assessment.*
- BIO-12:** *For the protection of raptors and migratory song birds and to assist in avoiding take of avian species as required by California Fish and Wildlife Code Sections 3503, 3503.5, and 3513, project activities shall occur during the non-nesting bird season to the extent feasible. However, if ground-disturbing activities must occur during the breeding season (January through September 15), the project applicant is responsible for ensuring that implementation of the project does not result in any violation of the MBTA or relevant Fish and Wildlife Code Sections as referenced above. Prior to work commencing, surveys for active nests shall be conducted by a qualified wildlife biologist no more than ten days prior to the start of the project, and the surveys shall be conducted in a sufficient area around the work site to identify the location and status of any nests that are present. A sufficient area means any nest within an area that could potentially be affected by the project.*
- BIO-13:** *In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests shall be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline, and once work commences, all nests shall be continuously monitored to detect any behavioral changes. If behavioral changes are observed, the work causing that change shall cease and CDFW shall be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species*

and a 500-foot no-disturbance buffer around the nests of unlisted raptors shall be established until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers shall be supported by a qualified wildlife biologist and CDFW shall be notified in advance of implementation of a no-disturbance buffer variance.

- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The project area contains part of an irrigation canal, which is potentially within Corps jurisdiction under Section 404 of the Clean Water Act and under the jurisdiction of the Regional Water Quality Control Board (RWQCB) under the Porter-Cologne Act.

* **Mitigation Measures**

BIO-14: *All components of the proposed project, including but not limited to, panels, trackers, inverters, and power poles, shall avoid the irrigation canal.*

- C. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?

FINDING: NO IMPACT

No removal, filling, or hydrological interruption of a federally protected wetland is proposed with or anticipated as a result of the proposed project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

See discussion in IV.A above.

- 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: NO IMPACT

The proposed project will not conflict with any local policies or ordinances protecting biological resources, nor will it conflict with any adopted conservation plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

The parcel on which the proposed PVSGF will be sited is not located within proximity of any area designated to be moderately or highly sensitive for archeological resources. However, in the event that cultural resources are unearthed during grading or construction, all work shall be halted in the area of the find, and an archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition 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 proposed project. The Mitigation Measure will reduce potential impacts to cultural resources to a less than significant level.

* **Mitigation Measures**

CUL-1: *In the event that cultural resources are unearthed during grading 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 construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are*

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 the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; or
2. Strong seismic ground shaking; or
3. Seismic-related ground failure, including liquefaction; or
4. Landslides?

FINDING: NO IMPACT

The areas of the proposed project are not identified as areas which by nature are subject to these types of seismic effects. No agencies expressed any concerns related to ground shaking, ground failure, liquefaction, or landslides. Further, construction of the proposed project will be subject to seismic design.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

During operation, more than 92.9 percent of the site (approximately nine acres) will remain permeable. Permeable areas of the proposed PVSGF site shall be planted with a native seed mixture to minimize any erosion caused by stormwater runoff and wind. A Mitigation Measure reflecting this requirement has been incorporated into the proposed project. Additionally, per Fresno County Standards, any runoff generated by the proposed project cannot be drained across property lines, or into County right-of-ways, and must be retained on site.

* **Mitigation Measures**

GEO-1: *Permeable areas of the proposed PVSGF site shall be planted with a native seed mixture.*

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

FINDING: NO IMPACT

Landslides and other forms of slope failure form in response to long-term uplift, mass wasting, and disturbance of slopes. The project site contains naturally flat relief (slopes of no more than 3 percent), which precludes the possibility of landsliding on site.

The potential for seismic-related ground failure (liquefaction, lateral spreading, and lurching) occurring on the project site is minimal because of the absence of high groundwater levels and saturated loose granular soil on the project site.

The project site is not in an area identified by Fresno County as being susceptible to liquefaction. In addition, the intensity of ground shaking from a large, distant earthquake is expected to be relatively low on the project site and, therefore, would not be severe enough to induce liquefaction on site.

The San Joaquin Valley in which Fresno County is located is known to experience subsidence. However, as the proposed project will use very little groundwater (approximately 0.025-acre feet or 8,000 gallons annually) compared to an agricultural use of the same size, the proposed project will have no impact on subsidence.

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

FINDING: NO IMPACT

The United States Department of Agriculture Natural Resources Conservation Service indicates that Ramona sandy loam, Greenfield sandy loam, and Hanford sandy loam underlie the project site. These soils have a low shrink-swell potential. The proposed project would implement all applicable requirements of the most recent California Building Standards Code, which provides criteria for the design of structures. Therefore, the development of the project would not expose persons or structures to hazards associated with shrinking and swelling of expansive soils.

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

FINDING: NO IMPACT

Wastewater generated during construction of this project will be contained within portable restroom facilities and will be disposed of at an approved site. Once operational, the proposed project will be unmanned. As such, permanent on site restroom facilities are not required for the use, nor have permanent on site restroom facilities been proposed with this project.

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 an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT

The Air District has approved an Air Impact Assessment application for the proposed project. The Air District determined that baseline emissions for construction and operation will be less than two tons NO_x. The limited amount of NO_x, a greenhouse gas precursor, generated from the proposed project will have a less than significant impact on the environment.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials; or
- B. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or
- C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: LESS THAN SIGNIFICANT IMPACT

According to the Applicant, no hazardous materials will be used during the construction phase. During operations, the transformer will use vegetable oil, which is not hazardous. Furthermore, background information supplied by the applicant states that no chemical cleaners will be used for module washing.

The subject parcel is not located within one-quarter mile of a school. The nearest school is Alta Elementary School which is located 0.77 miles from the site of the proposed project.

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

FINDING: NO IMPACT

The project site is not listed on the Hazardous Waste and Substances Site List (Cortese List) which is maintained by the California Department of Toxic Substances Control. There are no active sites located within a two mile radius of the project site.

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

FINDING: NO IMPACT

The project site is located 3.4 miles from the outer band of the conical zone of the Reedley Municipal Airport. No safety hazards resulting from the proximity to airports has been identified in this study.

- G. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

FINDING: NO IMPACT

The Fresno County Department of Public Health, Environmental Health Division which administers the Office of Emergency Services to coordinate planning and preparedness, response and recovery efforts for disasters occurring within the unincorporated area of the County did not express any concerns regarding this matter.

- 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 in an urbanized area, and is located 4.11 miles from the nearest point of a wildland fire area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: LESS THAN SIGNIFICANT IMPACT

Wastewater generated during construction of this project will be contained within portable restroom facilities and will be disposed of at an approved site. Once operational, the proposed project will be unmanned. As such, permanent on site restroom facilities are not required for the use, nor have permanent on site restroom facilities been proposed with this project. Additionally, development of this project shall

comply with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit requirements. With adherence to this requirement, potential water quality impacts will be reduced to a less than significant impact.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

FINDING: LESS THAN SIGNIFICANT IMPACT

According to the Applicant, approximately 0.025-acre feet (8,000 gallons) of water will be acquired annually from an on site well for washing the panels. This proposal was reviewed by the Water/Geology/and Natural Resources Section of the Fresno County Department of Public Works and Planning, Development Services Division, which expressed no concerns with the project as it relates to water quantity.

- C. Would the project substantially alter the existing drainage pattern of the site or area, including through the 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 the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

FINDING: NO IMPACT

The proposed project is not expected to interfere with the existing drainage pattern. More than 92% of the site will remain permeable and will be planted with a native seed mixture. A one-half acre portion of the site will be graded for construction staging, however, according to the applicant, following construction the laydown and staging area will be restored as close as possible to pre-construction conditions. Further, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines, or into County right-of-ways.

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

FINDING: NO IMPACT

The proposed project site is not served by a stormwater drainage system. More than 92% of the site will remain permeable and will be planted with a native seed mixture which will increase absorption. Further, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed

development to be retained on site, and cannot be drained across property lines, or into County right-of-ways.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

See discussion in IX. A & B. above.

- G. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

FINDING: NO IMPACT

No additional housing is proposed with this project.

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

FINDING: NO IMPACT

The subject parcel is not within the FEMA 100-year flood hazard area, and therefore no such impacts were identified in the project analysis.

- I. Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or

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

FINDING: NO IMPACT

A 1986 Friant Dam uncontrolled release resulted in the release of 3,000 cfs, with no major flooding in the area. It is expected that future failures would not expose the project to significant loss, injury, or death. The project site is not located near an inland body of water, precluding it from possibility of seiche inundation. The project site is located more than 100 miles from the Pacific Ocean, precluding it from tsunami inundation. The project is not located within an area of steep slopes, precluding it from mudflow inundation.

X. LAND USE AND PLANNING

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

FINDING: NO IMPACT

The project is outside the boundaries of any city or unincorporated community. No impact is expected on any established community.

- B. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: LESS THAN SIGNIFICANT IMPACT

The subject parcel is designated Agriculture in the Fresno County General Plan. Provisions for certain non-agricultural uses such as this proposal have been provided for in the Fresno County Zoning Ordinance and General Plan.

Policy LU-A.3 of the General Plan provides that electrical substation facilities may be allowed by discretionary permit subject to a number of specific criteria. Criterion LU-A.3.a states that the use shall provide a needed service to the surrounding area which cannot be provided more effectively within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics. Criterion LU-A.3.b states that the use shall not be sited on productive agricultural land if less productive land is available in the vicinity. Criterion LU-A.3.c states that the use shall not have a detrimental impact on water resources. Criterion LU-A.3.d states that a probable workforce should be located nearby or readily available.

Policy LU-A.12 of the General Plan requires that agricultural activities be protected from encroachment of incompatible uses, Policy LU-A.13 requires buffers between proposed non-agricultural uses and adjacent agricultural operations, and Policy LU-A.14 requires an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.

All of the above policies and criteria are met by the proposed project, therefore the proposed project does not conflict with the Fresno County General Plan.

- C. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

FINDING: NO IMPACT

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

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State; or
- B. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

FINDING: NO IMPACT

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 persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Would the project result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

FINDING: LESS THAN SIGNIFICANT IMPACT

The Fresno County Department of Public Health, Environmental Health Division, reviewed the project and did not identify any potential noise-related impacts. However, the proposed project will be subject to conformance with the Fresno County Noise Ordinance related to 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.

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

FINDING: LESS THAN SIGNIFICANT IMPACT

The construction phase of the proposed project is approximated by the applicant to last 4 months. During this time, there will be a temporary increase in noise level, however, the Fresno County Department of Public Health, Environmental Health Division, reviewed the project and did not identify any potential noise-related impacts. The proposed project will be subject to conformance with the Fresno County Noise Ordinance related to 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. All construction activities will take place within these hours.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; 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 located 3.4 miles from the outer band of the conical zone of the Reedley Municipal Airport. The site of the proposed project will not be affected by excessive levels of airport noise.

XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT

The proposed project will not induce population growth, nor will it displace housing or people.

XIV. PUBLIC SERVICES

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

- 1. Fire protection?

FINDING: NO IMPACT

Fresno County Fire Protection District (Fire District) review of the project did not identify any significant concerns with the overall proposal. The project shall comply with California Code of Regulations Title 24 – Fire Code. County approved site

plans for the proposed project will be required to be approved by the Fire District prior to issuance of Building Permits.

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

FINDING: NO IMPACT

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

XV. RECREATION

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

FINDING: NO IMPACT

No impacts on recreational resources were identified in the analysis.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

FINDING: LESS THAN SIGNIFICANT IMPACT

With regard to project development, improvements will be constructed during a 4 month construction period. Construction trips are estimated at a maximum of 14 one-way trips

per day (7 round trips per day) during the construction of the project. Once operational, the proposed improvements will be unmanned. Washing the panels will require two employees to come to the site for one day, four times per year. There will be one to two employees that regularly visit the site for maintenance and security reasons. The Design Division of the Fresno County Department of Public Works and Planning reviewed this proposal and expressed no concerns regarding the carrying capacities of the adjacent roadways and did not require a Traffic Impact Study.

- C. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

FINDING: NO IMPACT

This proposal will not result in a change in air traffic patterns.

- D. Would the project substantially increase hazards due to a design feature or incompatible uses; or

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

FINDING: NO IMPACT

The Design Division and the Development Engineering Section of the Fresno County Department of Public Works and Planning reviewed the project and did not identify any concerns with respect to increased traffic hazards or emergency access.

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

FINDING: NO IMPACT

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

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; or
- B. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

FINDING: NO IMPACT

Wastewater generated during construction of this project will be contained within portable restroom facilities and will be disposed of at an approved site. Once

operational, the proposed project will be unmanned. As such, permanent on site restroom facilities are not required for the use, nor have permanent on site restroom facilities been proposed with this project. Therefore, no wastewater treatment requirements will be exceeded, and no new treatment facilities or expansions thereof will be required.

- C. Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

FINDING: NO IMPACT

The proposed project site is not served by a stormwater drainage system. More than 92% of the site will remain permeable and will be planted with a native seed mixture which will increase absorption. Further, the applicant will be required to adhere to County Standards which require any additional runoff generated by the proposed development to be retained on site, and cannot be drained across property lines, or into County right-of-ways.

- D. Would the project have sufficient water supplies available to serve the project 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 by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: NO IMPACT

Wastewater generated during construction of this project will be contained within portable restroom facilities and will be disposed of at an approved site. Once operational, the proposed project will be unmanned. As such, permanent on site restroom facilities are not required for the use, nor have permanent on site restroom facilities been proposed with this project. Therefore, no wastewater treatment will be required.

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

FINDING: NO IMPACT

Once operational, the project will not impact area landfills. Non-hazardous solid waste associated with development of the project will be hauled off-site to local area landfills. Hazardous waste and electrical waste will not be placed in a landfill, but will be transported to a hazardous waste handling facility.

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 history or prehistory?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED

Construction of the project may impact sensitive biological and cultural resources, as well as geology and soils. Included Mitigation Measures in Sections IV, V, and VI will minimize such impacts to a level that is less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT

The applicant will be required to adhere to the permitting requirements, and rules and regulations set forth by Fresno County, San Joaquin Valley Air Pollution Control District, California Code of Regulations Fire Code, California Regional Water Quality Control Board, and the California Public Utilities Commission, as applicable. If the applicant adheres to these requirements cumulative impacts are not expected to be significant.

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

FINDING: NO IMPACT

The proposed project will neither directly nor indirectly cause substantial adverse effects on human beings. Aesthetics, air quality, greenhouse gases, and/or noise are the only potential factors through which the project could have adverse effects on human beings. However, all potential effects of the proposed project related to these factors are identified as either no impact or less than significant impact.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3477, 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, public services, and recreation.

Potential impacts related to aesthetics, agricultural and forestry resources, air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, noise, transportation/traffic, and utilities and service systems have been determined to be less than significant. Potential impacts relating to biological resources, cultural resources, and geology and soils have been determined to be less than significant with the identified Mitigation Measures.

A subsequent 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.

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RECEIVED
JUL 27 2018

FRESNO COUNTY
DEPT. OF

ReneSola

3950 Paseo Padre Parkway, Suite 230
Fremont, CA 94538

July 10, 2018

CUP3477

Mr. Ejaz Ahmad, Planner
County of Fresno
2220 Tulare Street, 6th Floor
Fresno, 93721
Development Services Division

RE: CUP #3477 Second One Year Extension Request

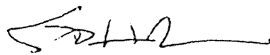
Dear Mr. Ahmad:

We would like to request the second one year extension available to us for our Conditional Use Permit #3477 which currently expires in August 2018. We were unable to start construction on this project during the previous extension term, because we are still working to identify a viable revenue source for the project. We are currently researching various power purchase programs to determine the most feasible approach for this project. We expect the selection of a power purchase program for this project to be made sometime in the near future.

We have included the required extension request form and the required extension fee along with this letter.

Thank you for your assistance with this matter.

Regards,



Doran Hole
Manager
Pristine Sun Fund 6, LLC

EXHIBIT 5



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 October 11, 2018

SUBJECT: Initial Study Application No. 7440 and Unclassified Conditional Use Permit Application No. 3608

Allow the construction and operation of a new 120-foot telecommunication tower on a 50-foot by 50-foot lease area on a 4.85-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the east side of South Grantland Avenue, approximately 1,650 feet north of its intersection with West Mount Whitney Avenue, within the unincorporated community of Lanare, addressed as 20620 S. Grantland Avenue (Sup. Dist. 4) (APN 053-041-41S).

OWNER: Lanare Community Service District
APPLICANT: Complete Wireless Consulting obo AT&T Mobility

STAFF CONTACT: Christina Monfette, Planner
(559) 600-4245

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Negative Declaration prepared for Initial Study (IS) Application No. 7440; and
- Approve Unclassified Conditional Use Permit No. 3608 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. Elevations
7. Applicant's Operational Statement
8. Summary of Initial Study Application No. 7440

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AL-20 (Limited Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	4.85 acres	No change
Project Site	Vacant	50-foot by 50-foot lease area
Structural Improvements	Chain-link fence	120-foot monopole, walk-in cabinet, standby generator, new chain-link fence around lease area
Nearest Residence*	140 feet southwest	No change
Surrounding Development	Residential	No change
Operational Features	None	Continuous operation
Employees	N/A	None
Customers	N/A	None
Traffic Trips	None	1-2 trips/month for maintenance

Criteria	Existing	Proposed
Lighting	None	Motion-sensitive lighting
Hours of Operation	N/A	Continuous

*As measured from the subject parcel's property line to the nearest edge of the residence

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

ENVIRONMENTAL ANALYSIS:

An Initial Study was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 10.

Notice of Intent to adopt a Negative Declaration publication date: September 5, 2018.

PUBLIC NOTICE:

Notices were sent to 41 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit (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.

Staff notes that the Telecommunications Act of 1996 prohibits jurisdictions from "regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions" [47 U.S.C. § 332(c)(7)(B)(iv)]. As such, staff's analysis of the subject request, determination of project findings, conclusions, and recommended actions to the decision-making body correspond with Federal Law.

BACKGROUND INFORMATION:

The Fresno County Board of Supervisors adopted Ordinance No. 490, which confirmed the R-A (Single-Family Residential Agricultural) zoning on the subject parcel. On August 31, 1976, the Board of Supervisors adopted Amendment Application No. 2870, which rezoned approximately 1,300,000 acres of land, including this parcel, to the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to conform to the General Plan designation of "Agriculture."

Most recently, Amendment Application No. 3045 was approved by the Board of Supervisors on September 26, 1978, which rezoned the parcel to its current Limited Agricultural Zone District. This Amendment affected the zoning on many parcels in the community of Lanare and brought the zoning into conformity with the Lanare Community Plan (adopted December 20, 1977).

Conditional Use Permit No. 3567 was proposed to allow a cell tower on a different parcel in the community of Lanare. Opposition to the location of the tower led to the withdrawal of that application. The community indicated that location of the cell tower on Lanare Community Service District property would be preferred, and Complete Wireless Consulting subsequently filed the subject application. The Lanare Community Service District owns the subject parcel and the parcel to the south, where the District's building is located.

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 (west): ~326 Side (north): ~430 feet Side (south): 27 feet Rear (east): 34 feet	Yes Yes Yes Yes
Parking	N/A	N/A	N/A
Lot Coverage	N/A	N/A	N/A
Space Between Buildings	6 feet	N/A	N/A
Wall Requirements	N/A	N/A	N/A
Septic Replacement Area	N/A	N/A	N/A
Water Well Separation	N/A	N/A	N/A

*Setback measurements are to the edge of the lease area

Reviewing Agency/Department Comments Regarding Site Adequacy:

Building and Safety Section of the Fresno County Department of Public Works and Planning: If CUP No. 3608 is approved, plans, permits, and inspections will be required for all on-site improvements.

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

Analysis:

The only current improvements on the site are 6-foot chain-link fencing and 4-foot barbed wire fencing. The Applicant proposes to remove the existing chain-link fence and access gate in the area of the proposed driveway, but intends to leave the rest of the fence intact for security purposes.

The 50-foot by 50-foot lease area meets the setback requirements of the AL-20 Zone District. Therefore, all equipment located within the lease area will also meet the setbacks. New cell tower applications are required to show that there is space available on their towers for colocation opportunities. The elevations attached as Exhibit 6 indicate the pole will be engineered for two additional wireless carriers. The proposed ground equipment is primarily located in the northwestern corner of the lease area. If a competitor's equipment is similarly sized, then it is staff's belief that sufficient space within the lease area would be available for colocation.

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

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

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

		Existing Conditions	Proposed Operation
Private Road	No	None	N/A
Public Road Frontage	Yes	S. Grantland Avenue	No change
Direct Access to Public Road	Yes	No formal access point	New paved driveway
Road ADT		100 Vehicles per day	Negligible impact
Road Classification		Local	No change
Road Width		23.9 feet	No change
Road Surface		Pavement (road-mix surfacing)	No change
Traffic Trips		None	1-2 trips/month for maintenance
Traffic Impact Study (TIS) Prepared	No	N/A	N/A
Road Improvements Required		None	N/A

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

Development Engineering Section of the Fresno County Department of Public Works and Planning: Grantland Avenue is a County-maintained Local road with an existing 30-foot right-of-way east of the section line along the parcel frontage, per Plat Book. The minimum width for a Local road right-of-way east of the section line is 30 feet. Records indicate this section of Grantland Avenue from 0.63 miles south of Harlan Avenue to 0.78 miles south of Harlan Avenue has an Average Daily Traffic (ADT) of 100 vehicles, pavement width of 23.9 feet, structural section of 0.25-foot road-mix surfacing and is in poor condition.

If not already present, 10-foot by 10-foot corner cutoffs should be improved for sight distance purposes at the exiting driveway onto S. Grantland Avenue.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: The site plan shows an existing gate on the road right-of-way line to be removed by the owner. Any future gates placed along Grantland Avenue should be set back at least 20 feet from road right-of-way to allow a vehicle to temporarily park outside of the road right-of-way in order to operate the gate. Any drive approach improvements constructed within the road right-of-way will require an encroachment permit from this Division prior to the start of such work.

California Department of Transportation: No concerns.

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

Analysis:

Following construction of the tower, the project will contribute up to two round trips per month for regular maintenance of the equipment. As a Local road, S. Grantland Avenue requires 30 feet of right-of-way, which has been previously dedicated at the project site. No road improvements or dedications are necessary. With compliance to County regulations regarding setbacks for gates, corner cut-offs, and the need to obtain an encroachment permit prior to commencing work, S. Grantland Avenue will remain of sufficient width and pavement to accommodate the few monthly trips generated by this project.

Based on the above information, South Grantland Avenue is adequate to accommodate the limited traffic generated by 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	5.39 acres	Church	AE-20	None
South	4.44 acres	Lanare Community Services District	AL-20	None
East	10.09 acres	Residential	AE-20	~385 feet
West	5.04 acres	Residential	AL-20	~140 feet

*As measured from the subject parcel's property line to the nearest edge of the residence

Reviewing Agency/Department Comments:

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 2875J, the parcel is not subject to flooding from the 100-year storm. According to U.S.G.S. Quad Maps, there are no existing natural drainage channels adjacent to or running through the parcel.

Any 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.

Federal Aviation Administration: The Obstruction Evaluation/Airport Airspace Analysis revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation, provided the following conditions are met:

- Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1;
- This determination is based, in part, on the description submitted by the Applicant which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination;
- Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure;
- If construction or alteration is dismantled or destroyed, the developer shall submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed;
- This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA;
- This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.

All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.

Fresno County Fire Protection District: Fresno County Fire Protection District (FCFPD) has performed a preliminary review of the project, and has not identified any significant concerns with the overall proposal. The project shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving FCFPD conditions of approval for the subject application, plans must be submitted to the County of Fresno Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.

The project may be subject to joining the Community Facilities District (CFD). Before plans are submitted to the Fresno County Fire Protection District, the Applicant must fill out the Fire Permit Application to submit with the plans. A determination will be made and information provided to the Applicant on how to join the CFD based on the application.

Naval Air Station Lemoore: Staff has preliminarily evaluated the proposed tower; due to the height and locations proposed for the structure, there may be impact to Naval flight operations. We request the project be evaluated through the Federal Aviation Administration's Obstruction Evaluation/Airport Airspace Analysis.

The following agencies indicated "no comments" or "no concerns: Airport Land Use Commission; Site Plan Review Section and Water and Natural Resources Division of the Fresno County Department of Public Works and Planning. No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

The Naval Air Base Lemoore requested that the subject tower be reviewed by the Federal Aviation Administration's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) to determine if the height and location would cause adverse impacts to overland flights. The results of that study are summarized in the Federal Aviation Administration's comments on the previous page. The OE/AAA determined that the project would not have an adverse impact on air travel in this area, with compliance to the noted conditions. Such compliance has been required as a Condition of Approval for this CUP application.

Aesthetics is typically the concern associated with this type of use because of the height of towers which are used to support communication antennas. The visibility of a tower is a function of its height, design, and its exposure to neighbors and the general public. The proposed tower will be a 120-foot monopole design which will be set back from S. Grantland Avenue by more than 300 feet. While it will be visible, it will not have adverse impacts on any scenic resource and will not degrade the existing visual character of the site.

The Applicant provided several photo simulations of how the tower will appear following construction. Views were simulated from West Mount Whitney Avenue to the south, from Grantland Avenue approximately 700 feet south of the project site, and from Grantland approximately 500 feet northwest of the site. A drone was used to mark the height of the tower. The first two views show that the proposed tower will be viewed with a backdrop of above-ground telephone and electric poles and would not impact an existing view. The monopole design of the tower appears similar to the existing utility poles, further allowing the proposed tower to blend in. The photo-simulated view from north of the project site shows that the tower appears largely in the foreground and there are no utility poles in the background. However, the tower is set back by more than 300 feet from Grantland Avenue, which is the nearest street to the project site.

Surrounding development consists of large parcels with single-family residences, and the proposed location of the tower is more than 400 feet from the nearest residence. These residences, based on Google Street and Aerial Views (dated 5/2013 and 2/16/18, respectively), have been designed with landscaping features which block many views off site. Therefore, staff believes that there will not be an adverse visual impact associated with the installation of this tower on existing residents. Based on the above information, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
General Plan Policy PF-J.4: The County shall require compliance with the Wireless Communication Guidelines for siting of communication towers in unincorporated areas of the County.	Consistent - See discussion under "Analysis"

Reviewing Agency Comments:

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

Analysis:

The Wireless Communication Guidelines address several concerns with cell towers, including: site placement, colocation opportunities, and alternative site locations. Existing and Proposed Coverage Maps show that approval of this tower will improve signal in this area from Outdoor Service only to in-building and/or in-transit levels of service. This tower will also eliminate a large area where no service was indicated. As part of the project design for CUP No. 3567, AT&T's engineer identified a search ring of locations which could provide service to those 366 living units. The nearest existing tower to this search ring was in Riverdale, which is more than two miles outside the search ring.

Therefore, colocation was not an option that would meet the Applicant's need. As discussed in the background section, this CUP application was filed in response to the opposition from residents of Lanare over the proposed location of CUP No. 3567 and therefore no additional research regarding colocation opportunities was performed. The location of this tower was outside the preferred search ring for CUP No. 3567 and the height was increased to compensate in order to provide the same coverage.

Based on these factors, the proposed cell tower and associated equipment is consistent with the General Plan.

Recommended Conditions of Approval:

None.

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 Classified Conditional Use Permit can be made. Staff therefore recommends approval of Classified Conditional Use Permit No. 3608, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Negative Declaration prepared for Initial Study Application No. 7440, and
- Move to determine the required Findings can be made and move to approve Classified Conditional Use Permit No. 3608, subject to the 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 Classified Conditional Use Permit No. 3608; 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.

**Conditions of Approval and Project Notes
Initial Study Application No. 7440 and
Unclassified Conditional Use Permit Application No. 3608**

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations and Operational Statement approved by the Commission.
2.	The maximum number of antennas allowed on the tower shall be determined according to wind load calculations as approved by the Fresno County Department of Public Works and Planning.
3.	Prior to the issuance of permits, evidence shall be submitted showing provisions have been made to accommodate colocation, such as provision for colocation in a signed lease agreement, and additional area within lease area for colocation of equipment, or other information that demonstrates the facility shall make itself available for colocation.
4..	The approval shall expire in the event the use of the antennas/microwave dishes ceases for a period in excess of two years. At such time, the antennas/microwave dishes and related facilities shall be removed and the lease area shall be restored as nearly as practical to its original condition.
5.	<p>The following conditions apply to the project in order to maintain the finding of no hazard to air navigation provided by the Federal Aviation Administration:</p> <ul style="list-style-type: none"> • If marking/lighting are accomplished on a voluntary basis, it shall be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1; • Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination; • Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA; • If construction or alteration is dismantled or destroyed, the developer shall submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed; • This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

Conditions of Approval reference recommended Conditions for the project.

Project Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.

EXHIBIT 1

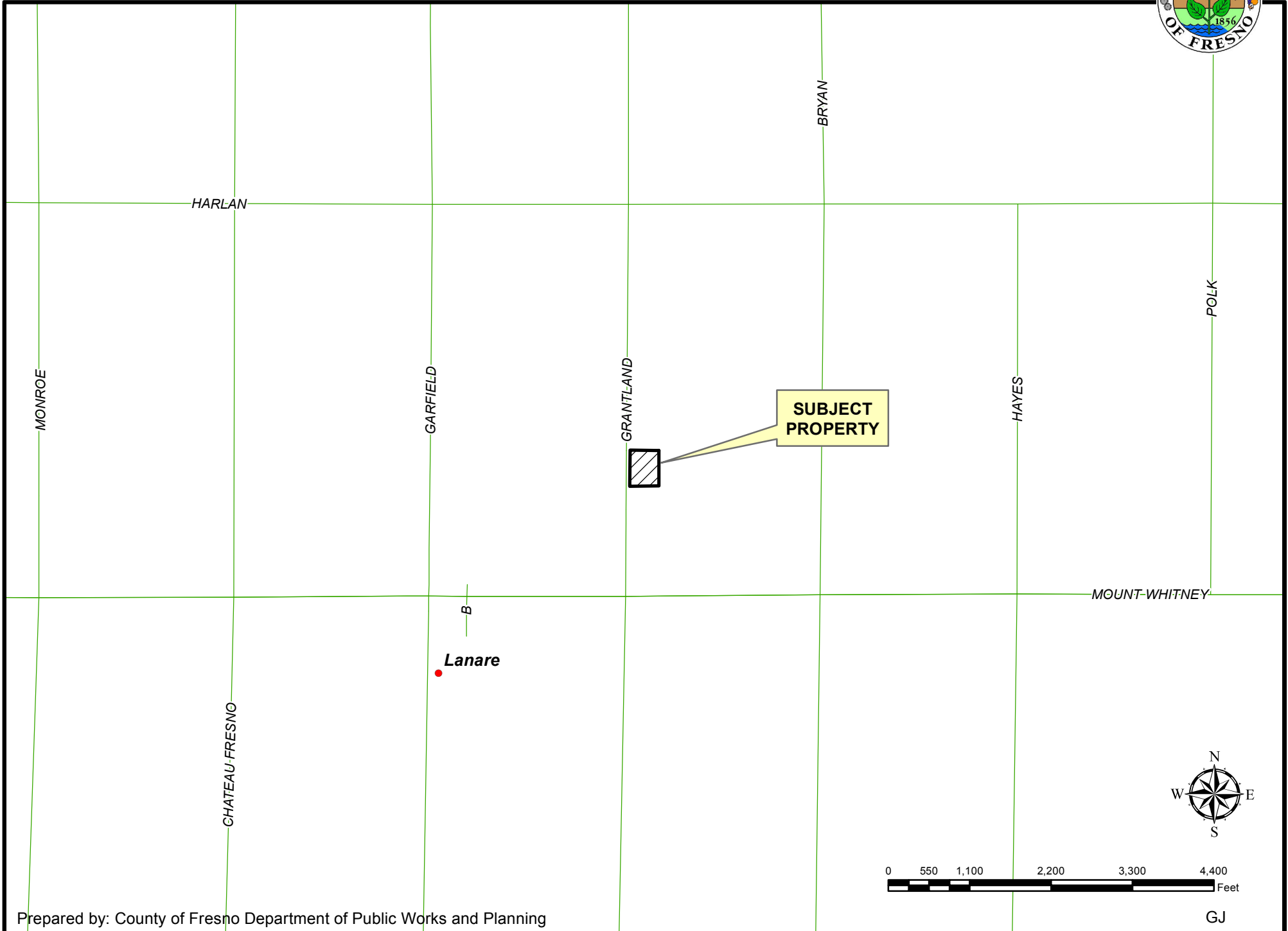
Project Notes

2.	Plans, permits and inspections are required for all proposed structures, including, but not limited to, accessible elements and site development, based upon the codes in effect at the time of plan check submittal. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	Any 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.
4.	A grading permit or voucher may be required for any grading proposed with this application.
5.	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 (http://cers.calepa.ca.gov/ or https://www.fresnocupa.com/). For more information, contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271.
6.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.
7.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
8.	If not already present, ten-foot by ten-foot corner cutoffs should be improved for sight distance purposes at any exiting driveways.
9.	The project shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving FCFPD conditions of approval for the subject application, plans must be submitted to the County of Fresno Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.
10.	The project may be subject to joining the Community Facilities District (CFD). Before plans are submitted to the Fresno County Fire Protection District the Applicant must fill out the Fire Permit Application to submit with the plans. A determination will be made and information provided to the Applicant on how to join the CFD based on the application.
11.	Any proposed lighting shall be hooded and downturned so as not to shine on adjacent properties or the public right-of-way.

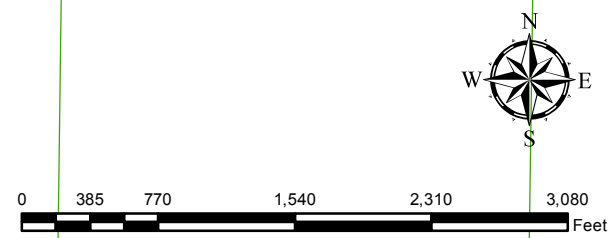
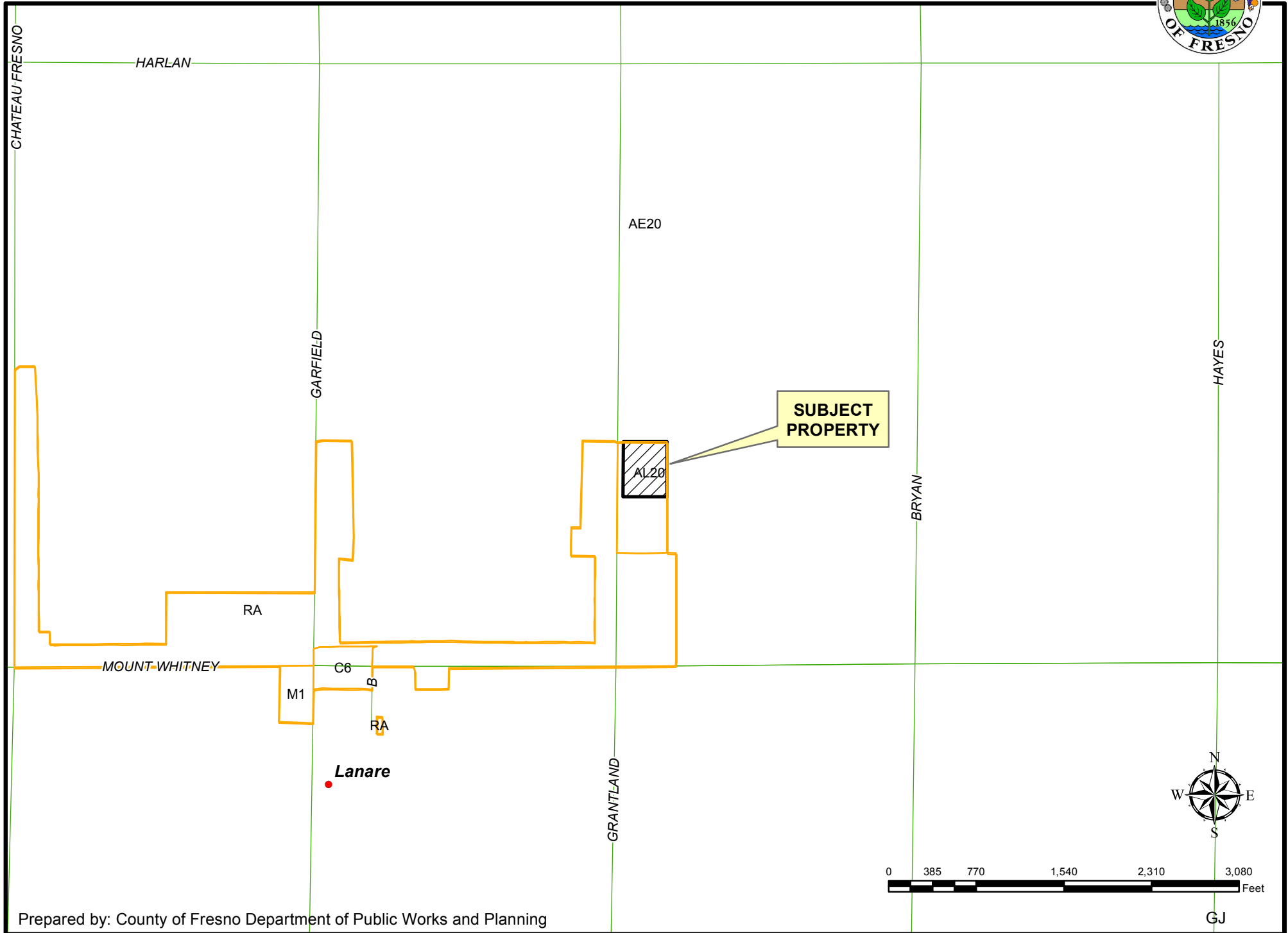
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LOCATION MAP



EXISTING ZONING MAP





at&t

FA CODE: 13787642
USID: 174368

SITE NUMBER: CVL03137

SITE NAME: LANARE

20620 S. GRANTLAND AVENUE
RIVERDALE, CA. 93656
JURISDICTION: FRESNO COUNTY
APN: 053-041-41S

SITE TYPE: PRE-MANUFACTURED WALK-IN CABINET / MONOPOLE

AT&T Site ID:
CVL03135
20620 S. GRANTLAND AVE.
RIVERDALE, CA. 93656

Vendor:

COMPLETE
Wireless Consulting, Inc.

PREPARED FOR

at&t
5001 Executive Parkway
San Ramon, California 94583

Architect:

MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

AT&T SITE NO: CVL03137
PROJECT NO: 162.2157
DRAWN BY: MWS
CHECKED BY: SV

REV	DATE	DESCRIPTION
	2/06/18	100% ZD
	1/17/18	90% ZD

Licensee:

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Issued For:
2/06/18
100% ZD

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T-1

PROJECT DESCRIPTION	PROJECT INFORMATION	PROJECT TEAM	SHEET INDEX	REV																															
<p>NEW SITE BUILD UNMANNED TELECOMMUNICATIONS FACILITY.</p> <ol style="list-style-type: none"> BRING POWER / TELCO / FIBER TO SITE LOCATION INSTALL AT&T APPROVED PREMANUFACTURED WALK-IN CABINET AND ASSOCIATED INTERIOR EQUIPMENT INSTALL AT&T MONOPOLE WITH ANTENNAS & ASSOCIATED TOWER-MOUNTED EQUIPMENT ADD GENERATOR W/ FUEL TANK 	<p>PROPERTY INFORMATION: SITE NAME: LANARE</p> <p>PROPERTY OWNER: LANARE COMMUNITY SERVICE ORGANIZATION 20620 S. GRANTLAND AVENUE RIVERDALE, CA. 93656</p> <p>SITE NUMBER: CVL03137</p> <p>SITE ADDRESS: 20620 S. GRANTLAND AVENUE RIVERDALE, CA. 93656</p> <p>A.P.N. NUMBER: 053-041-41S</p> <p>CURRENT ZONING: AL-20 (LIMITED AGRICULTURAL - 20 ACRE)</p> <p>JURISDICTION: FRESNO COUNTY</p>	<p>APPLICANT / LESSEE: AT&T 2600 CAMINO RAMON, 4W850 N SAN RAMON, CA 94583</p> <p>RF ENGINEER: AT&T 5555 E. OLIVE AVE. FRESNO, CA 93727 CONTACT: JAKE BALUYUT EMAIL: jkb7714@att.com (714) 767-9870</p> <p>CONSTRUCTION MANGER: ERICSSON 6140 STONERIDGE MALL RD. #350 PLEASANTON, CA 94588 CONTACT: TODD MERRILL EMAIL: toddmerrill@ericsson.com PH: (530) 605-5765</p>	<p>ARCHITECT / ENGINEER: MST ARCHITECTS INC. 1520 RIVER PARK DRIVE SACRAMENTO, CA 95815 CONTACT: MANUEL S. TSIHLAS EMAIL: manuel@mstarchitects.com PH: (916) 567-9630</p> <p>ZONING MANAGER: COMPLETE WIRELESS CONSULTING, INC. 2009 V STREET SACRAMENTO, CA 95818 CONTACT: MARIA KIM EMAIL: MKim@completewireless.net PH: (916) 247-6087</p> <p>LEASING MANAGER: COMPLETE WIRELESS CONSULTING, INC. 2009 V STREET SACRAMENTO, CA 95818 CONTACT: JACKIE ERICKSON EMAIL: jerickson@completewireless.net PH: (916) 764-0727</p>	<table border="1"> <tr><td>T-1</td><td>TITLE SHEET</td><td>#</td></tr> <tr><td>GN-1</td><td>GENERAL NOTES, ABBREVIATIONS, & NOTES</td><td>#</td></tr> <tr><td>LS1</td><td>SURVEY SHEET</td><td>#</td></tr> <tr><td>LS2</td><td>SURVEY SHEET</td><td>#</td></tr> <tr><td>A-1.1</td><td>SITE PLAN</td><td>#</td></tr> <tr><td>A-2.1</td><td>EQUIPMENT AREA PLAN</td><td>#</td></tr> <tr><td>A-3.1</td><td>ANTENNA PLAN & SCHEDULE</td><td>#</td></tr> <tr><td>A-3.2</td><td>ANTENNA DETAILS</td><td>#</td></tr> <tr><td>A-4.1</td><td>PROPOSED ELEVATIONS</td><td>#</td></tr> <tr><td>A-4.2</td><td>PROPOSED ELEVATIONS</td><td>#</td></tr> </table>	T-1	TITLE SHEET	#	GN-1	GENERAL NOTES, ABBREVIATIONS, & NOTES	#	LS1	SURVEY SHEET	#	LS2	SURVEY SHEET	#	A-1.1	SITE PLAN	#	A-2.1	EQUIPMENT AREA PLAN	#	A-3.1	ANTENNA PLAN & SCHEDULE	#	A-3.2	ANTENNA DETAILS	#	A-4.1	PROPOSED ELEVATIONS	#	A-4.2	PROPOSED ELEVATIONS	#	
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<p>ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.</p> <ol style="list-style-type: none"> 2016 CALIFORNIA ADMINISTRATIVE CODE, CHAPTER 10, PART 1, TITLE 24 CODE OF REGULATIONS 2016 CALIFORNIA BUILDING CODE (CBC) WITH CALIFORNIA AMENDMENTS, BASED ON THE 2012 IBC (PART 2, VOL 1-2) 2016 CALIFORNIA RESIDENTIAL CODE (CRC) WITH APPENDIX H, PATIO COVERS, BASED ON THE 2012 IRC (PART 2.5) 2016 CALIFORNIA GREEN BUILDINGS STANDARDS CODE (CALGREEN) (PART 11) [AFFECTED ENERGY PROVISIONS ONLY] 2016 CALIFORNIA FIRE CODE (CFC), BASED ON THE 2012 IFC, WITH CALIFORNIA AMENDMENTS (PART 9) 2016 CALIFORNIA MECHANICAL CODE (CMC), BASED ON THE 2012 UMC (PART 4) 2016 CALIFORNIA PLUMBING CODE (CPC), BASED ON THE 2012 UPC (PART 5) 2016 CALIFORNIA ELECTRICAL CODE (CEC) WITH CALIFORNIA AMENDMENTS, BASED ON THE 2011 NEC (PART 3) 2016 CALIFORNIA ENERGY CODE (CEC) ANSI / EIA-TIA-222-G 2015 NFPA 101, LIFE SAFETY CODE 2016 NFPA 72, NATIONAL FIRE ALARM CODE 2016 NFPA 13, FIRE SPRINKLER CODE 		<p>DIRECTIONS FROM AT&T'S OFFICE AT 2600 CAMINO RAMON, SAN RAMON, CA</p> <ol style="list-style-type: none"> HEAD EAST. TURN RIGHT TOWARD CAMINO RAMON. TURN RIGHT ONTO CAMINO RAMON. TURN RIGHT ONTO BOLLINGER CANYON RD. MERGE ONTO I-680 S VIA THE RAMP TO SAN JOSE. MERGE ONTO I-680 S. TAKE EXIT 30A TO MERGE ONTO I-580 E TOWARD STOCKTON. KEEP LEFT TO STAY ON I-580 E. TAKE THE INTERSTATE 580 EXIT TOWARD INTERSTATE 5 S/FRESNO/LOS ANGELES. CONTINUE ONTO I-580 E. CONTINUE ONTO I-5 S. TAKE EXIT 349 FOR DERRICK AVE . TURN LEFT ONTO CA-33 N/S DERRICK AVE. TURN RIGHT ONTO W HARLAN AVE. CONTINUE STRAIGHT. MERGE ONTO S STANISLAUS AVE. CONTINUE STRAIGHT ONTO W MT WHITNEY AVE. TURN LEFT ONTO CA-145 N. CONTINUE STRAIGHT ONTO W MT WHITNEY AVE. TURN LEFT ONTO S GRANTLAND AVE. DESTINATION IS ON THE RIGHT. 																																	
OCCUPANCY AND CONSTRUCTION TYPE	<p>OCCUPANCY : S-2 (UNMANNED TELECOMMUNICATIONS FACILITY), U (TOWER)</p> <p>CONSTRUCTION TYPE: V-B</p> <p><u>HANDICAP REQUIREMENTS</u></p> <p>FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY ACCESS AND REQUIREMENTS ARE NOT REQUIRED, IN ACCORDANCE WITH CALIFORNIA STATE ADMINISTRATIVE CODE, PART 2, TITLE 24, SECTION 1103B.1, EXCEPTION 1 & SECTION 1134B.2.1, EXCEPTION 4.</p>																																		
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		<table border="1"> <thead> <tr> <th>APPROVED BY:</th> <th>INITIALS:</th> <th>DATE:</th> </tr> </thead> <tbody> <tr><td>AT&T:</td><td></td><td></td></tr> <tr><td>VENDOR:</td><td></td><td></td></tr> <tr><td>R.F.:</td><td></td><td></td></tr> <tr><td>LEASING / LANDLORD:</td><td></td><td></td></tr> <tr><td>ZONING:</td><td></td><td></td></tr> <tr><td>CONSTRUCTION:</td><td></td><td></td></tr> <tr><td>POWER / TELCO:</td><td></td><td></td></tr> <tr><td>PG&E:</td><td></td><td></td></tr> </tbody> </table>	APPROVED BY:	INITIALS:	DATE:	AT&T:			VENDOR:			R.F.:			LEASING / LANDLORD:			ZONING:			CONSTRUCTION:			POWER / TELCO:			PG&E:								
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		<p>DO NOT SCALE DRAWINGS</p> <p>THESE DRAWINGS ARE FORMATTED TO BE FULL SIZE AT 24" x 36". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOBSITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME.</p>																																	



GENERAL CONSTRUCTION NOTES:

- PLANS ARE INTENDED TO BE DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
- THE CONTRACTOR SHALL OBTAIN, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
- CONTRACTOR SHALL CONTACT USA (UNDERGROUND SERVICE ALERT) AT (800) 227-2600, FOR UTILITY LOCATIONS, 48 HOURS BEFORE PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.
- THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE, OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CBC / UBC'S REQUIREMENTS REGARDING EARTHQUAKE RESISTANCE, FOR, BUT NOT LIMITED TO, PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS, AND MECHANICAL EQUIPMENT. ALL WORK MUST COMPLY WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.
- REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWINGS, SHALL NOT BE USED TO IDENTIFY OR ESTABLISH BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT / ENGINEER PRIOR TO PROCEEDING WITH THE WORK IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT / ENGINEER.
- THE BUILDING DEPARTMENT ISSUING THE PERMITS SHALL BE NOTIFIED AT LEAST TWO WORKING DAYS PRIOR TO THE COMMENCEMENT OF WORK, OR AS OTHERWISE STIPULATED BY THE CODE ENFORCEMENT OFFICIAL HAVING JURISDICTION.
- DO NOT EXCAVATE OR DISTURB BEYOND THE PROPERTY LINES OR LEASE LINES, UNLESS OTHERWISE NOTED.
- ALL EXISTING UTILITIES, FACILITIES, CONDITIONS, AND THEIR DIMENSIONS SHOWN ON THE PLAN HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THE ARCHITECT / ENGINEER AND THE OWNER ASSUME NO RESPONSIBILITY WHATSOEVER AS TO THE SUFFICIENCY OR THE ACCURACY OF THE INFORMATION SHOWN ON THE PLANS, OR THE MANNER OF THEIR REMOVAL OR ADJUSTMENT. CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING EXACT LOCATION OF ALL EXISTING UTILITIES AND FACILITIES PRIOR TO START OF CONSTRUCTION. CONTRACTORS SHALL ALSO OBTAIN FROM EACH UTILITY COMPANY DETAILED INFORMATION RELATIVE TO WORKING SCHEDULES AND METHODS OF REMOVING OR ADJUSTING EXISTING UTILITIES.
- CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, BOTH HORIZONTAL AND VERTICALLY, PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES OR DOUBTS AS TO THE INTERPRETATION OF PLANS SHOULD BE IMMEDIATELY REPORTED TO THE ARCHITECT / ENGINEER FOR RESOLUTION AND INSTRUCTION, AND NO FURTHER WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS CHECKED AND CORRECTED BY THE ARCHITECT / ENGINEER. FAILURE TO SECURE SUCH INSTRUCTION MEANS CONTRACTOR WILL HAVE WORKED AT HIS/HER OWN RISK AND EXPENSE.
- ALL NEW AND EXISTING UTILITY STRUCTURES ON SITE AND IN AREAS TO BE DISTURBED BY CONSTRUCTION SHALL BE ADJUSTED TO FINISH ELEVATIONS PRIOR TO FINAL INSPECTION OF WORK.
- ANY DRAIN AND/OR FIELD TILE ENCOUNTERED / DISTURBED DURING CONSTRUCTION SHALL BE RETURNED TO ITS ORIGINAL CONDITION PRIOR TO COMPLETION OF WORK. SIZE, LOCATION AND TYPE OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHALL BE ACCURATELY NOTED AND PLACED ON "AS-BUILT" DRAWINGS BY GENERAL CONTRACTOR, AND ISSUED TO THE ARCHITECT / ENGINEER AT COMPLETION OF PROJECT.
- ALL TEMPORARY EXCAVATIONS FOR THE INSTALLATION OF FOUNDATIONS, UTILITIES, ETC., SHALL BE PROPERLY LAID BACK OR BRACED IN ACCORDANCE WITH CORRECT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.
- INCLUDE MISC. ITEMS PER AT&T SPECIFICATIONS

APPLICABLE CODES, REGULATIONS AND STANDARDS:

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION.

THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:

- AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION
- TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARD FOR STRUCTURAL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES
- INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRICAL EQUIPMENT.
- IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")

TIA 607 COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS TELCORDIA GR-63 NETWORK EQUIPMENT-BUILDING SYSTEM (NEBS); PHYSICAL PROTECTION
 TELCORDIA GR-347 CENTRAL OFFICE POWER WIRING
 TELCORDIA GR-1275 GENERAL INSTALLATION REQUIREMENTS
 TELCORDIA GR-1503 COAXIAL CABLE CONNECTIONS

ANY AND ALL OTHER LOCAL & STATE LAWS AND REGULATIONS

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

ABBREVIATIONS

A.B.	ANCHOR BOLT	IN. (")	INCH(ES)
ABV.	ABOVE	INT.	INTERIOR
ACCA	ANTENNA CABLE COVER ASSEMBLY	LB.(#)	POUNDS(S)
ADDL.	ADDITIONAL	L.B.	LAG BOLTS
A.F.F.	ABOVE FINISHED FLOOR	L.F.	LINEAR FEET (FOOT)
A.F.G.	ABOVE FINISHED GRADE	L.	LONG(ITUDINAL)
ALUM.	ALUMINUM	MAS.	MASONRY
ALT.	ALTERNATE	MAX.	MAXIMUM
ANT.	ANTENNA	M.B.	MACHINE BOLT
APPRX.	APPROXIMATE(LY)	MECH.	MECHANICAL
ARCH.	ARCHITECT(URAL)	MFR.	MANUFACTURER
AWG.	AMERICAN WIRE GAUGE	MIN.	MINIMUM
BLDG.	BUILDING	MISC.	MISCELLANEOUS
BLK.	BLOCK	MTL.	METAL
BLKG.	BLOCKING	(N)	NEW
BM.	BEAM	NO.(#)	NUMBER
B.N.	BOUNDARY NAILING	N.T.S.	NOT TO SCALE
BTCW.	BARE TINNED COPPER WIRE	O.C.	ON CENTER
B.O.F.	BOTTOM OF FOOTING	OPNG.	OPENING
B/U	BACK-UP CABINET	P/C	PRECAST CONCRETE
CAB.	CABINET	PCS	PERSONAL COMMUNICATION SERVICES
CANT.	CANTILEVER(ED)	PLY.	PLYWOOD
C.I.P.	CAST IN PLACE	PPC	POWER PROTECTION CABINET
CLG.	CEILING	PRC	PRIMARY RADIO CABINET
CLR.	CLEAR	P.S.F.	POUNDS PER SQUARE FOOT
COL.	COLUMN	P.S.I.	POUNDS PER SQUARE INCH
CONC.	CONCRETE	P.T.	PRESSURE TREATED
CONN.	CONNECTION(OR)	PWR.	POWER (CABINET)
CONSTR.	CONSTRUCTION	QTY.	QUANTITY
CONT.	CONTINUOUS	RAD.(R)	RADIUS
d	PENNY (NAILS)	REF.	REFERENCE
DBL.	DOUBLE	REINF.	REINFORCEMENT(ING)
DEPT.	DEPARTMENT	REQ'D/	REQUIRED
D.F.	DOUGLAS FIR	RGS.	RIGID GALVANIZED STEEL
DIA.	DIAMETER	SCH.	SCHEDULE
DIAG.	DIAGONAL	SHT.	SHEET
DIM.	DIMENSION	SIM.	SIMILAR
DWG.	DRAWING(S)	SPEC.	SPECIFICATIONS
DWL.	DOWEL(S)	SQ.	SQUARE
EA.	EACH	S.S.	STAINLESS STEEL
EL.	ELEVATION	STD.	STANDARD
ELEC.	ELECTRICAL	STL.	STEEL
ELEV.	ELEVATOR	STRUC.	STRUCTURAL
EMT.	ELECTRICAL METALLIC TUBING	TEMP.	TEMPORARY
E.N.	EDGE NAIL	THK.	THICK(NESS)
ENG.	ENGINEER	T.N.	TOE NAIL
EQ.	EQUAL	T.O.A.	TOP OF ANTENNA
EXP.	EXPANSION	T.O.C.	TOP OF CURB
EXST.(E)	EXISTING	T.O.F.	TOP OF FOUNDATION
EXT.	EXTERIOR	T.O.P.	TOP OF PLATE (PARAPET)
FAB.	FABRICATION(OR)	T.O.S.	TOP OF STEEL
F.F.	FINISH FLOOR	T.O.W.	TOP OF WALL
F.G.	FINISH GRADE	TYP.	TYPICAL
FIN.	FINISH(ED)	U.G.	UNDER GROUND
FLR.	FLOOR	U.L.	UNDERWRITERS LABORATORY
FDN.	FOUNDATION	U.N.O.	UNLESS NOTED OTHERWISE
F.O.C.	FACE OF CONCRETE	V.I.F.	VERIFY IN FIELD
F.O.M.	FACE OF MASONRY	W	WIDE (WIDTH)
F.O.S.	FACE OF STUD	w/	WITH
F.O.W.	FACE OF WALL	WD.	WOOD
F.S.	FINISH SURFACE	W.P.	WEATHERPROOF
FT. (')	FOOT (FEET)	WT.	WEIGHT
FIG.	FOOTING	CL	CENTERLINE
G.	GROWTH (CABINET)	EL	PLATE, PROPERTY LINE
GA.	GAUGE		
GI.	GALVANIZE(D)		
G.F.I.	GROUND FAULT CIRCUIT INTERRUPTER		
GLB. (GLU-LAM)	GLUE LAMINATED BEAM		
GPS	GLOBAL POSITIONING SYSTEM		
GRND.	GROUND		
HDR.	HEADER		
HGR.	HANGER		
HT.	HEIGHT		
ICGB.	ISOLATED COPPER GROUND BUS		

SYMBOLS LEGEND

	BLDG. SECTION		GROUT OR PLASTER
	WALL SECTION		(E) BRICK
	DETAIL		(E) MASONRY
	ELEVATION		CONCRETE
	DOOR SYMBOL		EARTH
	WINDOW SYMBOL		GRAVEL
	TILT-UP PANEL MARK		PLYWOOD
	PROPERTY LINE		SAND
	CENTERLINE		PLYWOOD
	ELEVATION DATUM		SAND
	GRID/COLUMN LINE		(E) STEEL
	KEYNOTE, DIMENSION ITEM		MATCH LINE
	KEYNOTE, CONSTRUCTION ITEM		GROUND CONDUCTOR
	WALL TYPE MARK		OVERHEAD SERVICE CONDUCTORS
	ROOM NAME ROOM NUMBER		TELEPHONE CONDUIT
			POWER CONDUIT
			COAXIAL CABLE
			CHAIN LINK FENCE
			WOOD FENCE
			(P) ANTENNA
			(P) RRU
			(P) DC SURGE SUPPRESSION
			(F) ANTENNA
			(F) RRU
			(E) EQUIPMENT

AT&T Site ID:

CVL03135

20620 S. GRANTLAND AVE.
RIVERDALE, CA. 93656

Vendor:



PREPARED FOR



5001 Executive Parkway
San Ramon, California 94583

Architect:



AT&T SITE NO: CVL03137

PROJECT NO: 162.2157

DRAWN BY: MWS

CHECKED BY: SV

REV	DATE	DESCRIPTION
	2/06/18	100% ZD
	1/17/18	90% ZD

Licensee:

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Issued For:

2/06/18

100% ZD

SHEET TITLE:

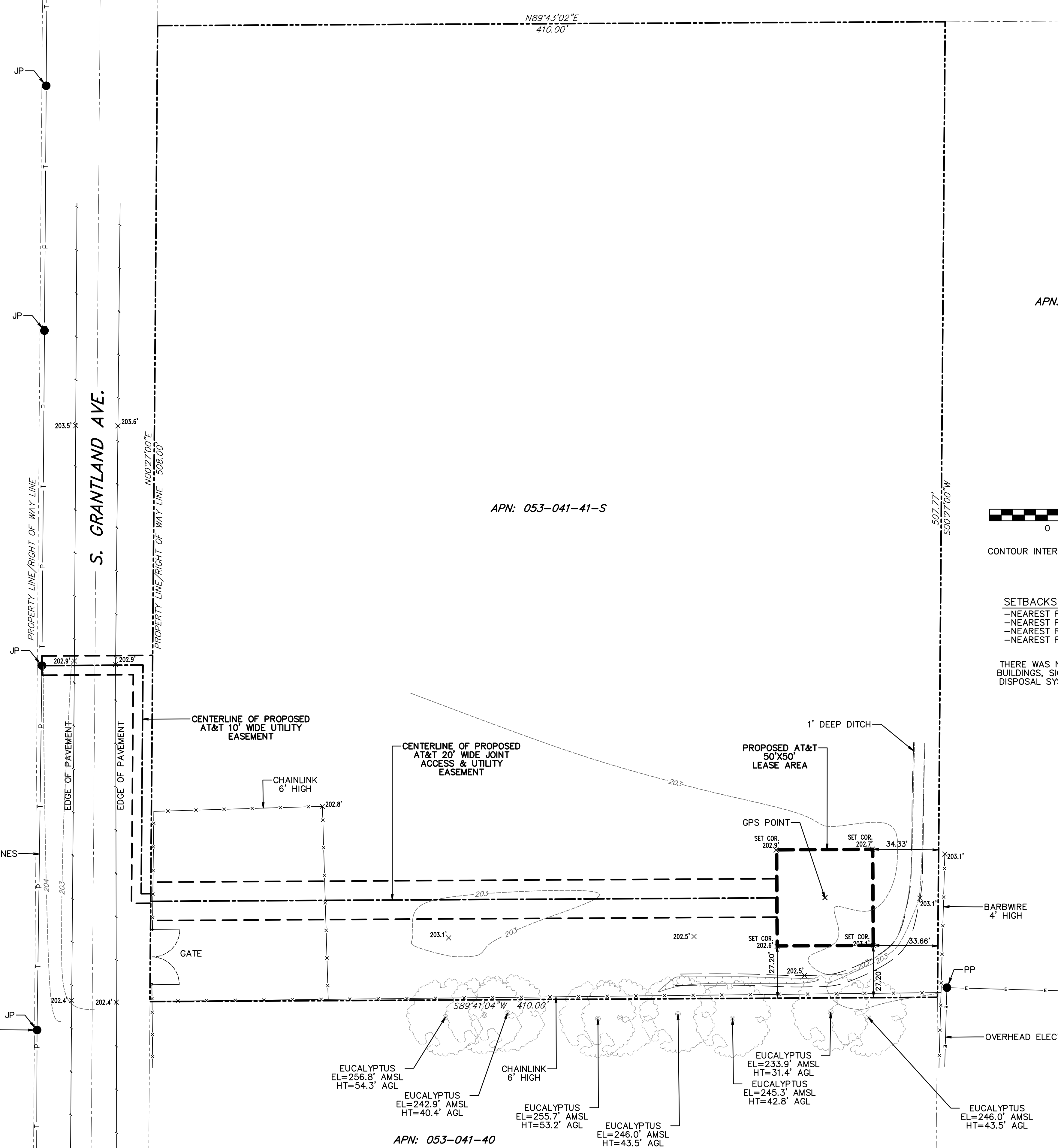
GENERAL NOTES

SHEET NUMBER:

GN-1

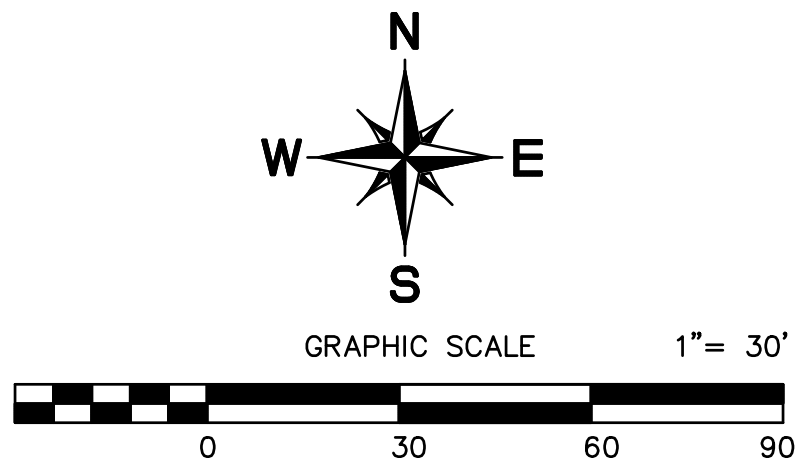
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APN: 053-041-37-S



APN: 053-041-05-S

APN: 053-041-41-S



CONTOUR INTERVAL = 1'

SETBACKS FROM HOMES:
 -NEAREST RESIDENCE TO THE WEST IS 460'
 -NEAREST RESIDENCE TO THE SOUTH IS 430'
 -NEAREST RESIDENCE TO THE NORTH IS 620'
 -NEAREST RESIDENCE TO THE EAST IS 780'

THERE WAS NO VISIBLE EVIDENCE OF EXISTING BUILDINGS, SIGNS, LIGHTING, WELLS OR SEWAGE DISPOSAL SYSTEMS ON PROPERTY AT TIME OF FIELD SURVEY.

LEGEND

	MANHOLE		FIRE HYDRANT
	LIGHT POLE		MONUMENT
	TREE		HANDICAPPED PARKING
	JP JOINT POLE		TP TELEPHONE POLE
	PP POWER POLE		+ SPOT ELEVATION EL=124.5'

	EDGE OF PAVEMENT
	OVERHEAD ELECTRIC LINE
	FENCE LINE
	PROPERTY LINE
	AMSLL.....ABOVE MEAN SEA LEVEL
	AGL.....ABOVE GROUND LEVEL
	CP #.....FIELD CONTROL POINT

DATE OF FIELD VISIT: 01/11/18
 SURVEYED BY/ OR UNDER THE DIRECTION OF: Oliver Philip Auer
 L.S. 5075

NOTES:
 THIS IS NOT A BOUNDARY SURVEY. THIS IS A CELLULAR TELECOMMUNICATIONS TOPOGRAPHIC SURVEY MAP WITH EXISTING PARENT PARCEL LINES AND EASEMENTS BEING A GRAPHIC DEPICTION OF VARIOUS INFORMATION GATHERED FROM PRELIMINARY REPORTS, RECORD INFORMATION AND AVAILABLE MONUMENTS FOUND DURING THE FIELD SURVEY. UNLESS OTHERWISE NOTED, NO UNDERGROUND UTILITY LOCATING SERVICE COMPANY WAS CONTACTED PRIOR TO THIS MAP BEING PREPARED; THEREFORE, THERE MAY BE NON-VISIBLE OR OBSCURE UTILITIES EXISTING ON THE PROPERTY NOT SHOWN ON THIS MAP.

PARENT PARCEL DESCRIPTION:
 SEE PRELIMINARY REPORT/CONDITION OF TITLE GUARANTEE EXTRACT, LS2 SHEET.

LEASE AREA DESCRIPTION:
 SEE LS2 SHEET.

JOINT ACCESS AND UTILITY EASEMENT DESCRIPTION:
 SEE LS2 SHEET.

UTILITY EASEMENT DESCRIPTION:
 SEE LS2 SHEET.

BASIS OF ELEVATIONS: NAVD 88.
BASIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 4, NAD 83.

PROJECT BENCH: AS INDICATED HEREON.
LANDLORD INFORMATION: LANARE COMMUNITY SERVICE ORGANIZATION
 20620 S. GRANTLAND AVENUE
 RIVERDALE, CA 93656

NET AREA OF UNDERLYING PARCEL(S): 4.78± AC.
SITE LOCATED IN FLOOD ZONE X, AN AREA OF MINIMAL FLOOD HAZARD, PER FEMA FIRM COMMUNITY PANEL NUMBER 06019C2875J, EFFECTIVE DATE 01/20/16, PER FEMA INTERACTIVE WEBSITE.

FAA 1A CERTIFICATION:
 LATITUDE AND LONGITUDE WAS OBTAINED FROM INFORMATION PROVIDED BY A GPS SURVEY. THE GEODETIC POSITION SHOWN WAS DETERMINED UTILIZING FAST-STATIC GPS OBSERVATIONS FROM NGS CORS STATION(S) USING TRIMBLE 4600LS RECEIVERS. THE DATA WAS DIFFERENTIALLY CORRECTED WITH TRIMBLE GPS SURVEY SOFTWARE.

LATITUDE, LONGITUDE AND ELEVATIONS DENOTED ON THIS SURVEY MEET OR EXCEED THE FEDERAL AVIATION ADMINISTRATION 1-A STANDARD.
ELEVATION OF GROUND AT GPS POINT: 202.9' AMSL

LATITUDE: N36°26'05.18"
LONGITUDE: W119°55'18.83" (NAD 83)
LATITUDE: N36.434772°
LONGITUDE: W119.921897" (NAD 83)

PREPARED FOR

2600 Camino Ramon, 4W850 N
 San Ramon, California 94583

Vendor:

COMPLETE
 Wireless Consulting, Inc.

Surveyor:

Phil Auer
 Surveying

14407 Corte Lejos
 Bakersfield, CA 93314
 Phone: (805) 587-6129
 Mobile: (510) 714-7224
 E-mail: Pasis5075@att.net

AT&T SITE NO: CVL03137
 PROJECT NO: N/A
 DRAWN BY: TCN
 CHECKED BY: OPA

REV	DATE	DESCRIPTION
0	02/06/18	90% SURVEY

Licensors:

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Issued For:

LANARE

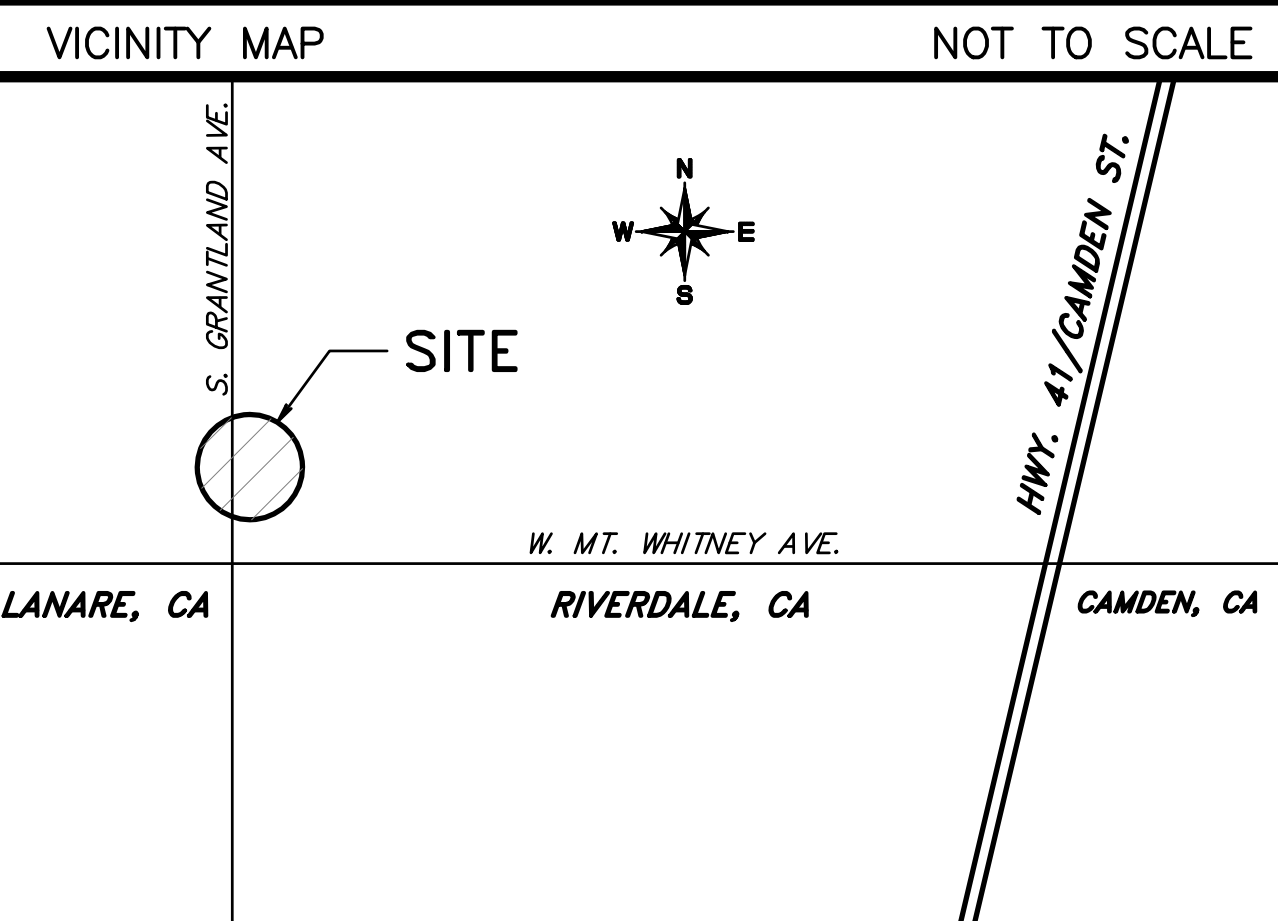
20620 S. GRANTLAND AVE.
 RIVERDALE, CA 93656
 FRESNO COUNTY
 APN: 053-041-41-S

SHEET TITLE:

TOPO SURVEY

SHEET NUMBER:

LS1



SCALE: 1"=30'

SITE MAP

F:\PROJECTS\053-041-41-S\LANARE 41\OFFICE\003 RIBBS\CVL03137 V2 RIBBS 02-06-18.dwg

THIS IS NOT A SITE SURVEY

ALL PROPERTY BOUNDARIES, ORIENTATION OF TRUE NORTH AND STREET HALF-WIDTHS HAVE BEEN OBTAINED FROM A TAX PARCEL MAP AND EXISTING DRAWINGS AND ARE APPROXIMATE.

NOTES:

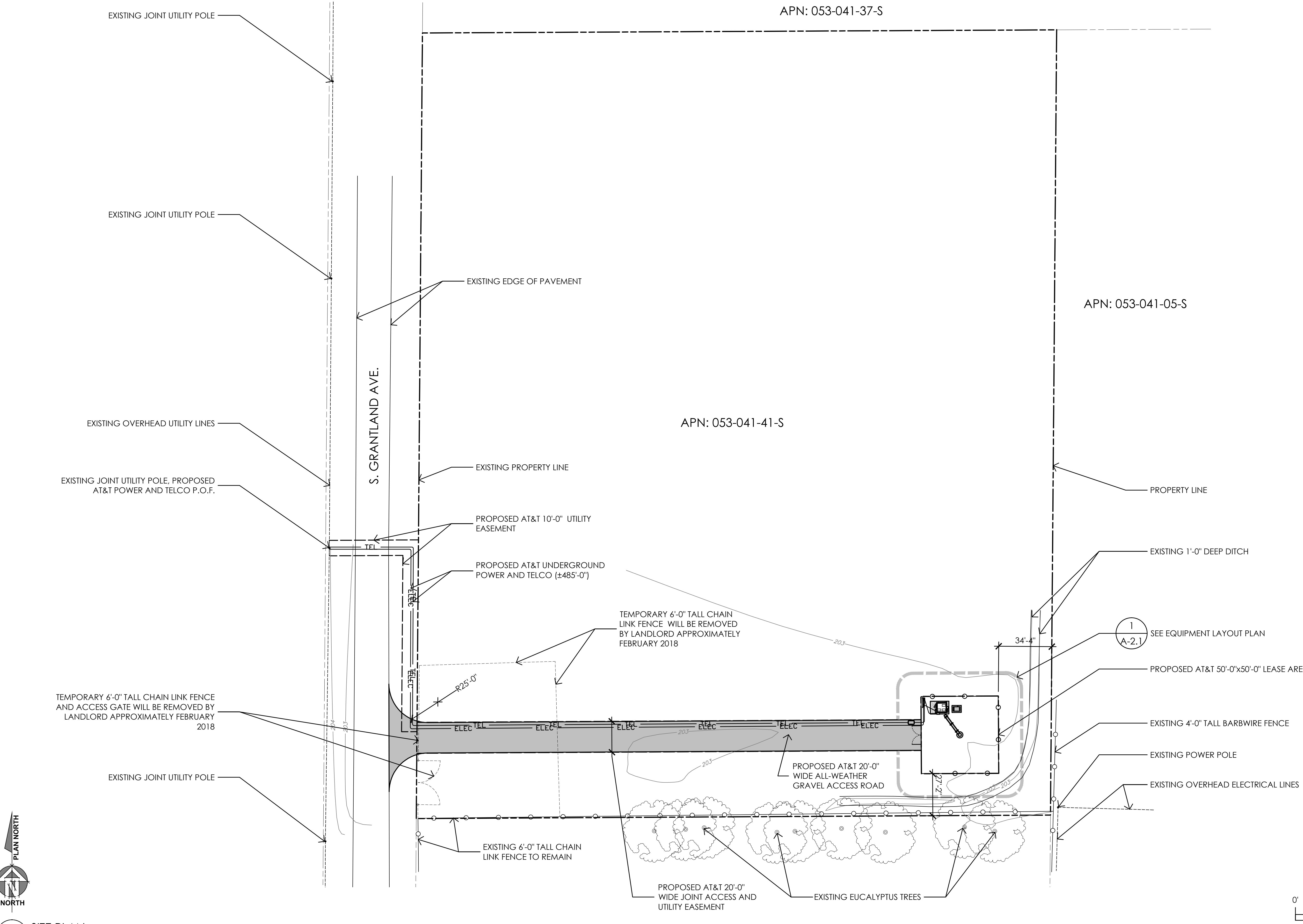
1. NO GRADING OR PERMANENT CONSTRUCTION SHALL OCCUR WITHIN DRIP LINES OF TREES THAT ARE TO REMAIN WITHOUT ARBORIST APPROVAL.
2. PRIOR TO CONSTRUCTION, GENERAL CONTRACTOR TO CONTACT DIGALERT TO MARK OUT EXISTING UNDERGROUND UTILITIES. IN THE EVENT OF CONFLICTS, CONTRACTOR TO CONTACT PDC.

APN: 053-041-37-S

APN: 053-041-05-S

APN: 053-041-41-S

S. GRANTLAND AVE.



AT&T Site ID:

CVL03135

20620 S. GRANTLAND AVE.
RIVERDALE, CA. 93656

Vendor:



PREPARED FOR



5001 Executive Parkway
San Ramon, California 94583

Architect:



AT&T SITE NO: CVL03137

PROJECT NO: 162.2157

DRAWN BY: MWS

CHECKED BY: SV

REV	DATE	DESCRIPTION
2/06/18	100% ZD	
1/17/18	90% ZD	

Licensee:

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Issued For:

2/06/18

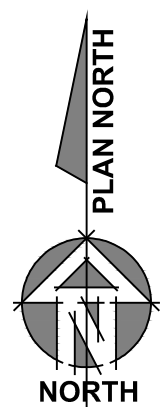
100% ZD

SHEET TITLE:

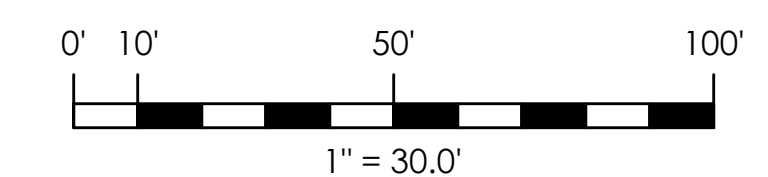
OVERALL SITE PLAN

SHEET NUMBER:

A-1.1

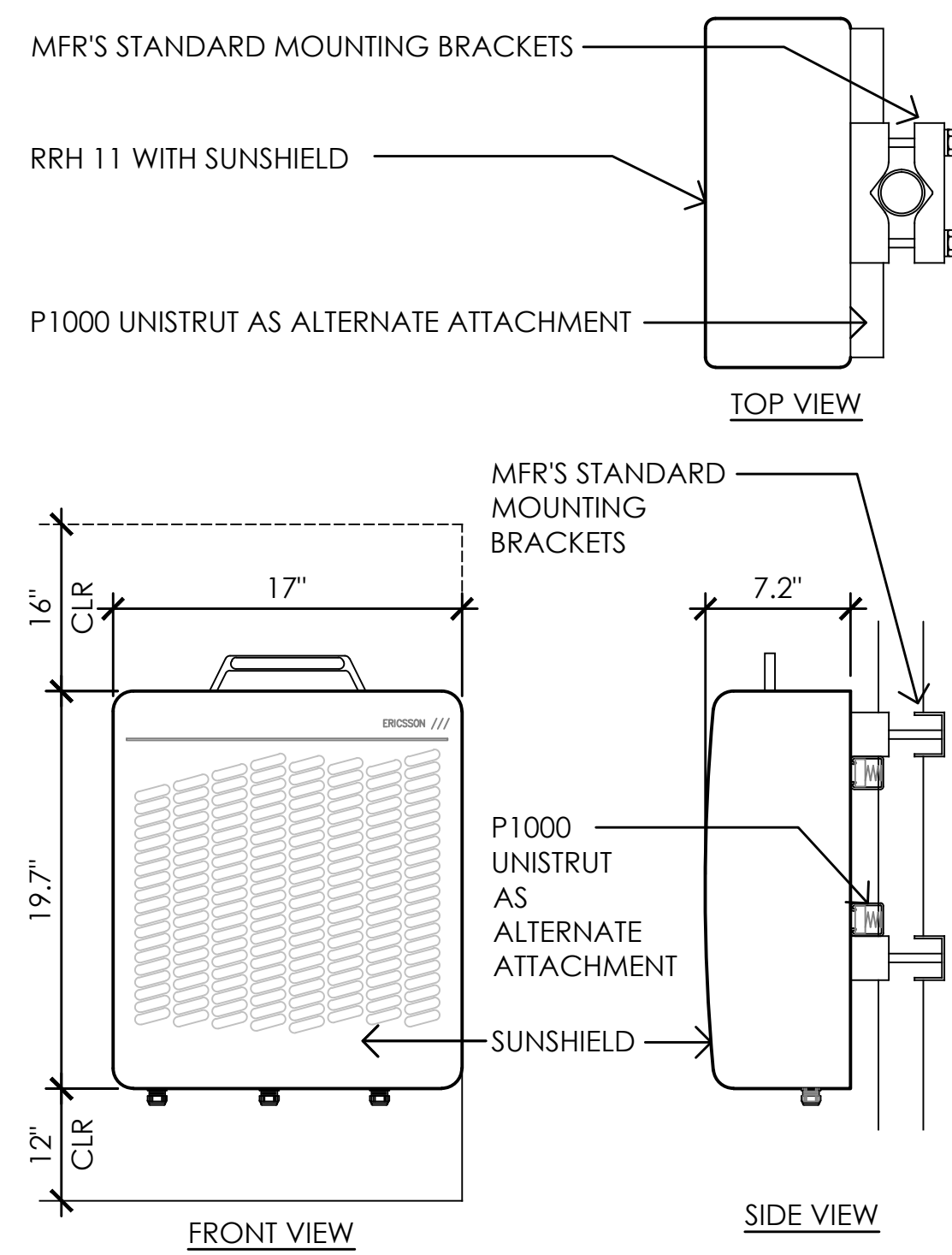


1 SITE PLAN
1"=30'



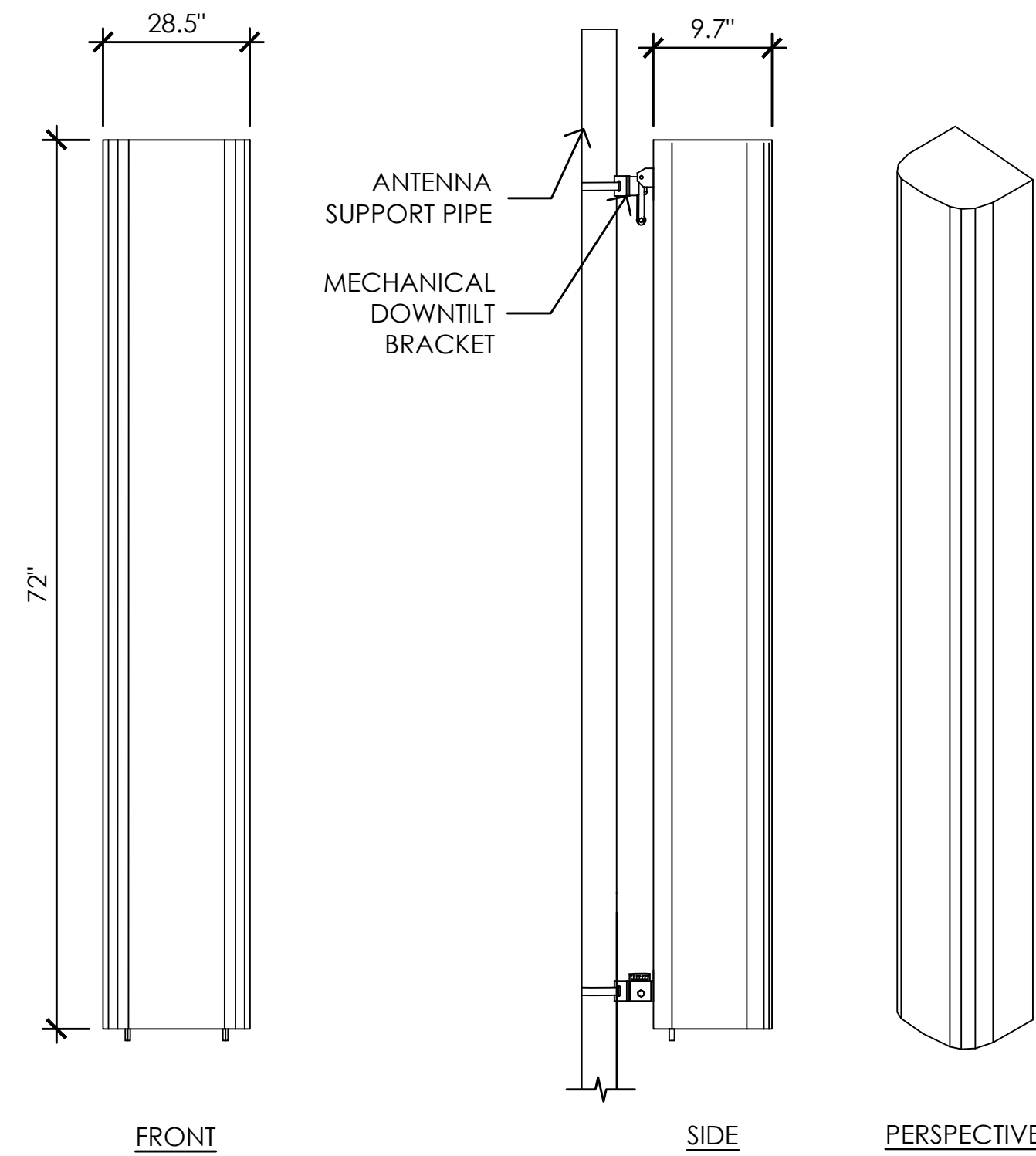
ERICSSON RRH 11 REMOTE RADIO UNIT

COLOR: WHITE
 DIMENSIONS: 19.7" TALL X 17" WIDE X 7.2" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)



6 ERICSSON RRH-11 REMOTE RADIO UNIT
 1-1/2" = 1'-0"

EQUIPMENT SUBJECT TO CHANGE



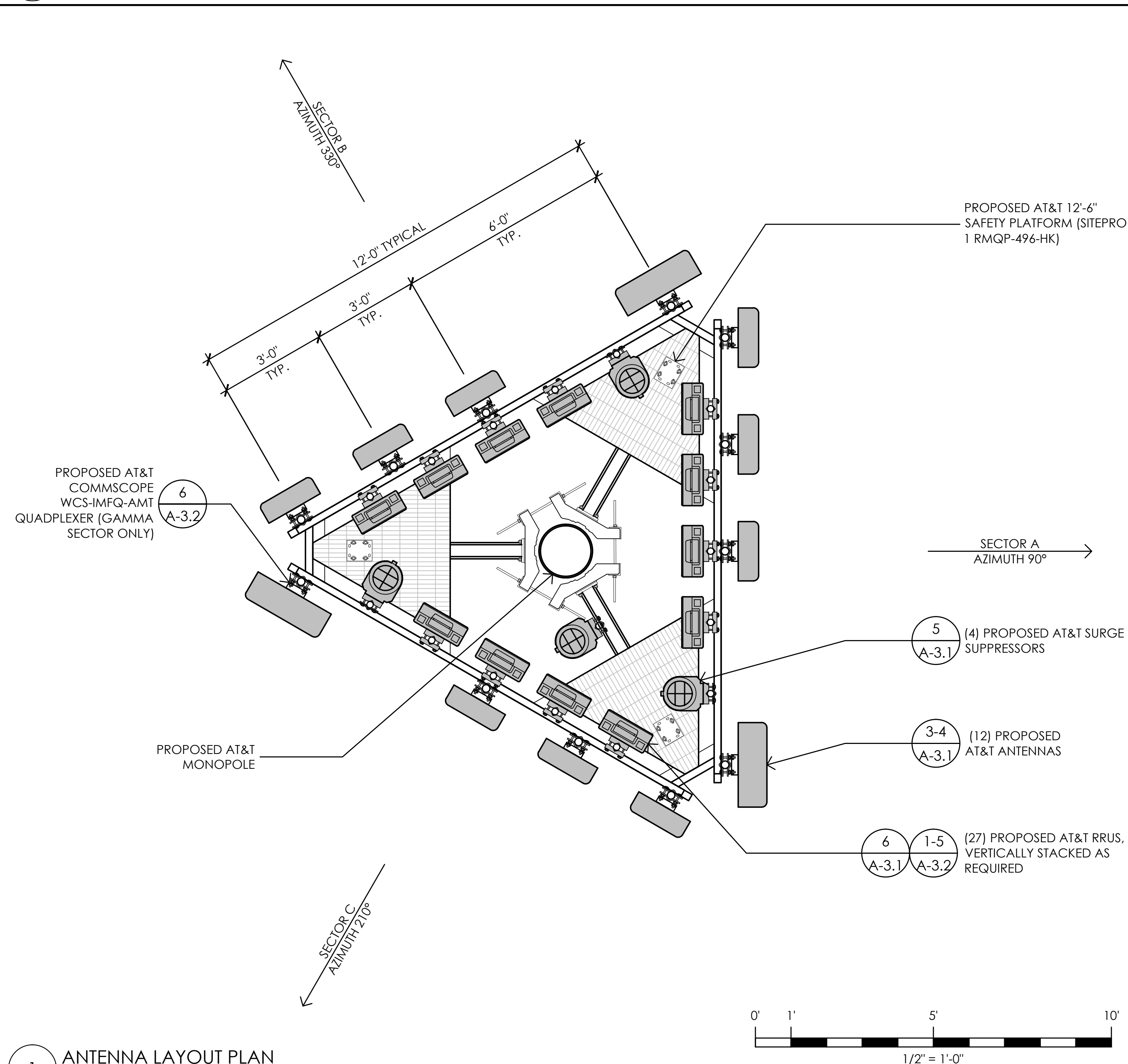
ANTENNA = CCI (BSA-M65R-BUU-H6)
 WEIGHT = 101 LBS
 DIMENSIONS = 72" (H) x 28.5" (W) x 9.7" (D)

4 PROPOSED ANTENNA SPEC
 1" = 1'-0"

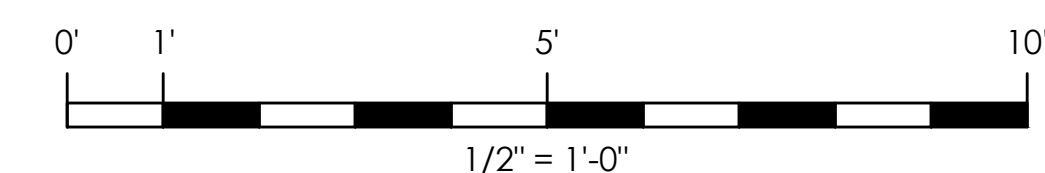
RF SCHEDULE									
SECTOR	ANTENNA MODEL NO.	AZIMUTH	CENTERLINE	RRU	TMA	FIBER LENGTH	COAX LENGTH	COAX DIA.	NO. OF RRUS
ALPHA	A1	KATHREIN 800-10965K	90°	±117'-0"	(1) RRUS-11 E B12 / (1) 4478 B5/ (1) 4415 B25	-	±137'-0"	-	3
	A2	KATHREIN 800-10965K	90°	±117'-0"	(1) RRUS-E2 / (1) 4415 B25	-	±137'-0"	-	2
	A3	KATHREIN 800-10965K	90°	±117'-0"	(1) 4478 B14/ (1) 4426 B66	-	±137'-0"	-	2
	A4	CCI BSA-M65R-BUU-H6	90°	±117'-0"	(2) RRUS-32	-	±137'-0"	-	2
BETA	B1	KATHREIN 800-10965K	330°	±117'-0"	(1) RRUS-11 E B12 / (1) 4478 B5/ (1) 4415 B25	-	±137'-0"	-	3
	B2	KATHREIN 800-10965K	330°	±117'-0"	(1) RRUS-E2 / (1) 4415 B25	-	±137'-0"	-	2
	B3	KATHREIN 800-10965K	330°	±117'-0"	(1) 4478 B14/ (1) 4426 B66	-	±137'-0"	-	2
	B4	CCI BSA-M65R-BUU-H6	330°	±117'-0"	(2) RRUS-32	-	±137'-0"	-	2
GAMMA	C1	KATHREIN 800-10965K	210°	±117'-0"	(1) RRUS-11 E B12 / (1) 4478 B5/ (1) 4415 B25	-	±137'-0"	-	3
	C2	KATHREIN 800-10965K	210°	±117'-0"	(1) RRUS-E2 / (1) 4415 B25	-	±137'-0"	-	2
	C3	KATHREIN 800-10965K	210°	±117'-0"	(1) 4478 B14/ (1) 4426 B66	-	±137'-0"	-	2
	C4	CCI BSA-M65R-BUU-H6	210°	±117'-0"	(2) RRUS-32	-	±137'-0"	-	2

RF DATA SHEET v1.00.01 DATED 12/14/17 EQUIPMENT IS PRELIMINARY AND SUBJECT TO CHANGE.

2 RF SCHEDULE
 NO SCALE

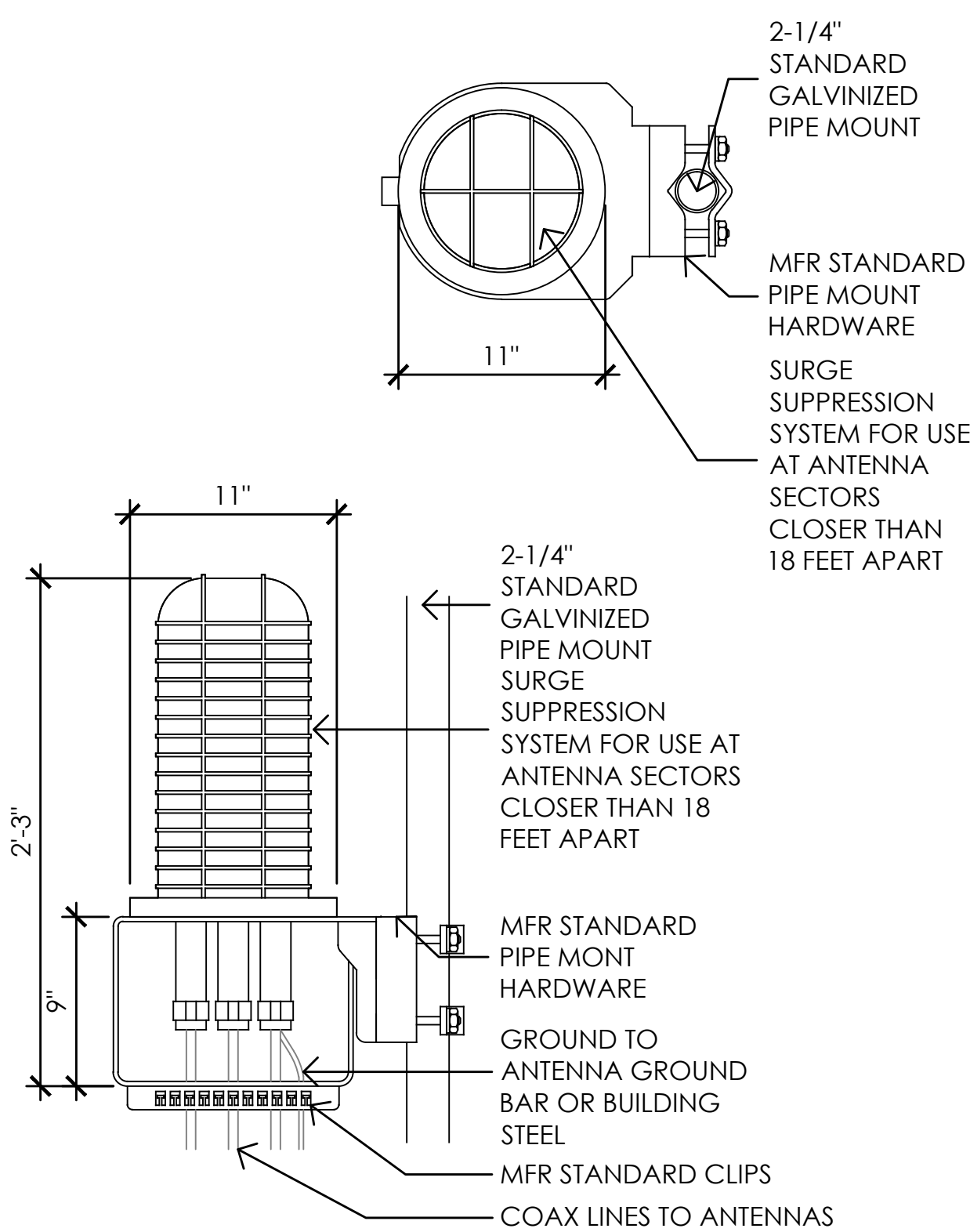


1 ANTENNA LAYOUT PLAN
 1/2" = 1'-0"



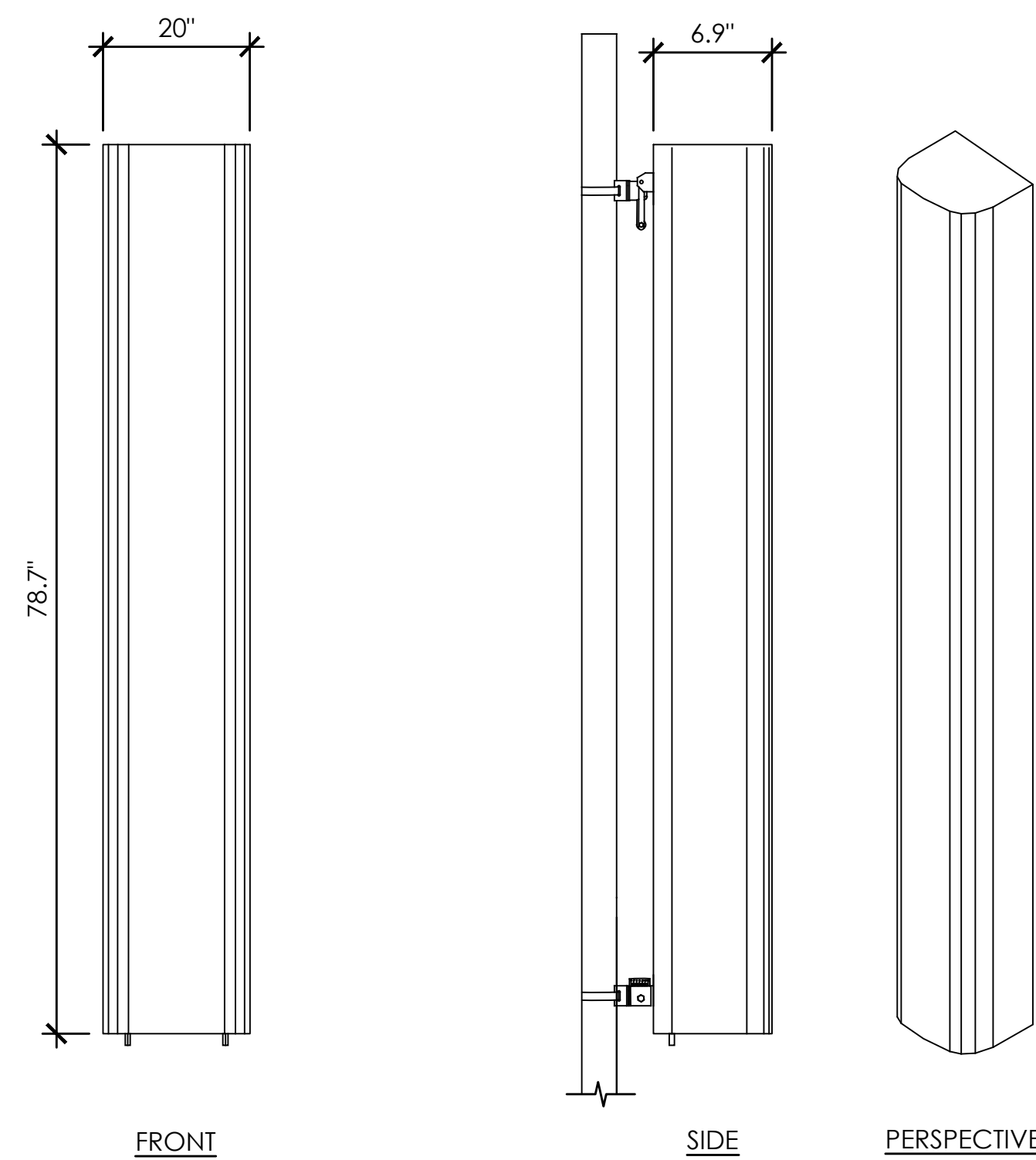
RAYCAP DC6-48-60-18-8F & DC6-48-60-0-8F SURGE SUPPRESSION SOLUTION

COLOR: BLACK/SILVER
 DIMENSIONS: 11" DIA X 27" TALL W/ 9" BASE
 WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)



5 DC SURGE SUPPRESSION (SQUID)
 1-1/2" = 1'-0"

EQUIPMENT SUBJECT TO CHANGE



ANTENNA = KATHREIN (800-10965K)
 WEIGHT = 108.6 LBS
 DIMENSIONS = 78.7" (H) x 20" (W) x 6.9" (D)

3 PROPOSED ANTENNA SPEC
 1" = 1'-0"

AT&T Site ID:
CVL03135
 20620 S. GRANTLAND AVE.
 RIVERDALE, CA. 93656

Vendor:

COMPLETE
 Wireless Consulting, Inc.

PREPARED FOR

 5001 Executive Parkway
 San Ramon, California 94583

Architect:

MST ARCHITECTS
 1520 River Park Drive
 Sacramento, California 95815

AT&T SITE NO: CVL03137
 PROJECT NO: 162.2157
 DRAWN BY: MWS
 CHECKED BY: SV

REV	DATE	DESCRIPTION
2/06/18	100% ZD	
1/17/18	90% ZD	

Licensee:
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Issued For:
 2/06/18
 100% ZD

SHEET TITLE:
ANTENNA PLAN AND SCHEDULE

SHEET NUMBER:
A-3.1

Product Specifications

COMMSCOPE



CBC781921W-DS | E15V90P46
Quadplexer, 700-750/850/PCS/AWS-WCS, DC Sense

- BTS-to-feeder and feeder-to-antenna application
- Automatic dc switching with dc sense
- Convertible mounting brackets

General Specifications

Product Type: Quadplexer
 Product Family: CBC781921W
 Modularity: 1-Single
 Includes: Mounting hardware

Electrical Specifications

Sub-module	1	1	1	1	1
Branch	1	2	3	4	4
Port Designation	698-798 MHz	824-894 MHz	1850-1990 MHz	AWS-WCS	AWS-WCS
License Band	LMR 750 USA 750 USA 750	CEL 850	PCS 1900	AWS 1700	WCS 2300

Electrical Specifications, Band Pass

Frequency Range	698-798 MHz	824-894 MHz	1850-1990 MHz	1695-1780 MHz 2110-2200 MHz	2305-2360 MHz
Insertion Loss, maximum	0.50 dB	0.50 dB	0.50 dB	0.50 dB	0.40 dB
Insertion Loss, typical	0.30 dB	0.30 dB	0.30 dB	0.30 dB	0.20 dB
Total Group Delay, maximum	40 ns	55 ns	55 ns	25 ns	25 ns
Return Loss, minimum	20 dB	20 dB	20 dB	20 dB	20 dB
Return Loss, typical	22 dB	22 dB	22 dB	22 dB	22 dB
Isolation, minimum	50 dB	50 dB	50 dB	50 dB	50 dB
Isolation, typical	65 dB	55 dB	55 dB	55 dB	55 dB
Input Power, RMS, maximum	200 W	200 W	200 W	200 W	200 W
Input Power, PEP, maximum	2 kW	2 kW	2 kW	2 kW	2 kW
3rd Order PIM, typical	-155 dBc	-155 dBc	-155 dBc	-155 dBc	-155 dBc
3rd Order PIM Test Method	2 x 20 W CW tones	2 x 20 W CW tones	2 x 20 W CW tones	1 x 20 W AWS CW tone 1 x 20 W PCS CW tone	2 x 20 W CW tones

AISG Electrical Specifications

AISG Carrier: 2176 KHz ± 100 ppm
 Insertion Loss, maximum: 1.00 dB
 Return Loss, minimum: 15 dB

dc Power/Alarm Electrical Specifications

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page 1 of 5
January 11, 2018

Product Specifications

COMMSCOPE

CBC781921W-DS | E15V90P46

Voltage: 7-30 Vdc
 Operating Current at Voltage: 15 mA @ 12 V | 15 mA @ 24 V
 dc/AISG Pass-through Method: Auto sensing
 dc/AISG Pass-through Path: See logic table
 Lightning Surge Current: 5 kA
 Lightning Surge Current Waveform: 8/20 waveform

Product Specifications

COMMSCOPE

CBC781921W-DS | E15V90P46

Data Port Interface: USB
 Ground Screw Diameter: 6.00 mm
 Color: Gray
 Mount Type: Pole | Wall
 Mounting Pipe Diameter: 40-160 mm
 Mounting Pipe Hardware: Band clamps (2)

Dimensions

Height: 178.0 mm | 7.0 in
 Width: 283.0 mm | 11.1 in
 Depth: 65.0 mm | 2.6 in
 Weight: 5.4 kg | 11.9 lb

Environmental Specifications

Operating Temperature: -40 °C to +65 °C (-40 °F to +149 °F)
 Ingress Protection Test Method: IEC 60529:2001, IP67

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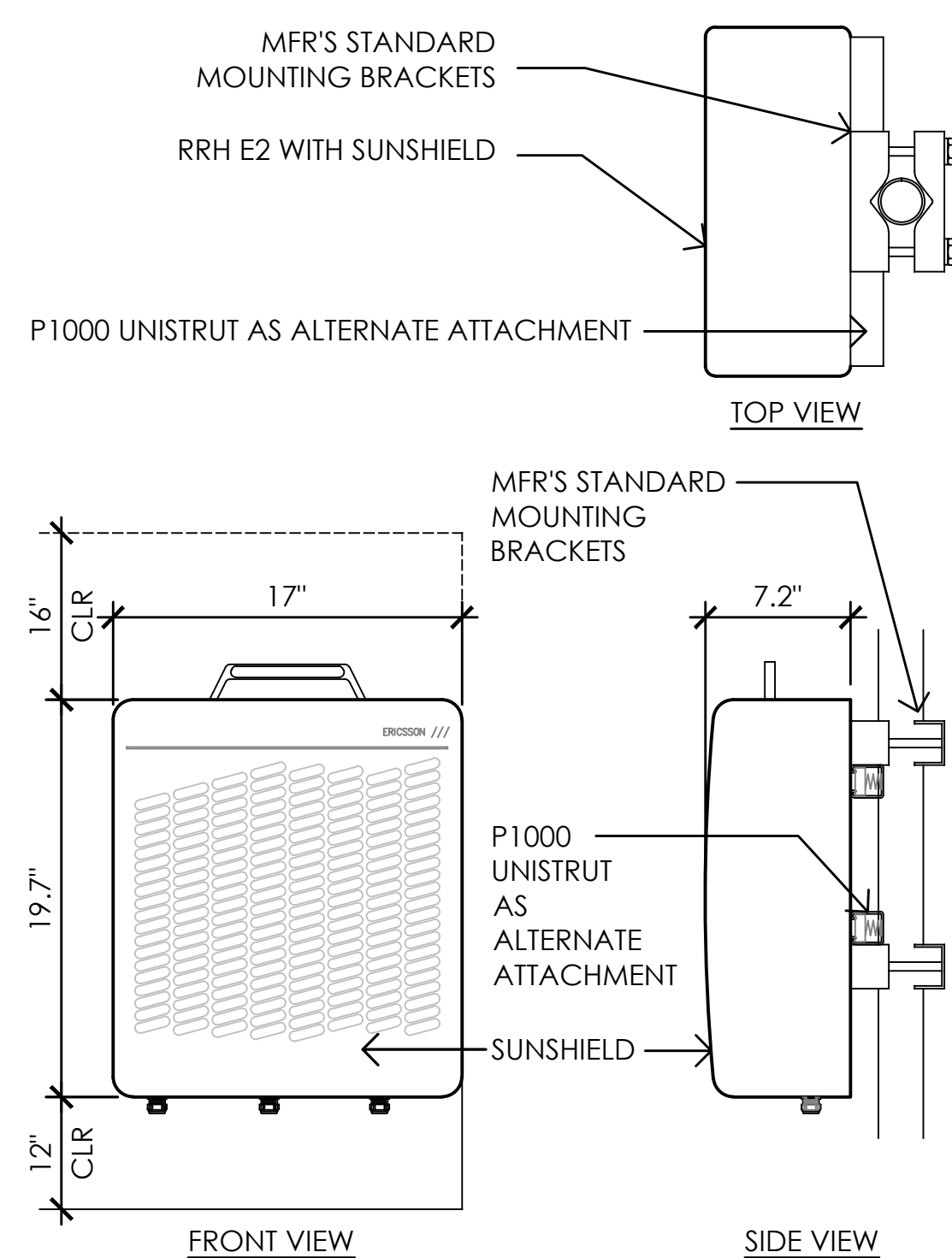
page 4 of 5
January 11, 2018

6 PROPOSED QUADPLEXER DETAIL

1" = 1'-0"

ERICSSON RRH E2 REMOTE RADIO UNIT

COLOR: WHITE
 DIMENSIONS: 19.7" TALL X 17" WIDE X 7.2" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)

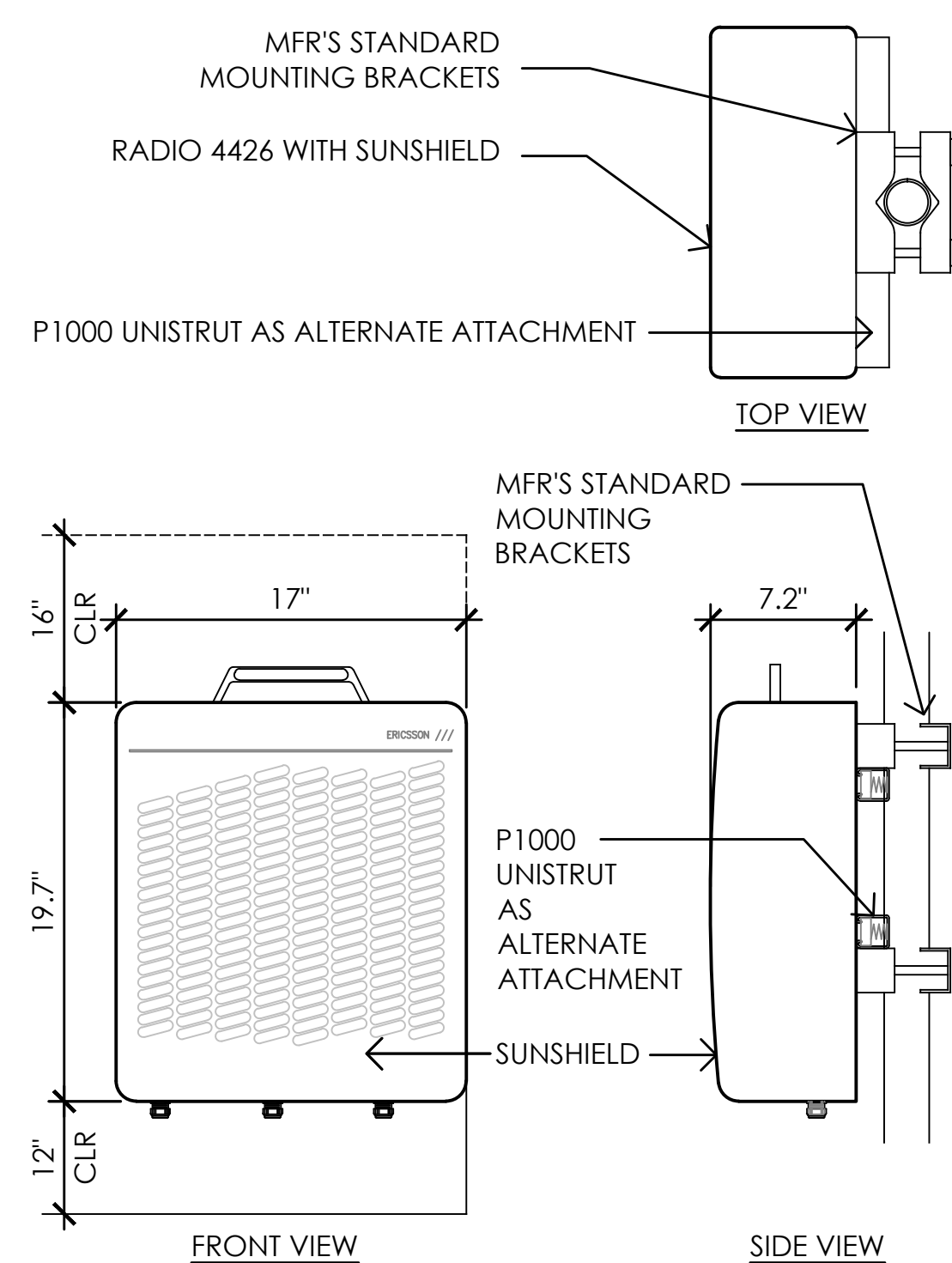


5 ERICSSON RRUS-E2 REMOTE RADIO UNIT

1-1/2" = 1'-0"

ERICSSON RADIO 4426 REMOTE RADIO UNIT

COLOR: WHITE
 DIMENSIONS: 19.7" TALL X 17" WIDE X 7.2" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)

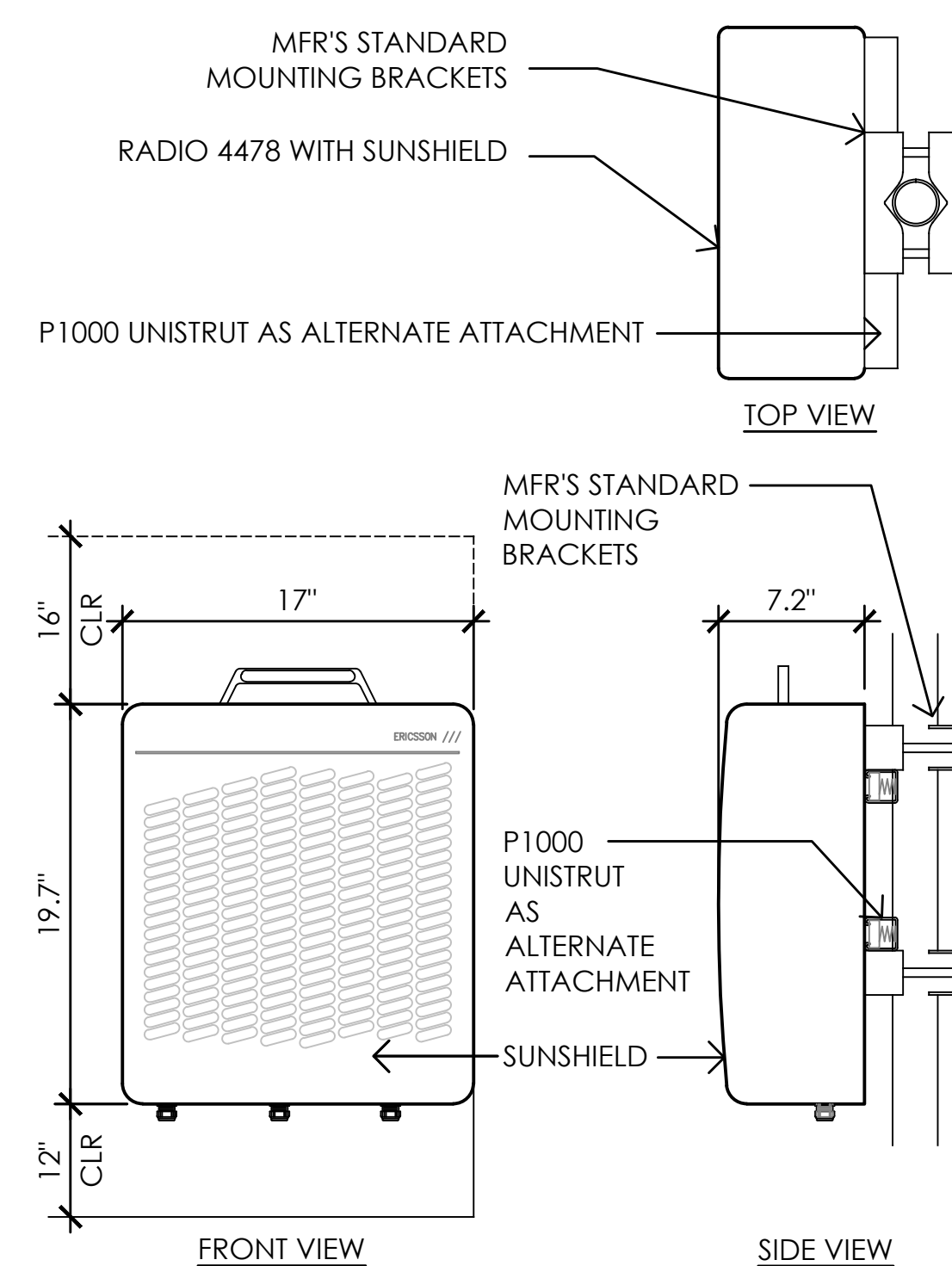


4 ERICSSON RADIO 4426 REMOTE RADIO UNIT

1-1/2" = 1'-0"

ERICSSON RADIO 4478 REMOTE RADIO UNIT

COLOR: WHITE
 DIMENSIONS: 19.7" TALL X 17" WIDE X 7.2" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 50 LBS. (INCLUDING MOUNTING HARDWARE)

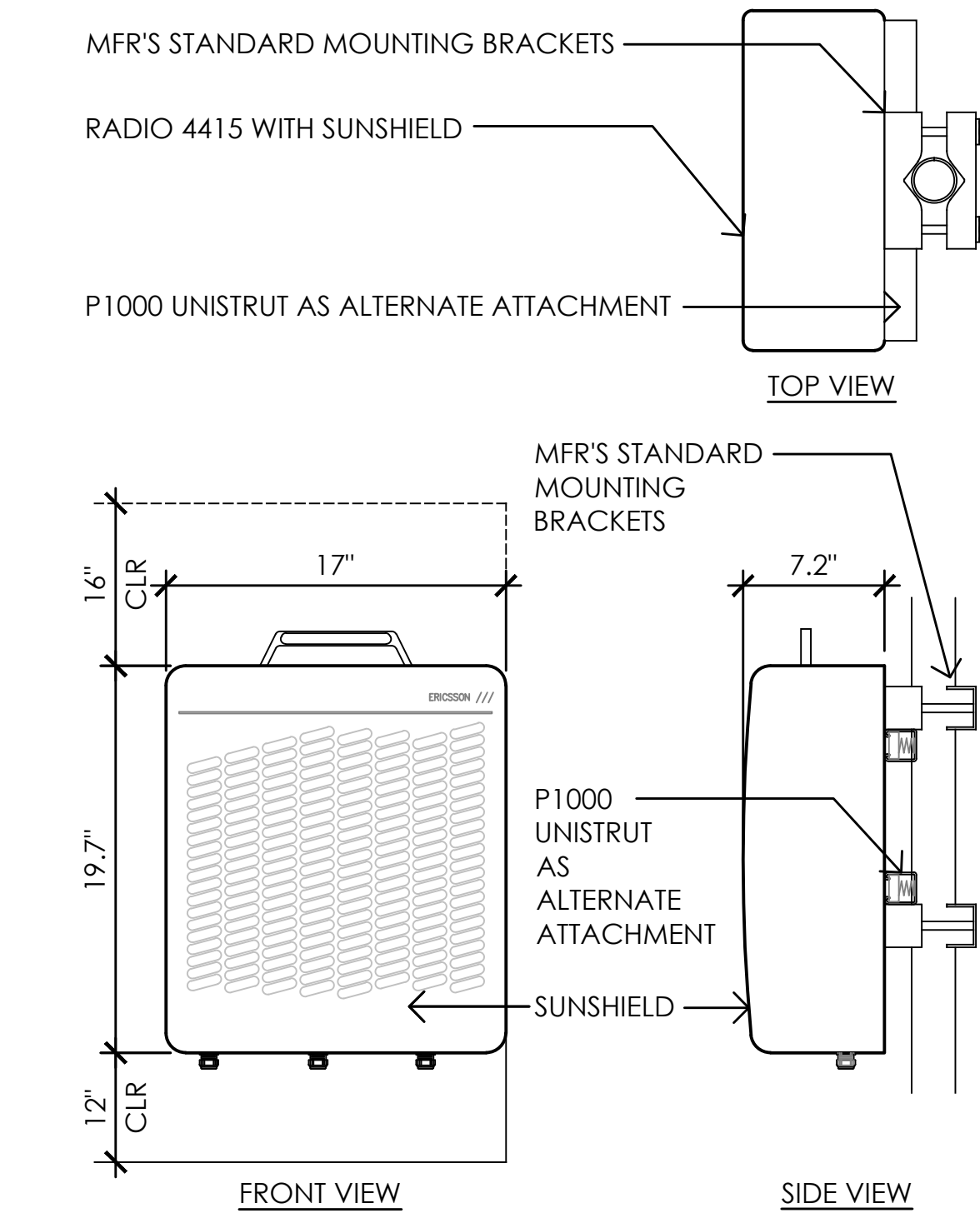


3 ERICSSON RADIO 4478 REMOTE RADIO UNIT

1-1/2" = 1'-0"

ERICSSON RADIO 4415 B25 REMOTE RADIO UNIT

COLOR: WHITE
 DIMENSIONS: 16.5" TALL X 13.4" WIDE X 5.9" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 46 LBS. (INCLUDING MOUNTING HARDWARE)

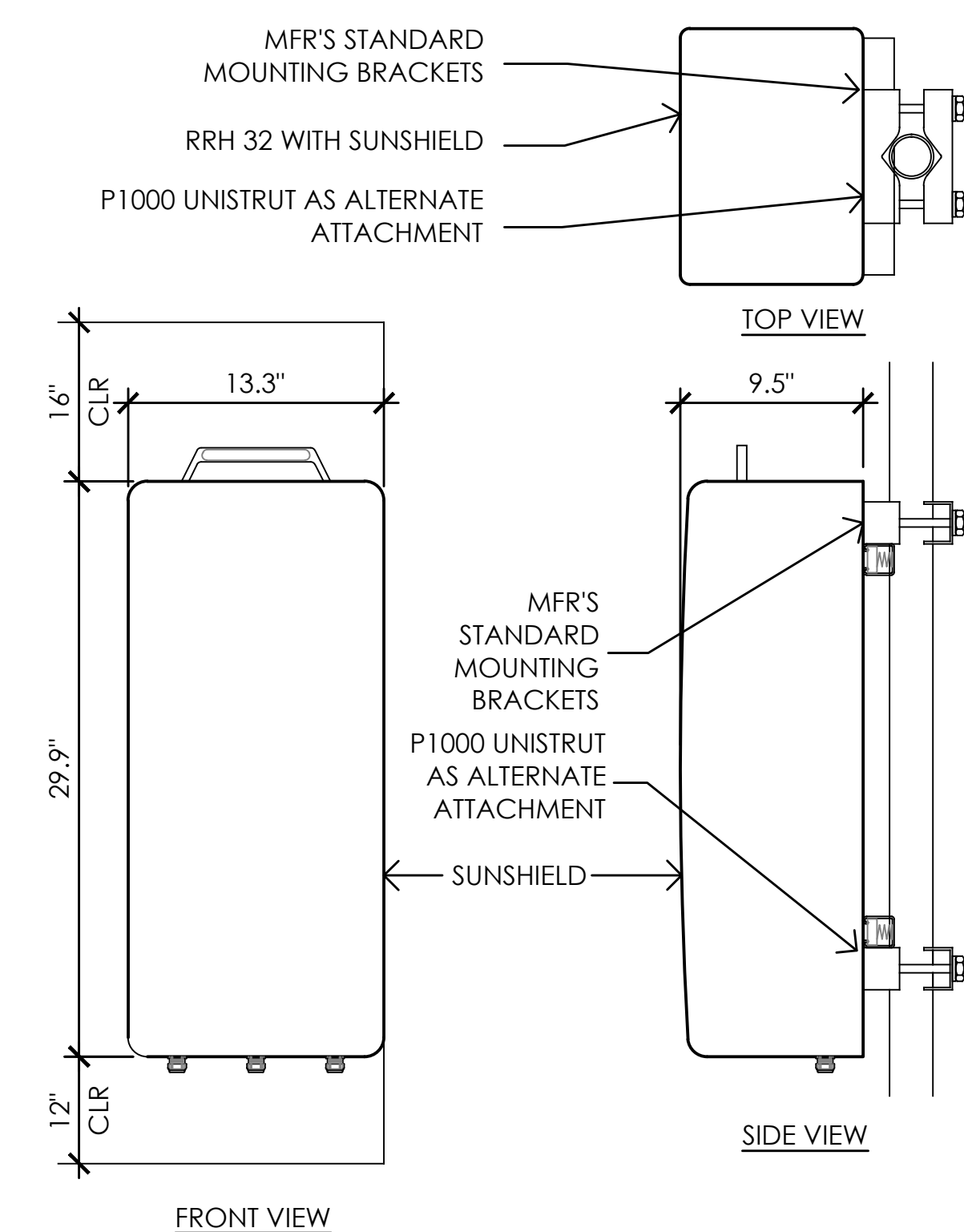


2 ERICSSON RADIO 4415 REMOTE RADIO UNIT

1-1/2" = 1'-0"

ERICSSON WCS RRH-32

MODEL: KRC161 423/1
 COLOR: WHITE
 DIMENSIONS: 29.9" TALL X 13.3" WIDE X 9.5" DEEP (INCLUDING SUNSHIELD)
 WEIGHT: +/- 77LBS. (INCLUDING MOUNTING HARDWARE)



1 ERICSSON WCS RRH-32 REMOTE RADIO UNIT

1-1/2" = 1'-0"

AT&T Site ID:

CVL03135

20620 S. GRANTLAND AVE.
RIVERDALE, CA. 93656

Vendor:



PREPARED FOR



5001 Executive Parkway
San Ramon, California 94583

Architect:



AT&T SITE NO: CVL03137

PROJECT NO: 162.2157

DRAWN BY: MWS

CHECKED BY: SV

REV	DATE	DESCRIPTION
2/06/18	100% ZD	
1/17/18	90% ZD	

Licensee:

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Issued For:

2/06/18

100% ZD

SHEET TITLE:

ANTENNA DETAILS

SHEET NUMBER:

A-3.2

MAR 07 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION
CUP 3608**OPERATIONAL STATEMENT****AT&T Mobility Site "CVL03137 Lanare"**

20620 S. Grantland Avenue, Riverdale, CA 93656

APN: 053-041-41S

Nature of the operation--what do you propose to do? Describe in detail.

AT&T is proposing communications facility for this location. This is an unmanned, remotely monitored facility that operates 24 hours per day, 7 days per week, 365 days per year, to provide high speed broadband and cellular coverage to this underserved area of Fresno County.

This application seeks to provide the broadband internet and wireless service to the same target area as depicted in a previous Fresno County Planning application, CUP3567, Initial Study No. 7261. Due to the controversy at that previous location at 21050 S. Garfield Avenue (APN: 053-360-06S), AT&T has proposed a slightly taller tower at the Lanare Community Service Organization building at 20620 S. Grantland Avenue.

In order to alert the community of the need for the facility in the community of Lanare, an outreach meeting was held on Saturday, October 14, 2017, with an AT&T-provided Spanish-language interpreter present, in order to obtain input from the neighbors and Board. There was resounding support for the revised location and AT&T agreed to move the proposed tower location, with a taller tower, to the Community Service building 0.65 miles away. Please see attached Propagation Maps that depict the coverage area served by the proposed facility.

AT&T now returns to the Fresno County Planning Commission with the revised location to provide services needed to the Lanare community.

Operational time limits:

This unmanned facility will provide service 24 hours a day, 7 days a week.

Number of customers or visitors:

The facility will not be open for visitors or customers.

Number of employees:

The site is an unmanned facility. A service technician will visit the site on an average of once per month for routine maintenance. The site will be entirely self-monitored and connected directly to a central office where sophisticated computers alert personnel to any equipment malfunction. Because the wireless facility will be unmanned, there will be no regular hours of operation and no impacts to existing local traffic patterns. No water or sanitation services will be required.

Service and delivery vehicles:

This site will have a technician visit an average of once a month.

Access to the site:

Access comes directly off S. Grantland Avenue.

Number of parking spaces for employees, customers, and service/delivery vehicles.

This project has been designed to take up no parking spaces. There is adequate space for a technician to park during monthly site visits. Although the facility will be in constant operation, there will be no regular full time employees, customers and/or service staff that will report to the facility on a daily basis. An AT&T facilities maintenance employee will perform monthly site visits to the location.

Are any goods to be sold on-site?

If so, are these goods grown or produced on-site or at some other location?

No. Not applicable.

What equipment is used?

Included as part of this wireless facility will be the following:

50' x 50' Fenced, secured lease area including:

- 120' monopole with (3) Antenna sectors with (4) antennas per sector
- 27 Remote Radio Heads
- 6'-8" x 6'-8" walk-in cabinet, mounted on 8'-3" x 12'-0" concrete slab
- 15KW propane standby generator, mounted on a 4'-6" x 6'-0" concrete slab
- 6' chain link fence with 12'-wide access gate.

What supplies or materials are used and how are they stored?

Please see above.

Does the use cause an unsightly appearance? Noise? Glare? Dust? Odor?

Please review the Site Plans and Photo Simulations, which have been included as part of this project, regarding project appearance.

The only two sources of sound associated with the proposed facility will be: 1) either a door mounted heat exchanger or an air conditioner within the walk-in cabinet, and 2) the standby generator, which will be operated for an average of 30 minutes per month for maintenance purposes. The generator will be utilized during power outages. Neither of these sources of sound will exceed the acceptable noise levels for the zoning designation.

There are no sources of glare, dust, or odor associated with the operations of the project.

List any solid or liquid wastes to be produced.

Not applicable.

Estimated volume of water to be used (gallons per day).

Not applicable.

Describe any proposed advertising including size, appearance, and placement.

Not applicable.

Will existing buildings be used or will new buildings be constructed?

A new 120' monopole will be constructed at the location, after being transported in large sections. The walk-in cabinet and generator will be transported directly to the proposed tower location.

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

An equipment shelter will be used to house technology equipment at this location.

Will any outdoor lighting or an outdoor sound amplification system be used?

No sound amplification will be used. There will be 2 motion-activated lights attached the equipment shelter for safety purposes. These lights can only be triggered after walking into the compound through the fence.

Landscaping or fencing proposed?

A 6' security fence will surround the perimeter of the 50' x 50' proposed project area.

Any other information that will provide a clear understanding of the project or operation.

In order to provide power to the proposed AT&T facility, power will be run approximately 485' to the project lease area from across S. Grantland Avenue. All power and telco runs will be undergrounded.

Identify all Owners, Officers and/or Board Members for each application submitted; this may be accomplished by submitting a cover letter in addition to the information provided on the signed application forms.



E201810000235

County of Fresno

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

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

FILED
AUG 30 2018 TIME 12:09 PM
By [Signature] FRESNO COUNTY CLERK DEPUTY

For County Clerk's Stamp

Notice is hereby given that the County of Fresno has prepared Initial Study Application (IS) No. 7440 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3608 filed by **LANARE COMMUNITY SERVICE DISTRICT**, proposing to allow the construction and operation of a new 120-foot telecommunication tower on a 50-foot by 50-foot lease area on a 4.85-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the east side of South Grantland Avenue, approximately 1,650 feet north of its intersection with West Mount Whitney Avenue, within the unincorporated community of Lanare, addressed as 20620 S. Grantland Avenue (APN 053-041-41S) (Sup. Dist. 4). Adopt the Negative Declaration prepared for Initial Study Application No. 7440 and take action on Unclassified Conditional Use Permit No. 3608 with Findings and Conditions.

(hereafter, the "Proposed Project")

The County of Fresno has determined that it is appropriate to adopt a Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS Application No. 7440 and the draft Negative Declaration, and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

Public Comment Period

The County of Fresno will receive written comments on the Proposed Project and Negative Declaration from September 5, 2018 through October 4, 2018.

Email written comments to CMonfette@FresnoCountyCA.gov, or mail comments to:

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

IS Application No. 7440 and the draft Negative Declaration may be viewed at the above address Monday through Thursday, 9:00 a.m. to 5:00 p.m., and Friday, 8:30 a.m. to 12:30 p.m. (except holidays), or at www.co.fresno.ca.us/initialstudies. An electronic copy of the draft Negative Declaration for the Proposed Project may be obtained at the addresses above.

Public Hearing

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Negative Declaration on October 11, 2018, at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, 2281 Tulare Street, Fresno, California 93721. Interested persons are invited to appear at the hearing and comment on the Proposed Project and draft Negative Declaration.

For questions, please call Chrissy Monfette (559) 600-4245.

Published: September 5, 2018



County of Fresno

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**
Initial Study Application No. 7440 and Unclassified Conditional Use Permit Application No. 3608
2. **Lead agency name and address:**
*The County of Fresno Department of Public Works and Planning
Development Services and Capital Project Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721*
3. **Contact person and phone number:**
Christina Monfette, 559-600-4245
4. **Project location:**
The subject parcel is located on the east side of South Grantland Avenue, approximately 1,650 feet north of its intersection with West Mount Whitney Avenue, within the unincorporated community of Lanare, addressed as 20620 S. Grantland Avenue (APN 053-041-41S)
5. **Project Applicant's name and address:**
*Complete Wireless Consulting, Inc.
2009 V Street
Sacramento, CA 95818*
6. **General Plan designation:**
Agriculture
7. **Zoning:**
AL-20 (Limited Agricultural, 20-acre minimum parcel size)
8. **Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**

Allow the construction and operation of a new 120-foot telecommunication tower on a 50-foot by 50-foot lease area.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**

North and east of the parcel, land is loosely populated with large agricultural fields, while to the south and west, land has been improved with single family residences along S. Grantland Avenue, W. Mount Whitney Avenue, and S. Garfield Avenue.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> Greenhouse Gas Emissions |

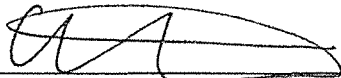
DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

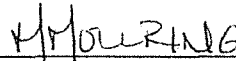
- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation Measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project, no new effects could occur, or new Mitigation Measures would be required that have not been addressed within the scope of a previous Environmental Impact Report.

PERFORMED BY:

REVIEWED BY:



Christina Monfette, Planner



Marianne Mollring, Senior Planner

Date: 8/29/18

Date: 8-29-18

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Initial Study Application No. 7440 and
Unclassified Conditional Use Permit
Application No. 3608)**

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

- 1 = No Impact
- 2 = Less Than Significant Impact
- 3 = Less Than Significant Impact with Mitigation Incorporated
- 4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

- 2 a) Have a substantial adverse effect on a scenic vista?
- 2 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 2 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL AND FORESTRY RESOURCES

Would the project:

- 1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1 c) Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

III. AIR QUALITY

Would the project:

- 1 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 1 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 1 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable Federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 1 d) Expose sensitive receptors to substantial pollutant concentrations?
- 1 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

V. CULTURAL RESOURCES

Would the project:

- 2 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 2 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 2 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 2 d) Disturb any human remains, including those interred outside of formal cemeteries?
- 2 e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 2 b) Result in substantial soil erosion or loss of topsoil?
- 2 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

- 2 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

VII. GREENHOUSE GAS EMISSIONS

Would the project:

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

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 2 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Create hazardous emissions or utilize hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 2 e) Result in a safety hazard for people residing or working in the project area for a project located within an Airport Land Use Plan or, where such a Plan has not been adopted, within two miles of a public airport or public use airport?
- 2 f) Result in a safety hazard for people residing or working in the project area for a project within the vicinity of a private airstrip?
- 1 g) Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

IX. HYDROLOGY AND WATER QUALITY

Would the project:

- 1 a) Violate any water quality standards or waste discharge requirements?
- 1 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 1 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?
- 1 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

- 1 e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?
- 1 f) Otherwise substantially degrade water quality?
- 1 g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 2 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Cause inundation by seiche, tsunami, or mudflow?

X. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 2 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or Zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

XI. MINERAL RESOURCES

Would the project:

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

XII. NOISE

Would the project:

- 2 a) Expose persons to or generate noise levels in excess of standards established in the local General Plan or Noise Ordinance, or applicable standards of other agencies?
- 2 b) Expose persons to or generate excessive ground-borne vibration or ground-borne noise levels?
- 2 c) Create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 d) Create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 e) Expose people residing or working in the project area to excessive noise levels, for a project located within an Airport Land Use Plan or, where such a Plan has not been adopted, within two miles of a public airport or public use airport?
- 1 f) Expose people residing or working in the project area to excessive noise levels, for a project within the vicinity of a private airstrip?

XIII. POPULATION AND HOUSING

Would the project:

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

- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIV. PUBLIC SERVICES

Would the project:

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

- 1 a) Fire protection?
1 b) Police protection?
1 c) Schools?
1 d) Parks?
1 e) Other public facilities?

XV. RECREATION

Would the project:

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

XVI. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
1 b) Conflict with an applicable Congestion Management Program including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?
1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, which results in substantial safety risks?
1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Documents Referenced:

This Initial Study references the documents listed below. These documents are available for public review at the County of Fresno, Department of Public Works and Planning, Development Services and Capital Projects Division, 2220 Tulare Street, Suite A, Fresno, California (corner of M & Tulare Streets).

Fresno County General Plan, Policy Document, Background Report and Final EIR

Fresno County Zoning Ordinance

Important Farmland 2014 Map, State Department of Conservation

National Wetlands Inventory, U.S. Fish and Wildlife Services

Regulatory Maps, Department of Conservation

USEPA Regulatory lists (RCRAInfo, NPDES, TRI, NPL, ACRES, RADInfo, TSCA) Accessed April, 2018

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- 1 e) Result in inadequate emergency access?

- 1 f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
1 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
1 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
1 e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 1 a) 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 history or prehistory?
1 b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
1 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Complete Wireless Consulting, Inc.
- APPLICATION NOS.: Initial Study Application No. 7440 and Unclassified
Conditional Use Permit Application No. 3608
- DESCRIPTION: Allow the construction and operation of a new 120-foot telecommunication tower on a 50-foot by 50-foot lease area on a 4.85-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District
- LOCATION: The subject parcel is located on the east side of South Grantland Avenue, approximately 1,650 feet north of its intersection with West Mount Whitney Avenue, within the unincorporated community of Lanare, addressed as 20620 S. Grantland Avenue (APN 053-041-41S) (Sup. Dist. 4)

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; or
- 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:

The project site is located on a 4.85-acre parcel which is owned by the Lanare Community Service District. The site is currently unimproved and located on the edge of the unincorporated community of Lanare. North and east of the parcel, land is loosely populated with large agricultural fields, while to the south and west, land has been improved with single family residences along S. Grantland Avenue, W. Mount Whitney Avenue, and S. Garfield Avenue. No scenic vistas, scenic resources, or historic buildings were identified in the analysis. The subject parcel is not near a designated or planned scenic highway. The proposed tower will be a 120-foot monopole design which will be set back from Grantland Avenue by more than 300 feet. While it will be visible, it

will not have adverse impacts on any scenic resource and will not degrade the existing visual character of the site.

Security lighting on the front and back of the proposed equipment closet will be installed directed downward with hoods to prevent stray light. Compliance to this project design criteria will be included as a condition of approval of the conditional use permit. Review of this project by the Federal Aviation Administration has determined that marking and lighting would not be necessary due to the height and location of the tower, therefore there would be less than significant impacts on new sources of light or glare.

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: NO IMPACT:

The subject parcel is located on lands designated by the 2014 Fresno County Important Farmlands Map as rural or built-up land. Parcels in this area do not meet the soil or size requirements required by Williamson Act Contracts and land uses have tended towards residential with the establishment of the community of Lanare. There are no parcels in the area which are designated as forest land or zoned for timberland production. Approval of this application would not result in the loss of forest or farmland or the conversion of such lands as those lands are not present near the project site. The installation of a telecommunications tower to provide high-speed internet is not a type of project that is likely to convert forest land or agricultural land away from those uses.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation; or

- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: NO IMPACT:

The San Joaquin Air Pollution Control District (Air District) reviewed this proposal and expressed no concerns with the project. The project will not create objectionable odors affecting people on or near the subject property. The nearest residence to the project site is located 430 feet south; however the Lanare Community Center is located on the parcel directly south. Despite the proximity of the District’s building, the tower is not anticipated to release objectionable odors and there will be no impact on air quality.

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: NO IMPACT:

There are no riparian habitats, sensitive natural communities, or wetlands within the project site. No impacts were identified, relating to: any candidate, sensitive, or special status species; any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS, or Federally-

protected wetlands as defined by Section 404 of the Clean Water Act; the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or use of native wildlife nursery sites. The lease area is proposed in the rear of the existing Lanare Community Service Organization Building. The lawn has been maintained (mowed) regularly and does not provide habitat for special-status species.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries; 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:

Under the provisions of Assembly Bill 52 (AB 52), notice that the application for this project was complete was forwarded to the following tribal governments who had made a request to be notified in writing: Table Mountain Rancheria, Picayune Rancheria of the Chukchansi Indians, Santa Rosa Rancheria, and Dumna Wo Wah. Of these, only Table Mountain Rancheria responded within the 30-day window and declined consultation. Therefore, based on the limited amount of ground disturbance and the failure of local tribes to identify known resources on site, staff has determined that impacts to cultural resources are less than significant.

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?
 - 4. Landslides?

FINDING: NO IMPACT:

The subject parcel is not located along a known fault line according to the most recent Alquist-Priolo Earthquake Fault Zoning Act maps. The project site is not located in an area at risk of Seismic Hazard or Landslide Hazards per Figures 9-5 and 9-6 of the Fresno County General Plan Background Report (FCGPBR).

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located in an area at risk of erosion according to Figure 7-3 of the Fresno County General Plan Background Report (FCGPBR). Grading activities could result in changes in topography and therefore potentially increase surface runoff at the project site; however, due to the limited size of the project area, the proposal is not expected to result in substantial erosion or loss of topsoil. In addition, such activities would be conducted in compliance with existing Fresno County regulations, further reducing potential erosion and loss of topsoil.

The subject parcel is not located along a known fault line according to the most recent Alquist-Priolo Earthquake Fault Zoning Act maps. The project site is not located in an area at risk of Seismic Hazard or Landslide Hazards per Figures 9-5 and 9-6 of the Fresno County General Plan Background Report (FCGPBR). The project is not located in an area of steep slopes per Figure 7-2 (FCGPBR), nor at risk of seismic hazards, per discussion above.

- 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 proposal is for an unmanned cell-phone tower and no septic tanks or other sanitary facilities are required or proposed as part of this project.

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: NO IMPACT:

The proposed tower will not generate substantial traffic and typical operations will not produce any criteria pollutants. Comments received from the San Joaquin Valley Air Pollution Control District expressed no concerns, supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

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:

The proposed facility will utilize a 15KW propane standby generator. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes are required to 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. With adherence to these existing regulations, there will be less than significant impacts on the risk of hazard due to the routine transport, use, or accidental release of hazardous materials.

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

FINDING: NO IMPACT:

The project site is not located within one quarter-mile of a school.

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

FINDING: NO IMPACT:

Review of the US EPA's NEPAassist report indicates that there are no hazardous or contaminated sites within one mile of the project site. The following lists were consulted: Resource Conservation and Recovery Act (RCRA), Toxic Releases Inventory (TRI), Superfund/National Priorities List, Brownfields Assessment Cleanup and Redevelopment Exchange System (ACRES), RADInfo, and Toxic Substances Control Act. Review of historical aerial photos (Google Earth) indicate that the lease area has been vacant since at least 1994.

- 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: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is not located in the vicinity of a public or private use airport and therefore will have no impact on risks associated with working or residing near such features. The tower was reviewed through the Federal Aviation Administration's Obstruction Evaluation/Airport Airspace Analysis process and determined that the proposed tower would not be a hazard to air navigation and that marking and lighting would not be necessary.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or
- 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 installation of a telecommunications tower on this vacant parcel will not impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan. The parcel is located in an area determined to be a Local Responsibility Area for fire protection and designated as "non-wildland/non-urban Hazard Class".

IX. HYDROLOGY AND WATER QUALITY

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

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; or

F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

The subject application does not include provisions for the use of water on site, and no such use is anticipated. The site will be generally unmanned, excepting one to two monthly visits by a technician. No sanitary facilities or potable water supplies are required. Project runoff will be retained on site or disposed of per County standards.

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

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

FINDING: NO IMPACT:

The subject parcel is located in an area of Minimal Flood Hazard, as designated by the most recent FEMA Map Panel No. 06019C2875J. In addition, no housing is proposed as part of this application. Therefore, there will be no impact to housing or structures built within a floodplain.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located in an area that is known to be at risk of flooding due to dam failure (Figure 9-8 FCGPBR). However, with compliance to existing regulations for construction within flood hazard areas (County Ordinance Chapter 15.48), and consideration of the limited human presence at the site, there will be less than significant impacts on risk of damage or death due to levee or dam failure.

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

FINDING: NO IMPACT:

The project site is not located near a body of water of sufficient size to cause seiche (such as a large lake) or tsunami (such as the ocean). Figure 9-6 shows that the parcel is not located in an area of moderate or high landslide hazard and local topography is generally flat. There will be no impacts to risk of seiche, tsunami, or mudflow based on the parcel's location.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project site will be contained entirely within the subject parcel and will not physically divide an established community. The unincorporated community of Lanare is generally located on either side of W. Mount Whitney Avenue, S. Garfield Avenue, S. Grantland Avenue, and S. Chateau Fresno Avenue. Some scattered housing exists further back from these streets, but in general there are no local roads and houses are adjacent to the major streets. The project site is located east of the easternmost such road (S. Grantland), in the southeastern corner of the parcel. Due to its location completely within an established parcel and on the edge of Lanare, there will be no impacts on the potential division of 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 applicant-submitted Project Support Statement indicates that AT&T Mobility is proposing this project in order to provide broadband internet and wireless service to this community. The subject property is designated Agriculture in the Fresno County General Plan and is located in an area of residential uses. The parcel is zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size and is not restricted under Williamson Act, Agricultural Land Conservation Contract.

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

FINDING: NO IMPACT:

The project site is not located in an area subject to a Habitat Conservation Plan or Natural Community Conservation Plan.

XI. MINERAL RESOURCES

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

FINDING: NO IMPACT:

No mineral resource impacts were identified in the project analysis. The project site is not located in a mineral resources area identified in Figure 7-7 (FCGPBR).

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not generate severe noise levels or excessive vibration. There will be no permanent increase in ambient noise levels in the project vicinity. Minor noise may occur when the generator is in use (or during normal testing); however, it is anticipated that the generator will provide power only during emergency situations.

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels; or
- 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:

No airports, public or private, are located within two miles of the subject parcel. Therefore, there will be no impacts to the risks associated with projects on or near public or private airstrips.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The installation of this telecommunications tower will provide broadband and high speed internet to the community of Lanare. Having such services available might make this community more appealing to new residents; however, the availability of broadband and high speed internet is common throughout the County and is not anticipated to attract new residents. Additionally, the project will not increase the job availability. Therefore, this project will have a less than significant impact on population growth.

- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

The subject application relates to the installation and operation of an unmanned telecommunications tower in a vacant area of the Lanare Community Services District building site. No housing exists on the subject parcel and therefore no persons will be displaced from their housing.

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

FINDING: NO IMPACT:

The project will not result in the need for additional public services. The site will not be occupied excepting a few times each month for maintenance. Further, with the addition of broadband and high speed internet, residents will have better internet access at home and this project may reduce use of internet-capable computers at local libraries. There are no schools or parks in the vicinity of the project site; the majority of public service facilities are available in the nearby community of Riverdale.

XV. RECREATION

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

FINDING: NO IMPACT:

No impacts on the use of existing parks or recreational resources were identified in the project analysis. This project proposes an unmanned telecommunications facility.

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: NO IMPACT:

No impacts to plans, policies, or ordinances relating to the performance of the circulation system were identified. Following construction, the project site will be generally unmanned, with the exception of one monthly trip by a service technician. This trip is expected to occur outside of peak travel hours and will have no impact on the circulation system.

- C. Would the project result in a change in air traffic patterns; or
- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access; or
- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

As discussed in parts A and B of this section, there is only one round trip proposed each month. The tower will be set back more than 300 feet from East Grantland Avenue and will take access from that street. The proposed gate will be set back far enough to prevent cars from stopping in the street as they gain access. There will be no impacts to public transit, bicycle, or pedestrian facilities and the tower was determined by the FAA to have no impact to air traffic patterns.

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; or
- C. Would the project require or result in the construction or expansion of new storm water drainage facilities; or
- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or
- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand; or
- F. Would the project be served by a landfill with sufficient permitted capacity; or

- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

Once construction has been completed, the project will use no water, produce no liquid or solid waste, and will therefore have no impact on existing utilities.

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; or
- B. Does the project have impacts that are individually limited, but cumulatively considerable; or
- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

Due to the limited area of disturbance associated with this application and the existing disturbed nature of the project site, construction and operation of this telecommunications tower does not have the potential to degrade the quality of the environment, adversely impact special-status species, or cause damage to resources relating to Californian pre-history. This project also does not have the potential to contribute to cumulatively considerable impacts, such as air pollution. No other adverse impacts on human beings were identified.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3608, staff has concluded that the project not have a significant effect on the environment.

It has been determined that there would be no impacts to Agricultural and Forestry Resources, Air Quality, Biological Resources, Greenhouse Gas Emissions, Mineral Resources, Public Services, Recreation, Transportation/Traffic, and Utilities and Service Systems.

Potential impacts related to Aesthetics, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, and Population and Housing have been determined to be less than significant.

A 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.

CMM

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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7440	LOCAL AGENCY PROPOSED 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): Christina Monfette Planner	Area Code: 559	Telephone Number: 600-4245	Extension: N/A
Applicant (Name): Lanare Community Service District	Project Title: Unclassified Conditional Use Permit No. 3608		
Project Description: Allow the construction and operation of a new 120-foot telecommunication tower on a 50-foot by 50-foot lease area on a 4.85-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District			
Justification for Negative Declaration: It has been determined that there would be no impacts to Agricultural and Forestry Resources, Air Quality, Biological Resources, Greenhouse Gas Emissions, Mineral Resources, Public Services, Recreation, Transportation/Traffic, and Utilities and Service Systems. Potential impacts related to Aesthetics, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, and Population and Housing have been determined to be less than significant.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – September 5, 2018		Review Date Deadline: Planning Commission – October 11, 2018	
Date:	Type or Print Signature: Marianne Mollring, Senior Planner	Submitted by (Signature): Chrissy Monfette, Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
NEGATIVE DECLARATION**



County of Fresno

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

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk, County of Fresno
2221 Kern Street
Fresno, CA 93721

From: Fresno County Department of Public Works and Planning,
Development Services and Capital Projects
2220 Tulare Street (corner of Tulare and "M") Suite "A", Fresno, CA 93721

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resource Code

Project: Initial Study Application No. 7440, Unclassified Conditional Use Permit
Application No. 3608

Location: The subject parcel is located on the east side of South Grantland Avenue, approximately 1,650 feet north of its intersection with West Mount Whitney Avenue, within the unincorporated community of Lanare, addressed as 20620 S. Grantland Avenue (APN 053-041-41S)(Sup. Dist. 4)

Description: Allow the construction and operation of a new 120-foot telecommunication tower on a 50-foot by 50-foot lease area on a 4.85-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District

This is to advise that the County of Fresno (Lead Agency Responsible Agency) has approved the above described project on October 11, 2018, and has made the following determination:

1. The project **will** **will not** have a significant effect on the environment.
2. An Environmental Impact Report (EIR) **was not** prepared for this project pursuant to the provisions of CEQA. / A Mitigated Negative Declaration **was** prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures **were** **were not** made a condition of approval for the project.
4. A statement of Overriding Consideration **was** **was not** adopted for this project.

This is to certify that the Initial Study with comments and responses and record of project approval is available to the General Public at Fresno County Department of Public Works and Planning, 2220 Tulare Street, Suite A, Corner of Tulare and "M" Streets, Fresno, California.

Chrissy Monfette, Planner
(559) 600-4245/CMonfette@FresnoCountyCA.gov

Date

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DEVELOPMENT SERVICES AND CAPITAL PROJECTS DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200
The County of Fresno is an Equal Employment Opportunity Employer



County of Fresno

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

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

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

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

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

OWNER: James S. Anderson
APPLICANT: ForeFront Power

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

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

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

EXHIBITS:

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

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

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

Criteria	Existing	Proposed
	commercial development in the City of Coalinga to the west	
Operational Features	N/A	See above "Project Site" Additionally, the proposed facility will: <ul style="list-style-type: none"> • Operate 25 years per the solar lease in accordance with the project Reclamation Plan • Require approval of a new land use permit if operating beyond 25 years • Be dismantled at the end of its operational life and the land restored to pre-development conditions
Employees	N/A	<ul style="list-style-type: none"> • One (to provide for security and maintenance of the facility during its operation)
Customers	N/A	N/A
Traffic Trips	N/A	<ul style="list-style-type: none"> • 76 round trips (19 medium-duty and 19 heavy-duty trucks) per day during four months of construction • Two round-trips per day for security and maintenance during operational period
Lighting	N/A	Hooded motion-activated outdoor security lighting at the entry gate and electrical equipment
Hours of Operation	N/A	24 hours per day, 365 days a year

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

ENVIRONMENTAL ANALYSIS:

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

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

PUBLIC NOTICE:

Notices were sent to 45 property owners within 1320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

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

The decision of the Planning Commission on an unclassified CUP application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

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

The project would install a series of PV module arrays mounted on either fixed-tilt or single-axis tracker racking systems supported by metal frames. These metal frames will either be attached to steel posts driven into the ground, or mounted on skids that will be anchored to the ground utilizing metal screws. The racking systems and PV module arrays will have an overall height of up to eight (8) feet.

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

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

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (San Mateo Avenue; east property line): 1,427 feet; Side (north property line): 101 feet; Side (south property line): 38 feet;	Yes

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

Reviewing Agency/Department Comments Regarding Site Adequacy:

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

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

Analysis:

Staff review of the Site Plan demonstrates that the proposed solar panels would be set back from the surrounding property lines in excess of the minimum required setbacks from three of the four outer property lines. The project proposes a 101-foot setback along the north boundary, 1,427 feet along the east boundary, and 2,600 feet along west boundary of the project site. The “Solar Facility Guidelines” approved by the Fresno County Board of Supervisors on May 3, 2011 and amended on March 13, 2012, May 21, 2013 and December 12, 2017 require measures to create a buffer between proposed solar facilities and adjacent agricultural operations, including a 50-foot setback between proposed solar facility improvements from the edges of the property boundaries to the closest structural improvements or equipment. Typically, County policy for photovoltaic solar facilities require a minimum of 50 feet of setback from surrounding agricultural operations, although exceptions can be considered.

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

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

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

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 1 can be made.

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

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

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

Reviewing Agency/Department Comments:

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

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

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

Analysis:

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

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

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

Recommended Conditions of Approval:

None

Conclusion:

Finding 2 can be made.

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

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	231.1 acres	Orchard	AE-20	None
South	148.7 acres	Fallow	AE-20	1,615 feet southeast
East	160 acres	Field crops	AE-20	None
West	120.7 acres	Residential/commercial	AE-20	970 feet

Reviewing Agency/Department Comments:

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

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

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

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

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

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

The Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.

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

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

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

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

The aforementioned requirements have been included as Project Notes.

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

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

Analysis:

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

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

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

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

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

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

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

Recommended Conditions of Approval:

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

Conclusion:

Finding 3 can be made.

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

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

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

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

Analysis:

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

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

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

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

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

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

CONCLUSION:

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

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7442; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3610, subject to the Conditions of Approval and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3610; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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

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

		Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance. Any take that could occur because of the proposed project would require prior consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.			
7.	Biological Resources	A preconstruction site survey shall be conducted to determine the presence of blunt-nosed leopard lizard (BNLL) on the property. The Surveys must be conducted on foot within prescribed temperature and weather as outlined by the California Department of Fish and Game May 2004 updated version of the BNLL survey protocol. Any take that could occur because of the proposed project would require prior consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.	Applicant	Applicant/CDFW	As noted
8.	Biological Resources	Ground disturbances shall not occur during bird nesting season (between February and August) without a clearance survey by a qualified biologist to ensure that nesting birds are not impacted.	Applicant	Applicant/CDFW	As noted
9.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As noted
Conditions of Approval					
1.		Development of the property shall be in accordance with the Site Plan, Elevation and Operational Statement approved by the Planning Commission, except as modified by the Commission or Site Plan Review.			
2.		A Site Plan Review (SPR) Application shall be submitted for approval by the Director of the Department of Public Works and Planning in accordance with Section 874 of the Fresno County Zoning Ordinance prior to the issuance of Building Permits. The SPR shall be applicable to those portions of the project site to be improved with substations, inverters, perimeter access roads, parking, and driveway access, excluding the solar panel fields. Items to be addressed under the SPR may include, but are not limited to, design of parking and circulation, driveway, access, grading and drainage, fire protection and lighting.			
3.		The life of this land use permit will expire upon expiration of the 25-year initial life of the project. If the solar lease is to be extended or the initial life of the project extends beyond this approval, approval of a new land use permit will need to be obtained.			

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

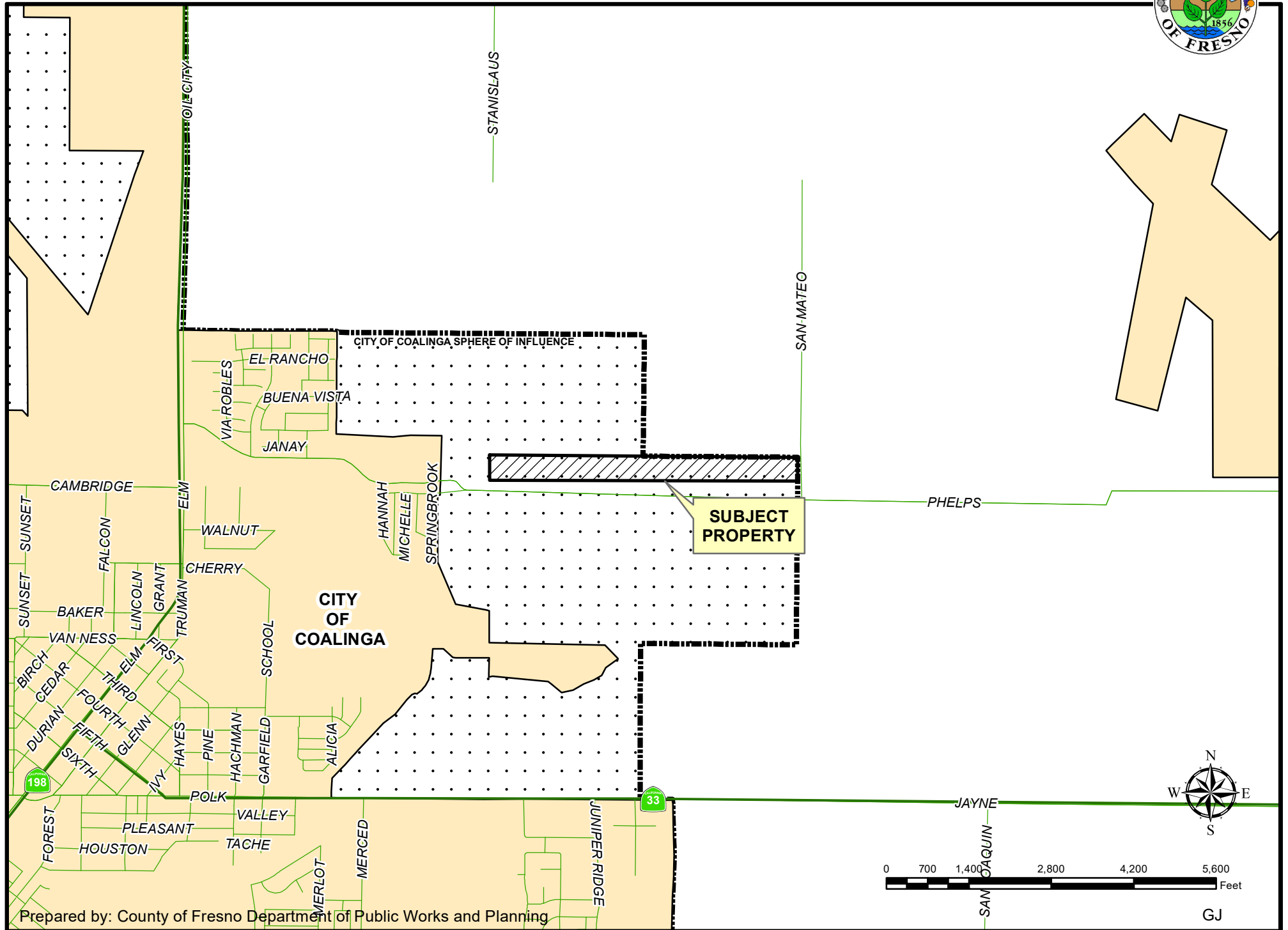
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Construction Plans shall be submitted and Building Permits and inspections shall be required for all on-site improvements, including solar array installation and fences over six feet in height. Contact the Building and Safety Section of the Development Services and Capital Projects Division at (559) 600-4540 regarding permits for construction.
3.	To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following: <ul style="list-style-type: none"> • Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. • Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.
4.	To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following: <ul style="list-style-type: none"> • An Engineered Grading and Drainage Plan shall be required to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties. • A grading permit or voucher shall be required for any grading proposed with this application.. • Any additional run-off generated by the proposed development cannot be drained across property lines and shall be retained or disposed of per County Standards.

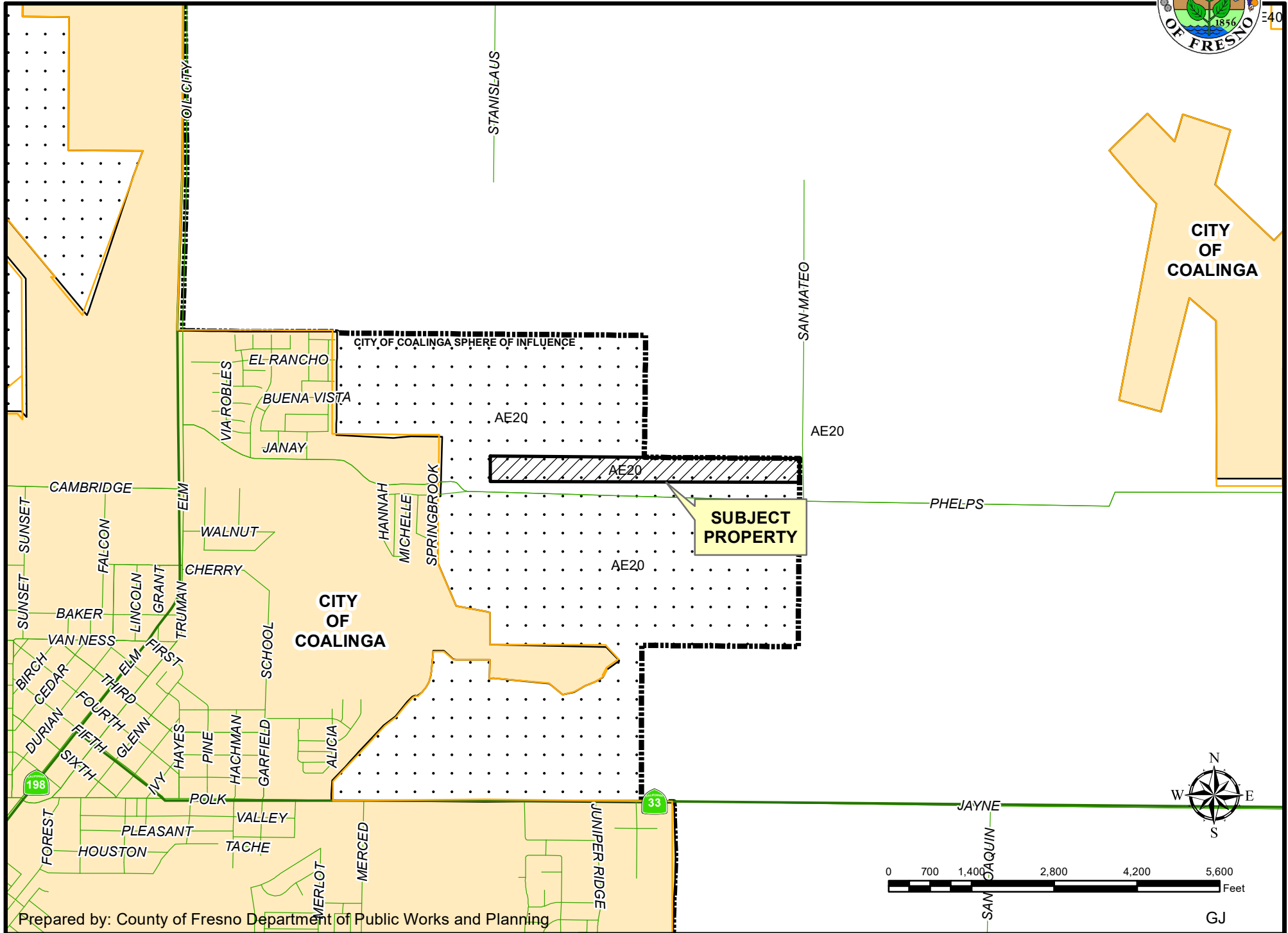
Notes

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

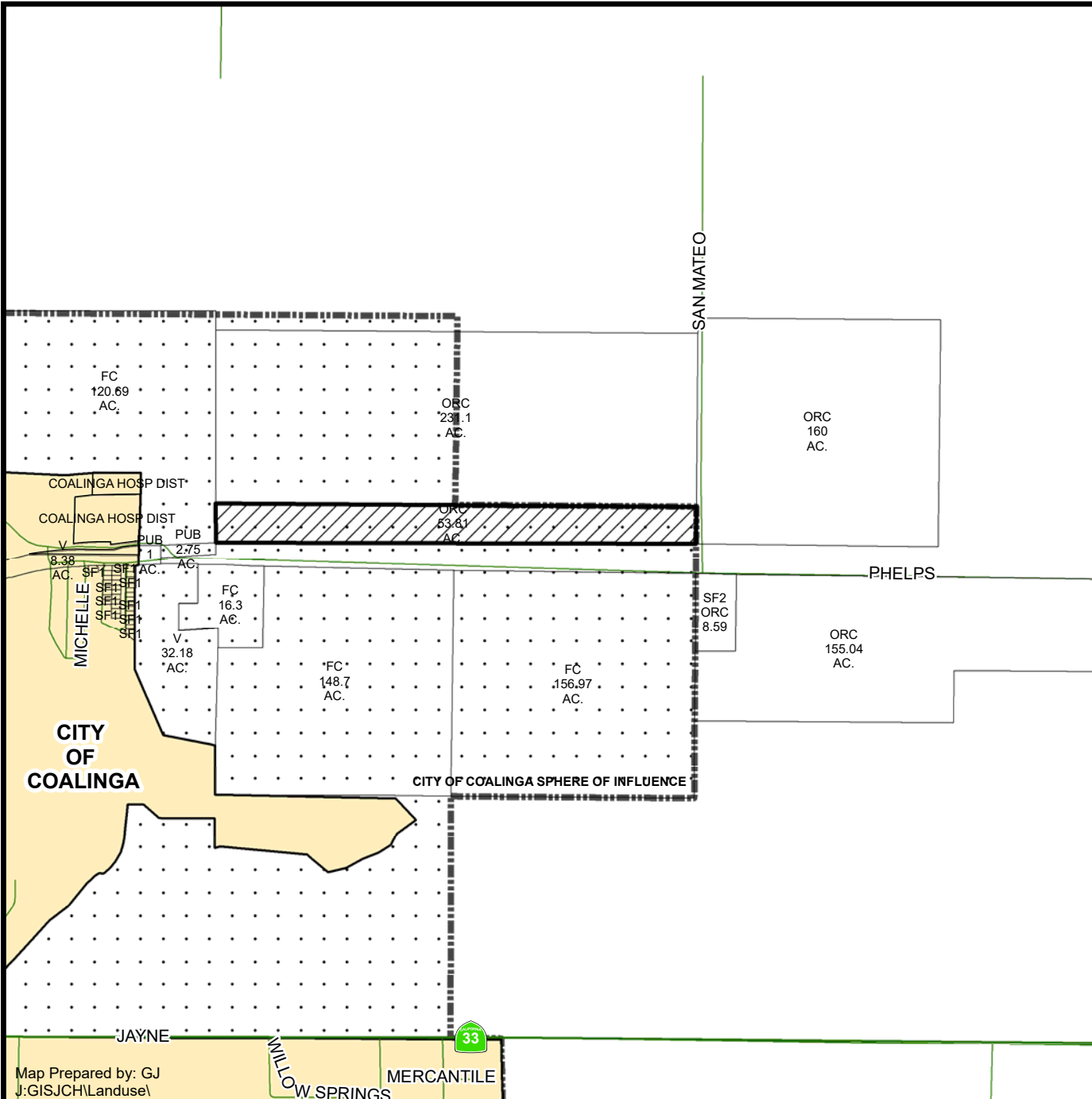
LOCATION MAP



EXISTING ZONING MAP





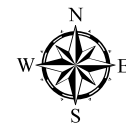
EXISTING LAND USE MAP




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

LEGEND:

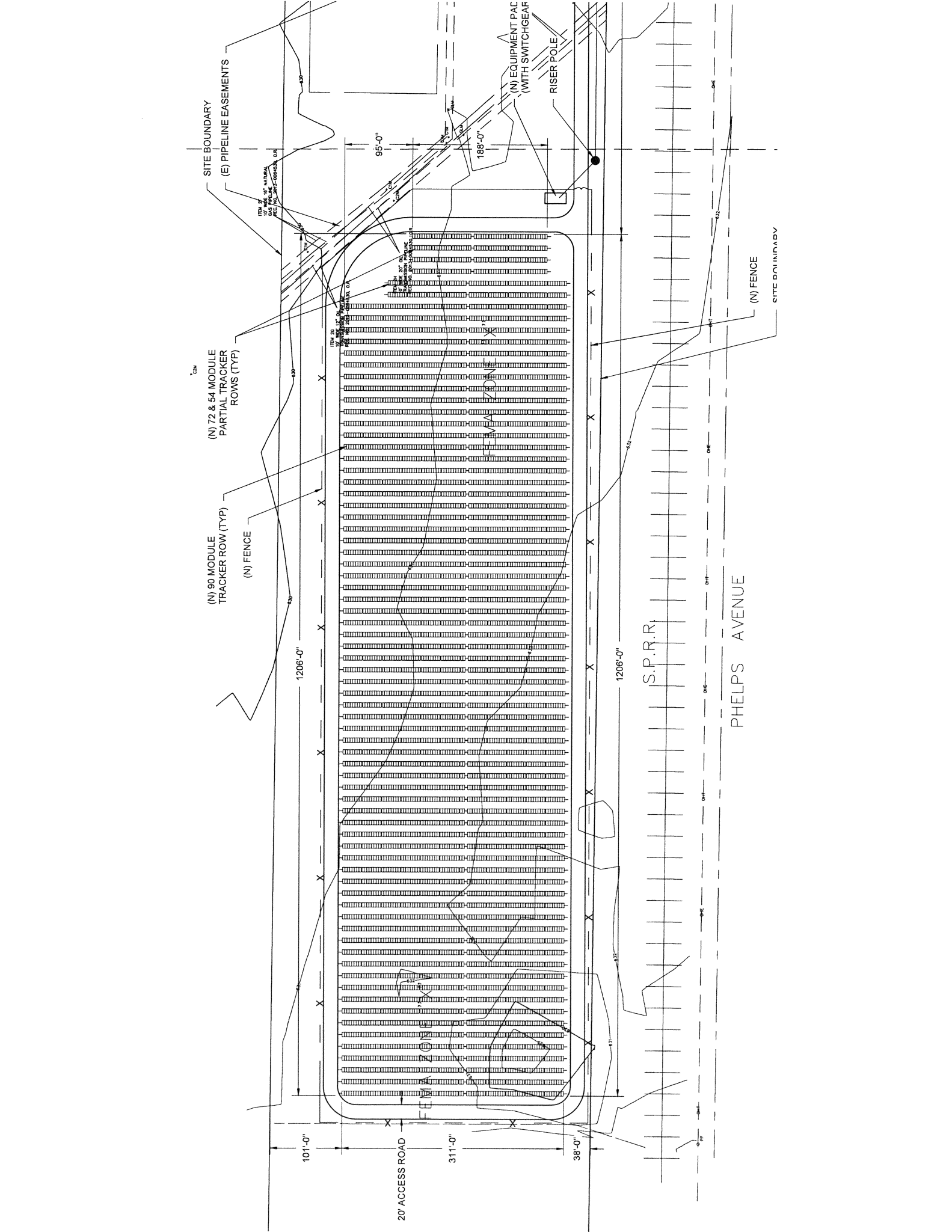
-  Subject Property
-  Ag Contract Land



0 425 850 1,700 2,550 3,400 Feet



Department of Public Works and Planning
Development Services Division



(N) 90 MODULE TRACKER ROW (TYP)
(N) FENCE
(N) 72 & 54 MODULE PARTIAL TRACKER ROWS (TYP)

SITE BOUNDARY
(E) PIPELINE EASEMENTS

(N) EQUIPMENT PAC
(WITH SWITCHGEAR)
RISER POLE

PHELPS AVENUE

S.P.R.R.

(N) FENCE

SITE BOUNDARY

101'-0"

20' ACCESS ROAD

311'-0"

38'-0"

1206'-0"

1206'-0"

95'-0"

188'-0"

200'

0'-0"

0'-0"

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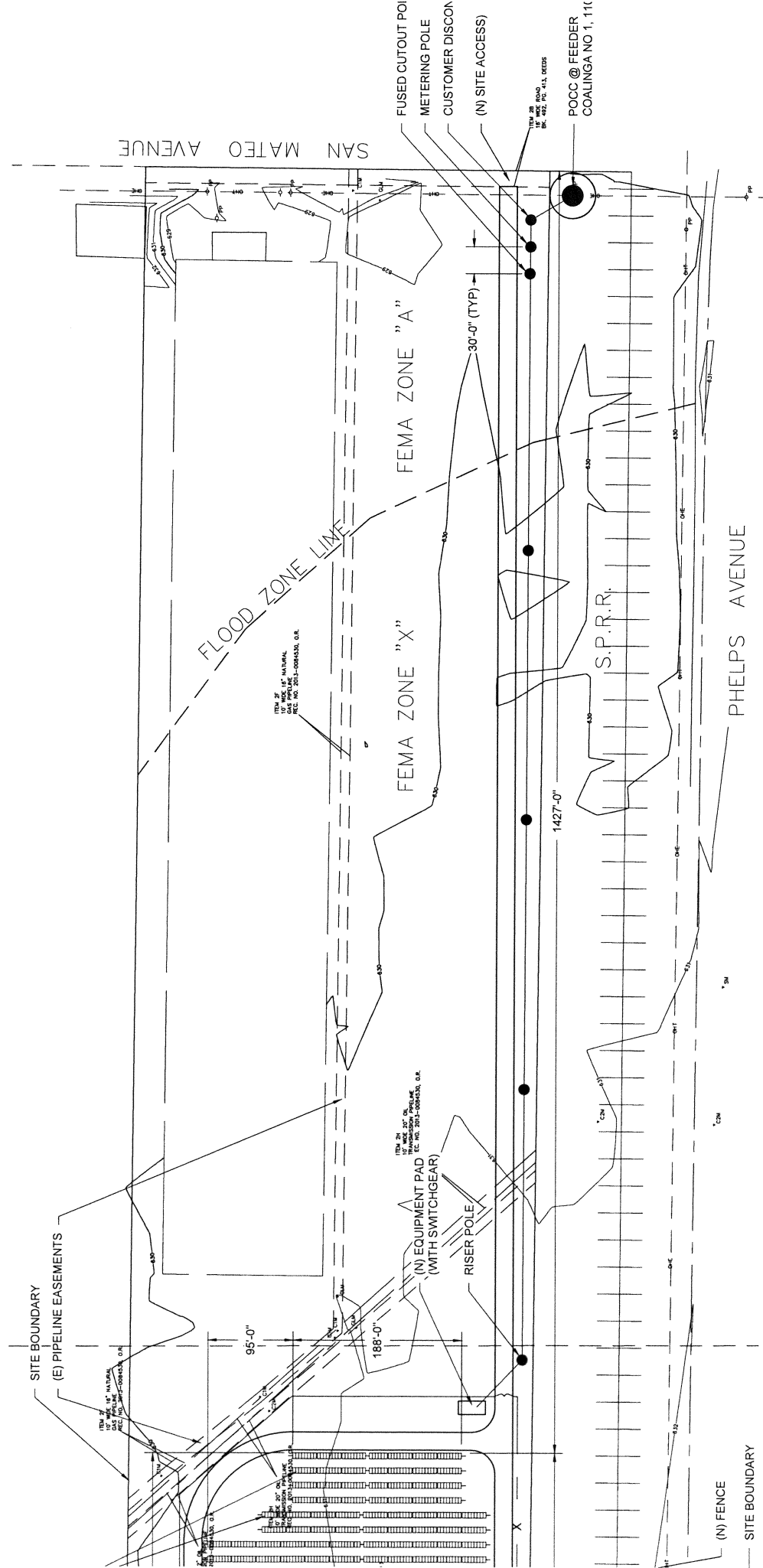
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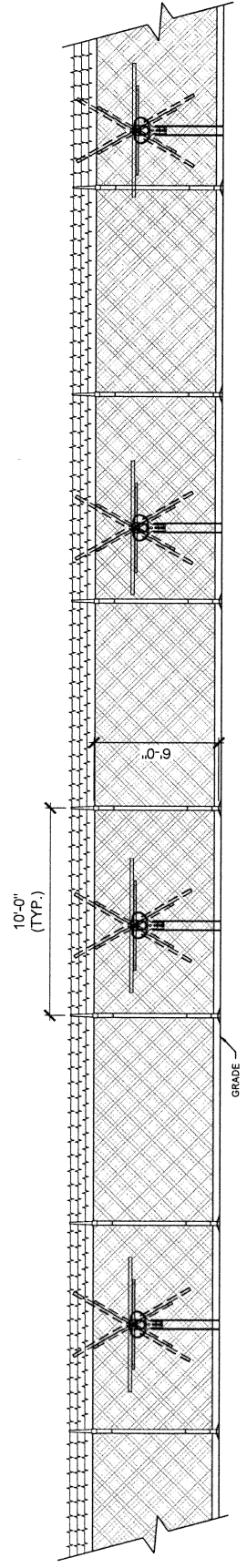
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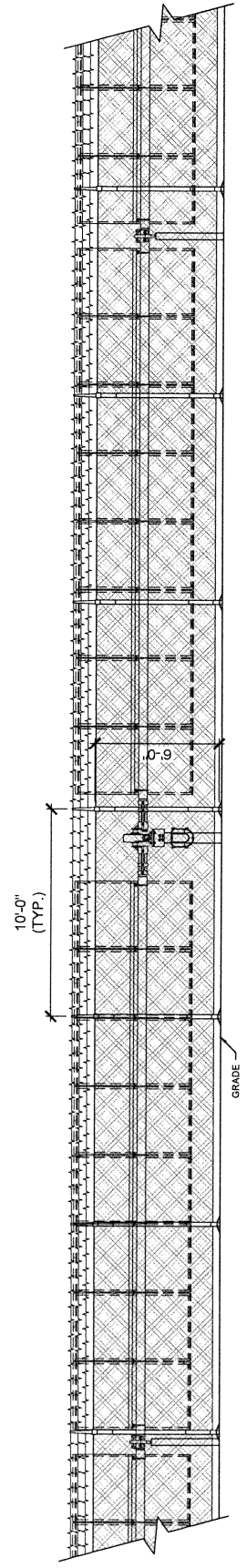
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A NORTH-SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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

Pre-Application Submittal

Project: Coalinga 1-1109 Solar

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

Location: APN 070-070-62S

Applicant's Representative:

EPD Solutions, Inc.
c/o Rafik Albert
2030 Main Street, Suite 1200
Irvine, Calif. 92614
(949) 794-1182
rafik@epdsolutions.com

CUP 3610

RECEIVED
COUNTY OF FRESNO

SEP 19 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

(REVISED)

Operational Statement

1. *Nature of the operation—what do you propose to do? Describe in detail.*
The project is a solar photovoltaic power plant. The facility will generate electricity from the sun during daylight hours, and will be unmanned. The project would interconnect with the electrical grid at an existing power pole along the site's San Mateo Avenue frontage. An on-site collector line approximately 1,365 feet in length would connect to this pole.
2. *Operational time limits:*
The facility will operate during daylight hours year-round. Operations would be automated and not require a staff presence.
3. *Number of customer or visitors:*
The site would not receive customers or visitors.
4. *Number of employees:*
The facility will be unmanned. Occasional site visits (generally less than one per day) would occur for security and maintenance.
5. *Service and delivery vehicles (number, type, frequency):*
The facility would not receive any regular deliveries during operations. Service visits would occur periodically on an as-needed basis, and would generally require only a pick-up truck.
6. *Access to the site (public road, private road, surface, unpaved/paved):*
The site is accessible from an existing gravel-surfaced road, S. San Mateo Avenue.
7. *Number of parking spaces for employees, customers, and service/delivery vehicles:*
As the facility will be unmanned and not receive customers or visitors, no parking is required or proposed.
8. *Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location?*
No goods would be grown, produced, or sold on-site.

9. *What equipment is used (if appropriate, provide pictures or a brochure):*
Equipment used on the site would include:
- Solar modules mounted on trackers
 - Electrical equipment pad with switchgear
10. *What supplies or materials are used and how are they stored?*
No supplies or materials would routinely be used at the site, and no storage would occur at the site. Any items required for periodic maintenance would be carried on maintenance vehicles.
11. *Does the use cause an unsightly appearance (noise, glare, dust, odor, if so explain how this will be reduced or eliminated):*
The use is minimally impactful on the surrounding area. The proposed equipment will generate minimal noise. Solar panels do not generate substantial glare. The project will not generate any dust or odor during operations.
12. *List any solid or liquid wastes to be produced:*
The facility will not generate solid or liquid wastes. No process wastewater is generated during energy generation from a photovoltaic facility. The site will be unmanned so no restrooms would be required and no sewer connection or septic system would be installed. Any solid wastes generated during maintenance activities would be removed by maintenance crews when they depart the site.
13. *Estimated volume of water to be used (gallons per day, source of water):*
The site will be unmanned and no water use would be required. In lieu of water, a commercially available biodegradable solution will be used for panel cleaning.
14. *Describe any proposed advertising including size, appearance, and placement:*
No advertising is proposed.
15. *Will existing buildings be used or will new buildings be constructed (describe type of construction materials, height, color, etc. Provide floor plan and elevations, if appropriate):*
The site contains no existing buildings, and no new habitable structures are proposed. New construction on the site would be limited to solar trackers and related electrical equipment and a perimeter fence. See enclosed plans.
16. *Explain which buildings or what portion of buildings will be used in the operation:*
There are no existing buildings on the site and no new habitable structures are proposed.
17. *Will any outdoor lighting or an outdoor sound amplification system be used (describe and indicate when used):*
Outdoor lighting would be limited to small-scale security lighting at the entry and any domestic fixtures required by Building Code or other Code requirements at electrical equipment, such as transformers.
18. *Landscape or fencing proposed (describe type and location):*
Fencing is proposed to consist of a perimeter chain link fence with barbed wire. No landscaping is proposed.

CUP3610

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

RECEIVED
COUNTY OF FRESNO

SEP 19 2018

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

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

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

The required agricultural information follows:

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

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

The facility will be unmanned and no permanent water source will be required. A commercially available biodegradable solution will be utilized for panel cleaning in lieu of water.

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

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

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

Per Exhibit 4 of the project's Biological Habitat Assessment, soils on the site consist of Excelsior sandy loam (0-2% slope) and Westhaven loam (0-2% slope).

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

The solar field is not located immediately adjacent to any agricultural activities; however, the project is designed with substantial buffers on all sides. The Solar Facility Guidelines target a 50-foot buffer from property lines to facility structures, excluding fencing. The project site plan shows the following approximate buffers: 101 feet along the north edge, 1,427 feet along the east edge, 38 feet along the south edge to a vacant parcel (214 feet to Phelps Avenue), and almost 2,600 feet along the west edge.

6. Provide a Reclamation Plan detailing the lease life, timeline for removal of the improvements and specific measures to return the site to the agricultural capability prior to installation of solar improvements.

A Reclamation Plan is provided.

7. Provide information documenting efforts to locate the proposed solar facility on non-agricultural lands and non-contracted parcels and detailed information explaining why the subject site was selected.

The subject site was selected due to the lack of any active Williamson Act Contract or Conservation Easement on the parcel. In addition, the site does not currently and has not in the past (based on a review of various aerial photos dating back to 1937) contained include crops or other agricultural activities except livestock raising. Many surrounding properties are in similar use.

8. Develop and submit a project site Pest Management Plan to identify methods and frequency to manage weeds, insects, disease and vertebrate pests that may impact adjacent sites.

A Pest Management Plan is provided.

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

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

10. Note: The life of the approved land use permit will expire upon expiration of the initial life of the solar lease (currently 25 years). If the solar lease is to be extended, approval of new land use permit will need to be obtained.

The duration of the land use permit is noted.

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

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

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

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

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

No shipments will be required to or from the site during operations. Only passenger cars and light trucks would routinely access the site for maintenance and security purposes.

14. If the project is approved, the applicant shall make all reasonable efforts to purchase products and equipment from local (Fresno County) manufacturing facilities and/or vendors.

The requirement for reasonable efforts to purchase products and equipment from local manufacturing facilities and/or vendors is noted.

Reclamation Plan

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

CUP 3610
RECEIVED
COUNTY OF FRESNO

MAR 13 2018

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

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

January 31, 2018

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1. Present use of the site

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

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

2. Proposed alternate use of the land

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

3. Duration

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

4. Ownership of property

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

5. Reclamation plan

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

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

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

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

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

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

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

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

6. Site Plan

See Figure 3.

7. Engineering cost estimate

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

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

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

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

PRICES ARE SUBJECT TO CHANGE

PRICES WILL FLUCTUATE W/ MARKET CONDITIONS

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

8. Financial assurances

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

9. Evidence that all owners have been notified

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

Figure 1. Project Location

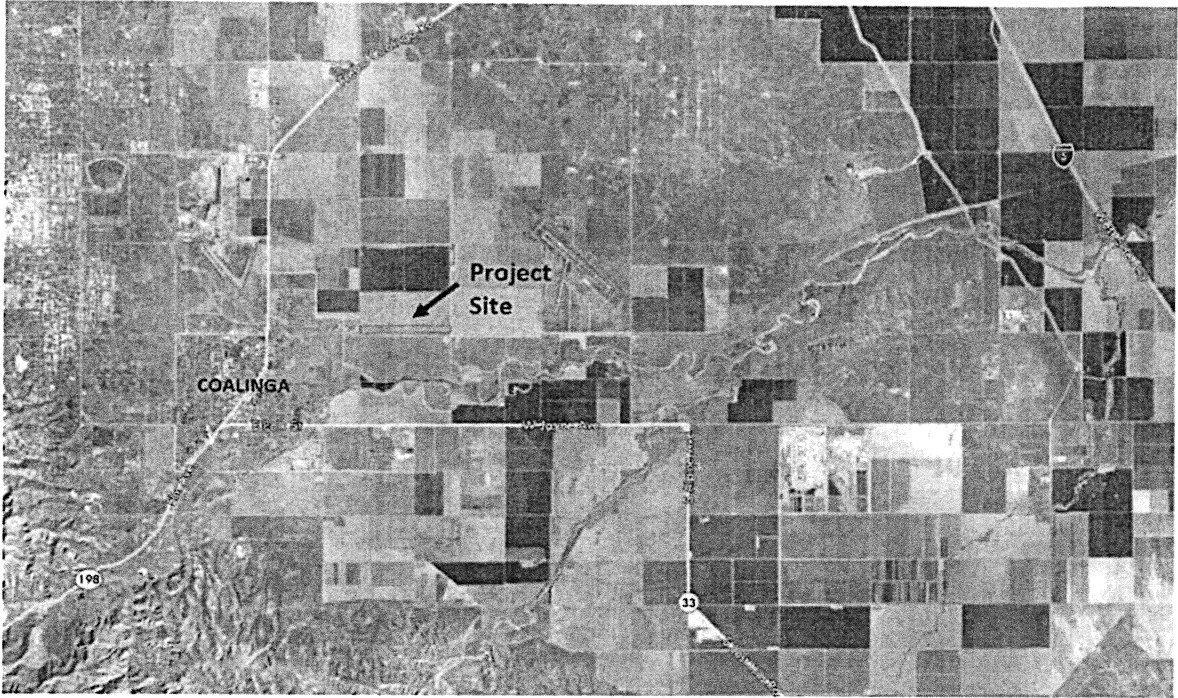


Figure 2. Site Aerial

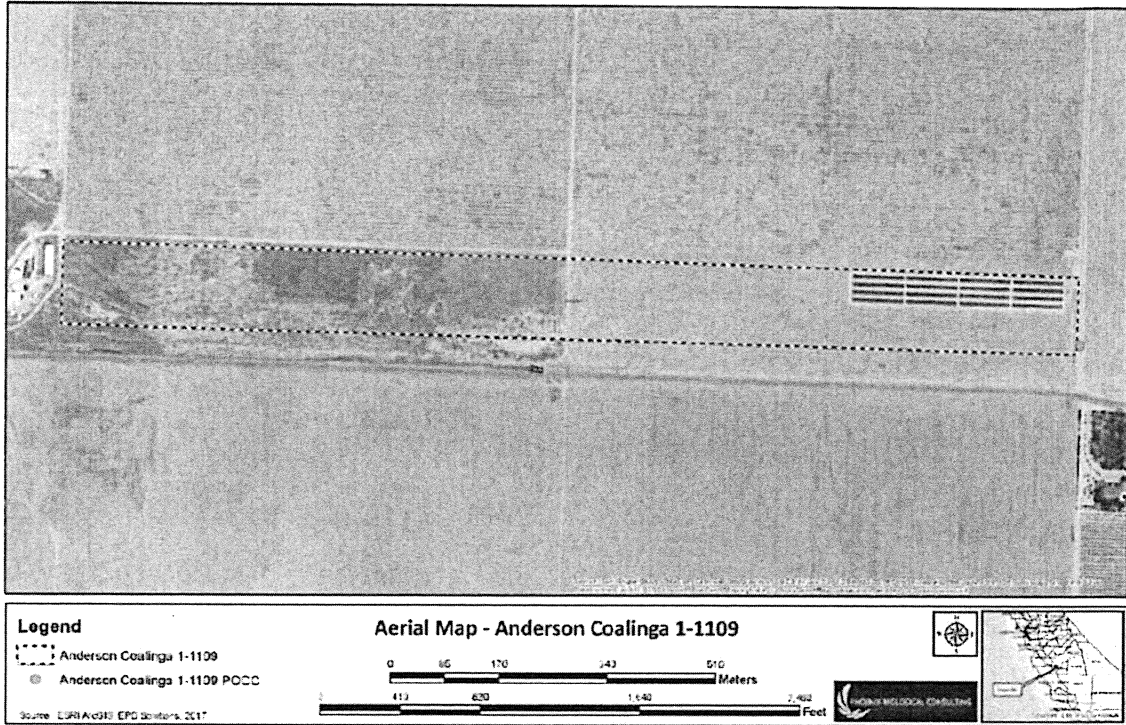
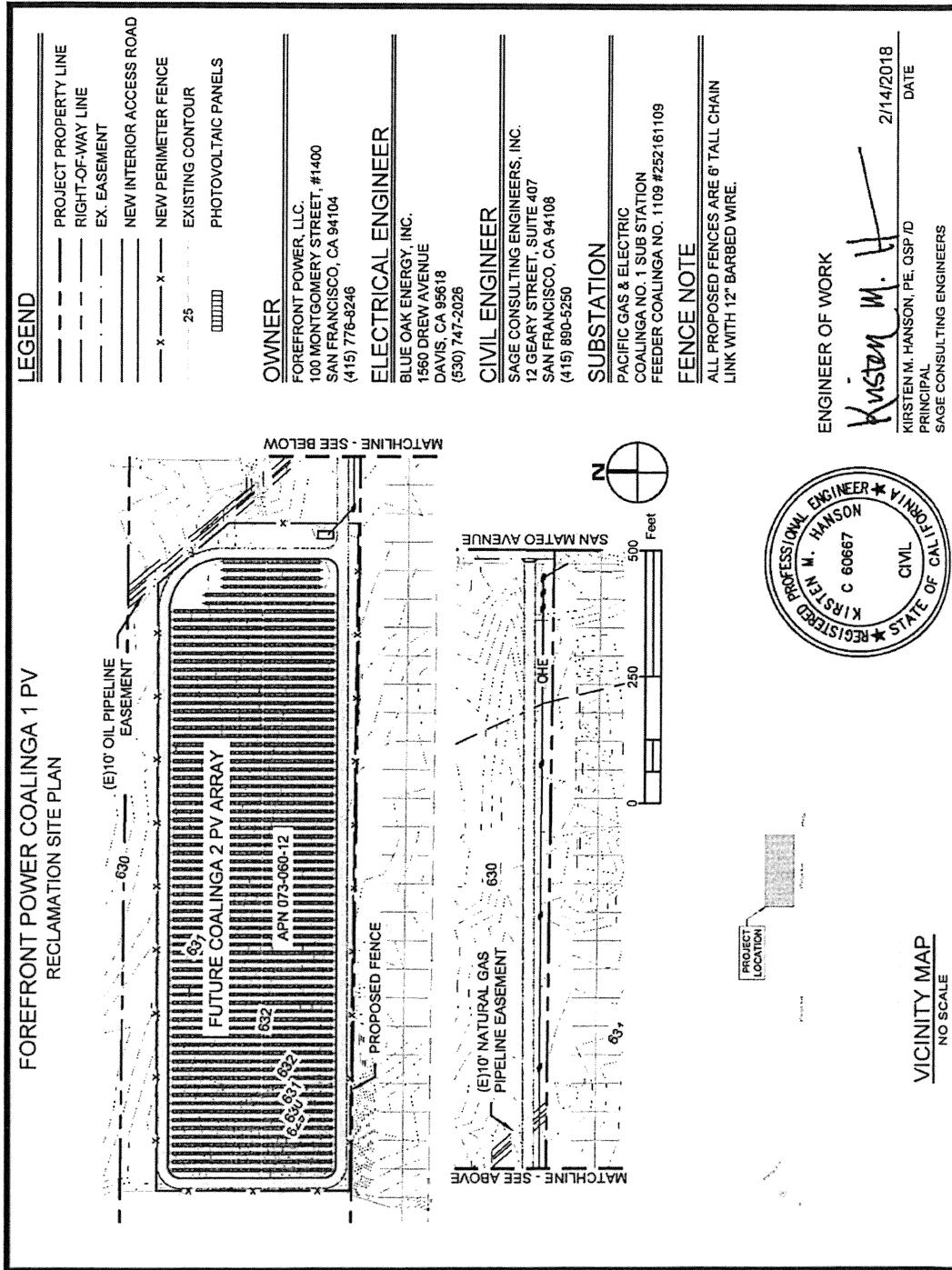


Figure 3. Reclamation Site Plan



LEGEND

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

OWNER
 FOREFRONT POWER, LLC.
 100 MONTGOMERY STREET, #1400
 SAN FRANCISCO, CA 94104
 (415) 778-8246

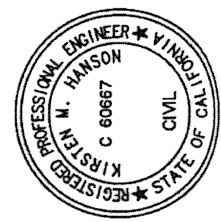
ELECTRICAL ENGINEER
 BLUE OAK ENERGY, INC.
 1960 DREW AVENUE
 DAVIS, CA 95618
 (530) 747-2026

CIVIL ENGINEER
 SAGE CONSULTING ENGINEERS, INC.
 12 GEARY STREET, SUITE 407
 SAN FRANCISCO, CA 94108
 (415) 890-5250

SUBSTATION
 PACIFIC GAS & ELECTRIC
 COALINGA NO. 1 SUB STATION
 FEEDER COALINGA NO. 1109 #252161109

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

ENGINEER OF WORK
Kirsten M. Hanson
 KIRSTEN M. HANSON, PE, OSP/ID
 PRINCIPAL
 SAGE CONSULTING ENGINEERS
 2/14/2018
 DATE



VICINITY MAP
 NO SCALE



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

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

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

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

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

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

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

* **Mitigation Measure:**

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

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

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

II. AGRICULTURAL AND FORESTRY RESOURCES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forestland or conversion of forestland to non-forest use?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

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

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

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

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

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

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

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

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

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

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

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

* **Mitigation Measures:**

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

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation; or

- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

Per the comments provided by the Air District, the project-specific criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of oxides of nitrogen (NOx), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). As such, the District concludes that the project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.

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

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

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

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

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

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

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

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

* **Mitigation Measures:**

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

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

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

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

* **Mitigation Measure:**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

VI. GEOLOGY AND SOILS

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

1. Rupture of a known earthquake; or
2. Strong seismic ground shaking; or
3. Seismic-related ground failure, including liquefaction?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

4. Landslides?

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

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

FINDING: NO IMPACT:

See Section VI. A. 4. above.

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

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

VII. GREENHOUSE GAS EMISSIONS

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

The project was routed to the San Joaquin Valley Air Pollution Control District (Air District) along with the *Focused Air Quality and Greenhouse Gas Memorandum* prepared for the project by Urban Crossroads, and dated October 6, 2017 and April 4, 2018. According to these documents, the annual Greenhouse Gas Emission with the construction and operation of the project is estimated to be 48.83 MTCO₂e per year. The proposed project would not exceed the 7,000 MTCO₂e threshold considered by the California Air Resources Board (ARB). As such, the proposed project would result in a less than significant impact with respect to CHG emissions.

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

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires that facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Additionally, any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95, and all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. These requirements will be included as Project Notes. The use of hazardous materials entailed in the project would not generate impacts that amount to a level of significance requiring mitigation beyond what is required by existing regulations.

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

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

FINDING: NO IMPACT:

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

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

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: NO IMPACT:

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

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

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: NO IMPACT:

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

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

See discussion in Section IX. A.

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

FINDING: NO IMPACT:

No housing is proposed with this project.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

- I. Would the project expose persons or structures to levee or dam failure; or
- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

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

X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

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

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

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

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

FINDING: NO IMPACT:

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

XI. MINERAL RESOURCES

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

FINDING: NO IMPACT:

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

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

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

FINDING: NO IMPACT:

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

XIII. POPULATION AND HOUSING

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

FINDING: NO IMPACT:

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

XIV. PUBLIC SERVICES

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

XV. RECREATION

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

FINDING: NO IMPACT:

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

XVI. TRANSPORTATION/TRAFFIC

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

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

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

FINDING: NO IMPACT:

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

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements?

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

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

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife

population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

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

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

FINDING: NO IMPACT:

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

CONCLUSION/SUMMARY

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

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

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

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

EA:ksn

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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7442	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): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): ForeFront Power, LLC	Project Title: Unclassified Conditional Use Permit Application No. 3610		
Project Description: Allow a one-megawatt photovoltaic solar power generation facility with related improvements on an approximately 11.5-acre portion of a 53.81-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The project site is located on the northwest corner of Phelps Avenue and S. San Mateo Avenue approximately 875 feet east of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 070-070-62S).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7442) prepared for Unclassified Conditional Use Permit Application No. 3610, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to mineral resources, population and housing or recreation. Potential impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation/traffic and utilities and service systems have been determined to be less than significant. Potential impact related to aesthetics, agricultural and forestry resources, biological resources, and cultural resources have been determined to be less than significant with the identified mitigation measure. The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – August 31, 2018		Review Date Deadline: October 1, 2018	
Date: August 27, 2018	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**