



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 4 June 27, 2024

SUBJECT: Unclassified Conditional Use Permit No. 3764 and Initial Study No. 8403

Allow an 8.8-megawatt (MW) photovoltaic solar facility and related facilities on a 39.8-acre portion of a 56.70-acre parcel within the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) and ACC (Agricultural Commercial Center) Zone Districts.

LOCATION: The subject parcel is located on the northwest corner of W. Althea Ave. and N. Russell Ave., approximately 9.17-miles west from the City of Firebaugh. (APN: 004-120-02) (48054 W. Althea Ave. Firebaugh) (Sup. Dist. 1).

OWNER: Randall and Earlynn Miles

APPLICANT: Renewable Properties

REPRESENTATIVE: Dakin Spain

STAFF CONTACT: Elliot Racusin, Planner
(559) 600-4245

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) No. 8403; and
- Approve Unclassified Conditional Use Permit No. 3764 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 & Elevations
6. Operational Statement
7. Reclamation Plan
8. Summary of Initial Study No. 8403
9. Draft Mitigated Negative Declaration
10. Site Photos

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agricultural	No Change
Zoning	Dual AE-20 and ACC	No Change: Solar Facility will only be placed on the AE-20 zoned section.
Parcel Size	39.8-acre parcel section from a 56.70-acre parcel	No Change
Project Site	Vacant Land (Agricultural) & Agricultural Commercial Center (excluded from solar site)	Installation of a new solar facilities and related equipment
Structural Improvements	Area allocated for the solar site is currently vacant	Installation of a new solar facility and related equipment on a +/-40-acre portion in the AE-20 district area.
Nearest Residence	N/A	N/A
Surrounding Development	Farmland	No Change
Operational Features	N/A	The solar facility will be remotely operated and

Criteria	Existing	Proposed
		<p>monitored. The facility will be accessed during a one-week period in the mid-spring and one-week in late summer.</p> <p>Local contractors will do the mechanical and electrical maintenance and PV module cleaning as needed during these periods.</p>
Employees	N/A	Minimal number of employees for maintenance
Customers	N/A	N/A
Traffic Trips	Residential Traffic	The facility will be accessed during a one-week period in the mid-spring and one-week in late summer.
Lighting	Residential Lighting	Hooded lighting
Hours of Operation	N/A	Continuous operation

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

None

ENVIRONMENTAL ANALYSIS:

Initial Study No. 8403 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 Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 8.

Notice of Intent of Mitigated Negative Declaration publication date: April 15, 2024

PUBLIC NOTICE:

Notices were sent to 13 property owners within one mile of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PUBLIC COMMENT:

No public comment was received as of the date of preparation of this report.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit may be approved only if five Findings specified in the Fresno County Zoning Ordinance, Section 842.5b are made by the Planning Commission. The decision of the Planning Commission on an Unclassified Conditional Use Permit No. 3764 Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

The proposed project is a solar energy generation facility located in Western Fresno County near the City of Firebaugh. The Project will generate a total of 8.8 megawatts (MW) alternating current (AC) (11.1 MW direct current (DC)) of clean, reliable solar energy when complete. The Project will be constructed in two phases: Phase I is 5 MWAC, and Phase II is 3.8 MWAC. The Project will interconnect to PG&E’s pre-existing electrical distribution system located on site. The power generated from this facility will be sold to PG&E through a long-term Power Purchase Agreements (PPA).

The Althea Avenue Solar Project will utilize approximately 20,655 solar modules and 71 string inverters to convert the sun’s energy into usable AC power. Single axis tracking technology will be utilized to allow the modules to efficiently track the sun throughout the day and maximize the efficiency of solar collection. The modules will be mounted on a steel racking system, which will be anchored into the ground using driven steel piers. The overall height of the array will be no more than eight feet tall.

A six-foot-high fence shall be installed around the perimeter of the site. The fence is setback 50 feet from the property line, and the equipment is an additional 30 feet inward from the fence. The fence shall have a six-inch clearance on the lower side to allow native animal migration through the site. Appropriate warning/danger signs shall be posted on the fence at regular intervals. Any additional recommendations from the County shall be implemented.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	AE-20 Front: 35 feet Side: 20 feet Rear: 20 feet	The fence shall be setback 50 feet from the property line	Y
Parking	No Requirement	No Requirement	Y
Lot Coverage	No Requirement	No Requirement	Y
Space Between Buildings	No Requirement	No Requirement	Y
Wall Requirements	No Requirement	No Requirement	Y
Septic Replacement Area	N/A	N/A	N/A
Water Well Separation	Septic Tank: 100 feet Disposal Field: 100 feet	N/A	N/A

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	Seepage pot: 150 feet		

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.**

Reviewing Agency/Department Comments Regarding Site Adequacy:

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

Finding 1 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. A 50-foot buffer shall be required per Fresno County’s Solar Guidelines, with the area to be fully enclosed via a fence to prevent wildlife from entering the facility.

Recommended Conditions of Approval:

None.

Finding 1 Conclusion:

Finding 1 can be made as the proposed use is adequate in size and shape to accommodate the proposed use.

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

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Traffic Trips		Traffic generated from the Agricultural Commercial Center	The solar site will generate two one-way traffic trips a month
Traffic Impact Study (TIS) Prepared	No	N/A	No significant increase in traffic expected
Road Improvements Required		Roadway is in good condition.	Roadway impacts shall be documented prior to any construction and improved to pre-construction conditions.

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

Road Maintenance and Operations Division of Public Works and Planning:

Russel Ave currently has an existing 60' of road right-of-way and an ultimate right-of-way of 106' per the Fresno County General Plan. Due to the expressway designation, access to Russel Ave should be prohibited, and access to the site should only be allowed via Althea Ave. The conditions of approval listed below shall be followed.

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

Finding 2 Analysis:

One round trip (two one-way trips) per month will occur once the proposed solar facility is constructed. The site will be accessed via County maintained roads. Impacts toward the roadway shall be documented for the before and after final maintenance conditions and improved to pre-construction conditions.

Recommended Conditions of Approval:

- An additional 23-feet of road right-of-way shall be irrevocably offered along the subject parcel to meet the ultimate right-of-way for Russel Ave.
- Any setbacks for new construction must be made with respect to the ultimate road right-of-way for Russel Ave.
- Access to the site shall only be allowed via Althea Ave.
- Roadway impacts shall be documented prior to any construction and improved to pre-construction conditions.
- Any private utility crossings must be overhead, and poles must be placed on private property 10-feet outside the County Road right-of-way.
- The applicant prior to gradings or building permits being issued shall provide a review of the pavement condition of the public maintained County Roads adjacent to the project acceptable to the Fresno County Road Maintenance and Operations Division; and prior to final inspection being approved for operation of the facilities shall make any repairs deemed necessary as determined by the Fresno County Road Maintenance and Operations Division to bring the Road back to the original condition.

Finding 2 Conclusion:

Finding 2 can be made based on the above information with adherence to the conditions of approval. The roads are adequate to accommodate the proposed use.

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 (Acres):	Use:	Zoning:	Nearest Residence:
North	29.55	Agricultural	AE-20	N/A
South	368.19	Agricultural	AE-20	N/A
East	231.40	Agricultural	AE-20	N/A
West	96.84	Agricultural	AE-20	N/A

Reviewing Agency/Department Comments:

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

Finding 3 Analysis:

The project site is located on a portion of disturbed land surrounded by agricultural crops around the parcel. With adherence to the Mitigation Measures imposed, staff believes that the solar facility will have less than significant impact on the aesthetics of the surrounding properties.

Recommended Conditions of Approval:

None.

Finding 3 Conclusion:

Finding 3 can be made based on the above information that the proposal will not have an adverse effect upon surrounding properties.

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

Relevant Policies:	Consistency/Considerations:
<p>Policy LU-A.13: <i>The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.</i></p>	<p>Consistent: The applicant shall comply with a 50-foot buffer zone and pest management plan as to prevent nuisance towards adjacent farming operations.</p>
<p>Policy LU-A.14: <i>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.</i></p>	<p>Consistent: The 40-acre area devoted to the solar project and all other related facilities associated with the solar facility does not permanently convert agricultural land per the Reclamation Plan (Exhibit 7).</p>
<p>Policy LU-A.23: <i>For discretionary land use projects that are</i></p>	<p>Consistent: The 40-acre area devoted to the solar project and all other related facilities</p>

Relevant Policies:	Consistency/Considerations:
<i>not directly related to or supportive of agricultural uses and which propose the permanent conversion of twenty acres or more of Prime Farmland, Unique Farmland or Farmland of Statewide Importance (as designated by the Farmland Mapping and Monitoring Program) to nonagricultural uses, the County shall consider and adopt feasible measures.</i>	associated with the solar facility shall be reclaimed to its current condition per the Reclamation Plan (Exhibit 7).

Reviewing Agency Comments:

Fresno County Policy Planning:

The subject parcel is not enrolled in the Williamsons Act Program.

Finding 4 Analysis:

As mentioned in the table above, the 40-acre area devoted to the solar project and all other related facilities associated with the solar facility will not conflict with non-agricultural uses or permanently convert agricultural land per the Reclamation Plan. The site shall be reclaimed back to its current conditions per the Reclamation Plan detailed in Exhibit 7. The proposed Unclassified Conditional Use Permit will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Finding 4 Conclusion:

Finding 4 can be made based on the above information with adherence to the Mitigations Measures, Conditions and Projects Notes. Staff believes that the proposed Unclassified Conditional Use Permit will not have an adverse effect upon surrounding properties and is consistent with the General Plan.

SUMMARY RECOMMENDATION:

All the required Findings for granting the Unclassified Conditional Use Permit can be made. The proposed solar facility meets all setback requirements of the AE-20 (Exclusive Agricultural) Zone District. The roads to service the operation at the project site will remain adequate to accommodate the proposed use. The proposal will not have an adverse effect upon surrounding properties. The project is consistent with the General Plan.

Staff therefore recommends adoption of Mitigated Negative Declaration prepared for Initial Study No. 8403, and approval of Unclassified Conditional Use Permit No. 3764, subject to the recommended Mitigation Measures and Conditions of Approval.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8403; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3764, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3764; 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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EXHIBIT 1
Mitigation Monitoring and Reporting Program
Unclassified Conditional Use Permit Application No. 3764 and Initial Study Application No. 8403
(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/PW&P	As long as the project lasts
2.	Cultural Resources/Tribal Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During all ground disturbing activities to include construction, operation and decommissioning /reclamation
3.	Biological	A nesting bird survey shall be performed by a qualified biologist no earlier than one week prior to any construction during the nesting season (March 1 – August 31) to determine if any native birds are nesting on or near the site (including a 250-foot buffer for raptors). If any active nests are observed during surveys, a suitable avoidance buffer from the nests should be determined by the qualified biologist based on species, location, and extent and type of planned construction activity. These nests would be avoided until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. A recommendation to remove any suitable nesting habitat (i.e., trees and vegetation) outside of	Applicant	Applicant/PW&P	During all ground disturbing activities to include construction, operation and decommissioning /reclamation

EXHIBIT 1

		the bird breeding season to avoid impacts to nesting birds.			
4.		All trash and waste items generated by construction or crew activities should be properly contained in a covered trash receptacle and locked up overnight or removed from the Project site daily. This includes biodegradable items, such as apple cores and banana peels, that attract predators such as raccoons and American crows that could prey upon sensitive wildlife species.	Applicant	Applicant/PW&P	During all ground disturbing activities to include construction, operation and decommissioning /reclamation
5.		All Project personnel will visually check for animals in any pipes, culverts, or other open-ended materials and equipment stored on site for one or more overnight periods prior to moving, burying, or capping to ensure that no animals are present within the materials and equipment. To prevent accidental entrapment of wildlife during construction, all excavated holes, ditches, or trenches greater than six (6) inches deep will be covered at the end of each workday by suitable materials that cannot be displaced or escape ramps will be placed in excavations. After opening and before filling, such holes, ditches, and trenches will be thoroughly inspected for trapped animals.	Applicant	Applicant/PW&P	During all ground disturbing activities to include construction, operation and decommissioning /reclamation
6.		A qualified biologist (approved by USFWS) shall perform early evaluation surveys in accordance with the current USFWS-approved protocol for San Joaquin kit fox prior to ground- or vegetation-disturbing activities associated with pre-construction, geotechnical or soils investigations, construction, operations, or maintenance. Upon completion of early evaluation surveys, informal consultation with USFWS will be initiated to determine proper techniques to employ to avoid impacts to this species during project construction, which would be considered significant under CEQA. Security fences installed on the project site shall be designed to enable passage of San Joaquin kit fox	Applicant	Applicant/PW&P	Prior to and during all ground disturbing activities to include construction, operation and decommissioning /reclamation

		and their prey, while impeding the passage of larger predators, such as coyotes (<i>Canis latrans</i>) and larger domestic dogs. All fencing shall leave a 4- to 6-inch opening between the fence mesh and the ground. The bottom of the fence fabric shall be knuckled (wrapped back to form a smooth edge) to protect wildlife that pass under the fence. Fences shall be monitored quarterly to ensure that any damage or vandalism is quickly repaired.			
7.		<p>A qualified biologist shall initiate preconstruction surveys prior to the onset of construction, based on the seasonal timing of construction (i.e., breeding season vs. nonbreeding season surveys). If burrowing owls and occupied burrows are detected during surveys, avoidance of occupied burrows is the preferred strategy.</p> <p>If avoidance is infeasible, buffers from occupied burrows should be employed using the following guidance:</p> <p>Nesting Sites:</p> <p>April 1-Aug 15 200m-Low 500m- Medium 500m- High</p> <p>Aug 16-Oct 15 200m- Low 200m-Medium 500m- High</p> <p>Oct 16-Mar 31 50m - Low 100m- Medium 500m- High</p>	Applicant	Applicant/PW&P	Prior to the onset of construction
8.		A qualified biologist will conduct an environmental education program for all persons working on the	Applicant	Applicant/ PW&P	Prior to and during all ground disturbing

		<p>Project prior to the onset of construction. A discussion of the biology and general behavior of any sensitive species which may be in the area, how they may be encountered within the work area, and procedures to follow when they are encountered will be included in the training. The status of special-status species, including legal protection, penalties for violations, and Project-specific protective measures will also be discussed. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to on-site Project activity. Copies of the training will be maintained at the worksite with the Project supervisor, and a handout containing this information will be distributed for workers to carry on-site. Upon completion of the program, employees shall sign an affidavit stating they attended the program and understand all protective measures.</p>			<p>activities to include construction, operation and decommissioning /reclamation</p>
Conditions of Approval					
1.	Development of the property shall be substantially in accordance with the Site Plans, Elevations and Operational Statement approved by the Planning Commission.				
2.	The life of this permit is limited to 35-years, starting from the date any development permit, such as a grading or building permit, is approved.				
3.	<p>A Site Plan Review Application shall be submitted for approval by the Director of the Department of Public Works and Planning, in accordance with Section 854.5 of the Fresno County Zoning Ordinance. Items to be addressed under the Site Plan Review may include, but are not limited to, design of parking and circulation, driveway access, grading and drainage, fire protection, and lighting.</p> <p>The project shall comply with the information in responses to the Solar Facility Guidelines attached as Exhibit 7 to the Staff Report and as approved and/or modified by the Commission.</p>				
4.	The project shall comply with the with the Solar Facility Guidelines to include a 50-foot buffer around the project site.				
5.	The project shall adhere substantially to the provisions in the Reclamation Plan as submitted to the Planning Commission and prepared for the decommissioning of the facility when operation ceases. Reasonable modifications may be made to the Plan to address changes of scope and configuration of the final Site Plan and improvements. The draft reclamation Plan shall be reviewed and approved as final by the County of Fresno, Department of Public Works and Planning, Current Planning Division prior to the issuance of any development permits.				

	<p>Prior to the County of Fresno's issuance of any grading or development permit, the project owner must enter into a reclamation agreement with the County of Fresno on terms and conditions acceptable to the County of Fresno, which reclamation agreement shall require the project owner to (1) decommission, dismantle, and remove the project and reclaim the site to its pre-project condition in accordance with the approved Reclamation Plan, and (2) maintain a financial assurance to the County of Fresno, to secure the project owner's obligations under the reclamation agreement, in an amount sufficient to cover the costs of performing such obligations, as provided herein. Such financial assurance shall be in the form of cash and maintained through an escrow arrangement acceptable to the County of Fresno. Such financial assurance may be in any other form of security acceptable to the County of Fresno.</p> <p>The amount of the financial assurance under the reclamation agreement shall (1) initially cover the project owner's cost of performing its obligations under the reclamation agreement, as stated above, based on the final County of Fresno-approved design of the project, which cost estimate shall be provided by the project owner to the County of Fresno, and be subject to approval by the County of Fresno, and (2) be automatically increased annually, due to increases in costs, using the Engineering News-Record construction cost index. This initial cost estimate will consider any project components, other than Improvements, that are expected to be left in place at the request of and for the benefit of the subsequent landowner as long as the improvements are directly supportive restoring the site to a viable agricultural use. (e.g., access roads, electrical lines, O&M building).</p>
6.	<p>Prior to issuance of development permits, the project proponent/applicant shall record a document on the subject property incorporating the provisions of the County Right-of-to-Farm Notice (Ordinance Code Section 17.40.100).</p> <p>Fresno County Right-to-Farm Notice: "It is the declared policy of Fresno County to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products. Residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right to farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not become a nuisance due to a changed condition in a locality after such agricultural pursuit has been operation for three years."</p>
7.	A dust palliative shall be required for all unpaved parking and circulation areas to prevent the creation of dust by vehicles.
8.	The applicant shall be required to designate a haul route for the proposed truck traffic to be generated during construction for review and approval by Fresno County Road Maintenance and Operations. This shall include any haul routes to the site used within the County of Fresno and access points to be used during construction. Based on proposed haul routes the County may restrict access or require road improvements to handle the traffic demands.
9.	The project shall comply with the Pest Management Plan to control weeds and rodents on the property that may impact adjacent properties.
10.	An additional 23' of road right-of-way shall be irrevocably offered along the subject parcel to meet the ultimate right-of-way for Russel Ave.
11.	Any setbacks for new construction must be made with respect to the ultimate road right-of-way for Russel Ave.

12.	Access to the site shall only be allowed via Althea Ave.
13.	Any private utility crossings must be overhead, and poles must be placed on private property, 10' outside the County Road right-of-way.
14.	The applicant prior to gradings or building permits being issued shall provide a review of the pavement condition of the public maintained County Roads adjacent to the project acceptable to the Fresno County Road Maintenance and Operations Division; and prior to final inspection being approved for operation of the facilities shall make any repairs deemed necessary as determined by the Fresno County Road Maintenance and Operations Division to bring the Road back to the original condition.

*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, Building Permits and inspections shall be required for all on-site improvements, including solar array installation and fences over six feet in height.
3.	<p>To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none"> • 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.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <p>A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) are required to be filed with the State Water Resources Control Board (SWRCB) prior to commencement of any construction or other ground disturbance of one acre or more. Copies of the completed NOI with WDID Number and SWPPP shall be provided to the Development Engineering section of the Department of Public Works and Planning</p>

Notes

- An Engineered Grading and Drainage Plan shall be required to show how additional storm water run-off generated by the proposed development will be handled without adversely impacting adjacent properties.
- A grading permit or voucher shall be required for any grading proposed with this application.
- Any additional run-off generated by the proposed development cannot be drained across property lines and shall be retained or disposed of per County Standards.
- If a licensed Civil Engineer determines that the proposed development does not substantially increase the net impervious surface on site and the existing drainage patterns are not altered, an engineering grading and drainage plan will not be required; However, a Letter of Retention and Letter of Certification from a licensed Civil Engineer addressed to the Fresno County Department of Public Works and Planning will be required. The Letter of Certification must specify why an engineered grading and drainage plan is not needed.

5. To address air quality impacts resulting from the project, the San Joaquin Valley Air Pollution Control District (Air District) requires that the project be subject to the following:

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

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

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

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


6. 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:

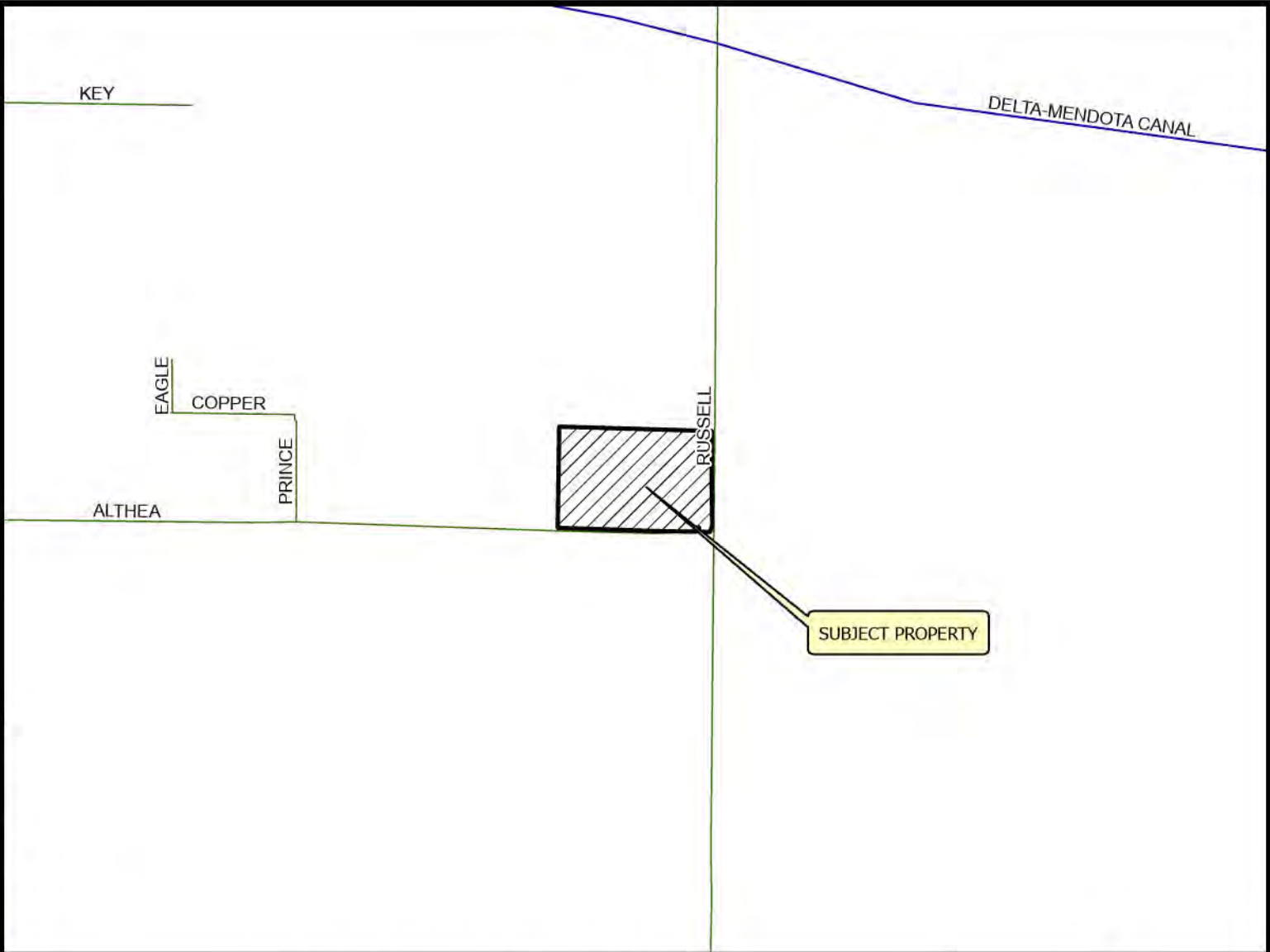
- The access driveway(s) shall be a minimum of 24 feet and a maximum of 35 feet in width. If only the driveway is to be paved, the first 100 feet off of the edge of the ultimate road right-of-way shall be concrete or asphalt paved. An encroachment permit will be required for any improvements within the County right-of-way, prior to commencement of construction.
- Any proposed access gate shall be set back a minimum of 20 feet from the edge of the paved road, or the length of the longest

Notes

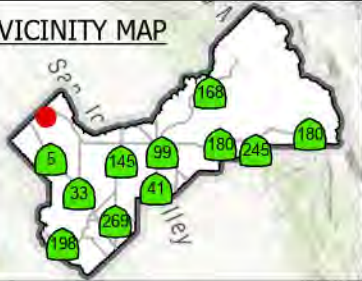
	<p>vehicle to enter the site, whichever is greater.</p> <ul style="list-style-type: none">• Internal access roads shall comply with Fire District requirements for emergency apparatus.• A dust palliative shall be required on all parking and circulation areas.• All proposed signs shall be submitted to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance.
7.	<p>The project shall comply with the California Code of Regulations Title 24 – Fire Code and County-approved site plans shall be approved by the Fresno County Fire Protection District prior to issuance of building permits by the County. Further, the property shall annex to Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.</p>
8.	<p>Any weed or rodent infestation that is of a nature and magnitude as to constitute a “public nuisance” (Section 5551 of the California Food and Agricultural Code; Sections 3479 and 3480 of the Civil Code; and Section 372 of the Penal Code) and is not addressed by the Property Owner/Operator is unlawful under California Food and Agricultural Code Section 5553 and Penal Code Section 372.</p>
9.	<p>An additional runoff generated by the proposed development, cannot be drained across property lines or into the County right-of-way, and must be retained on-site, as per County Standards.</p>
10.	<p>If not already present, a ten-foot by ten-foot corner cut-off shall be improved for sight distance purposes at any proposed or existing driveway</p>
11.	<p>To address road impacts resulting from the project, the Road Maintenance and Operations Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none">• All extra-legal loads shall require an approved transportation permit from Fresno County Road Maintenance and Operations.• Once construction begins, the applicant must assume responsibility for the maintenance the project Access point for the duration of the construction.• An encroachment permit is needed from the Road Maintenance and Operations Division for any work done within the road right-of-way of County of Fresno.

Legend

 Subject Property



VICINITY MAP



LOCATION MAP

CUP3764

2023

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : chuang
 On Date : 6/14/2023

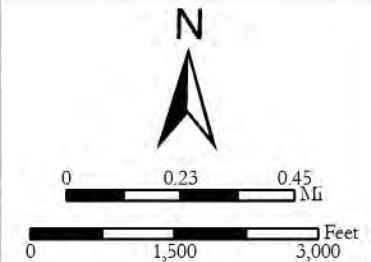


EXHIBIT 2

Legend




-  Subject Property
-  AC
-  AE20



EXHIBIT 3

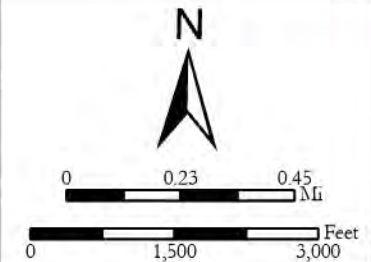


Existing Zoning Map



CUP3764
STR 16 - 12/12

2023

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
Person Prepared by : chuang
On Date : 6/14/2023



LEGEND:

-  Subject Property
-  Ag Contract Land

LEGEND
C# - COMMERCIAL
DRY - DRY FARMING
FC - FIELD CROP
ORC - ORCHARD
V - VACANT

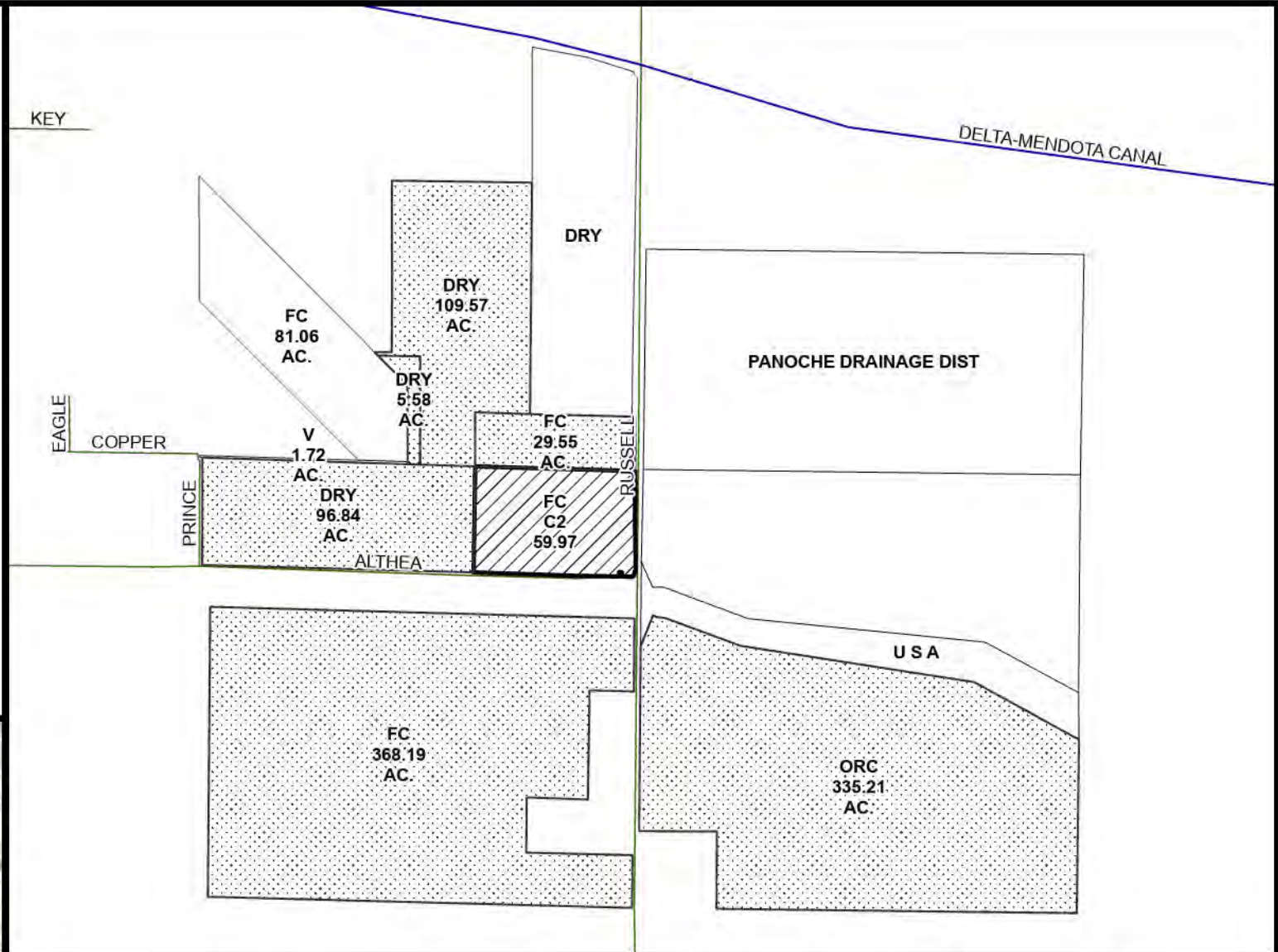
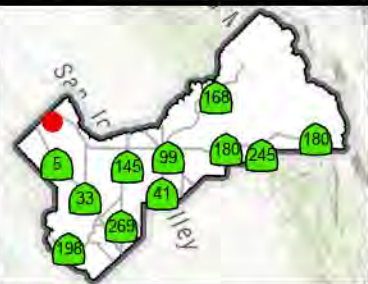


EXHIBIT 4



Existing Land Use Map

CUP3764

2023

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : chuang
 On Date : 6/14/2023

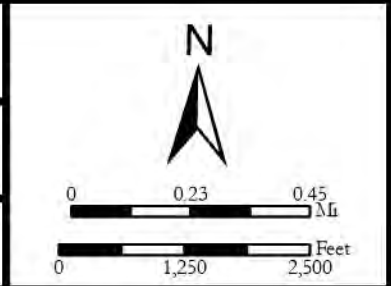


EXHIBIT 5



SYSTEM SPECIFICATIONS			
ALTHEA AVENUE SOLAR PHASE 1 & 2			
	PHASE 1	PHASE 2	TOTAL
SYSTEM SIZE DC	6,313.14 kW	4,840.56 kW	11,153.70 kW
SYSTEM SIZE AC	5,000.00 kW	3,875.00 kW	8,875.00 kW
DC/AC RATIO	1.26	1.25	1.26
MODULE MANUFACTURER	ASTRONERGY		
MODULE MODEL	CHSM72M(DG)F-BH		
MODULE RATING	540 W		
TOTAL MODULE QTY	11,691	8,964	20,655
MODULES PER STRING	27		
TOTAL NO. OF STRINGS	433	332	765
INVERTER MODEL	SUNGROW SG125HV		
INVERTER RATING	125 kW		
INVERTER QTY	40	31	71
STEP-UP TRANSFORMER	(2)12kV/600V, 2500kVA	12kV/600V, 2500kVA	12kV/600V, 1875kVA
RACKING	ATI HSAT	ATI HSAT	
TILT ANGLE	0°	0°	
INTER-ROW SPACING	11.2'		
PITCH	18.7°		
GCR	40%		
SITE AREA INSIDE FENCE	39.81 Ac		
SITE AREA INSIDE PROPERTY LINE	1,734,338.67 sq ft		
	57.77 Ac		

LEGEND	
	ATI 81 MODULE TRACKER ROW
	ATI 54 MODULE TRACKER ROW
	POWER STATION - (1) MV TRANSFORMER, (1) DAS, (1) WEATHER STATION
	SUNGROW 125kW STRING INVERTER
	12' WIDE SITE ACCESS GRAVEL ROAD
	(E) PUBLIC ROAD
	PROPERTY LINE
	PROJECT SITE SECURITY FENCE
	SETBACK
	50' PROPERTY BOUNDARY BUFFER
	RIGHT OF WAY
	(E) OH LINES
	MV CABLE

- GENERAL NOTES**
- REFER TO SINGLE LINE DIAGRAM FOR DETAILS.
 - INSTALLATION TO COMPLY WITH NEC 2020 ARTICLE 690 AND ALL APPLICABLE LOCAL, STATE AND NATIONAL CODES OR REGULATIONS.
 - EQUIPMENT SHALL BE LABELED PER NEC 690 AND UTILITY REGULATIONS.
 - 12' ACCESS ROADS SHALL BE DESIGNED TO ACCOMMODATE ALL CONSTRUCTION, OPERATIONS, MAINTENANCE, AND UTILITY TRAFFIC THROUGHOUT THE SITE.
 - DIMENSIONS TO PROPERTY LINES AND EXISTING FEATURES ARE APPROXIMATE PENDING SURVEY.
 - THIS DRAWING REPRESENTS A CONCEPTUAL INTERCONNECTION SCHEME. THE INTENT IS TO COMMUNICATE PROJECT SPECIFIC EQUIPMENT, SIZE AND NEGOTIATE THE INTERCONNECTION DETAILS WITH THE UTILITY. THIS DRAWING HAS NOT BEEN ISSUED FOR CONSTRUCTION PURPOSES. THE DEVELOPER OR CONTRACTOR IS RESPONSIBLE FOR ENSURING A SYSTEM DESIGN IS COMPLETE AND APPROVED BY AN APPROPRIATELY LICENSED ENGINEER PRIOR TO PROCUREMENT AND CONSTRUCTION.

REVISIONS		
7	PRELIM LAYOUT	10/16/23
6	PRELIM LAYOUT	09/21/23

RENEWABLE PROPERTIES

879 SANCHEZ STREET,
SAN FRANCISCO, CA 94114
PHONE (530) 518-7669
WWW.RENEWPROP.COM

SEDA

SEQUOIA ENGINEERING & DESIGN ASSOCIATES
575 LENNON LANE, SUITE 145
WALNUT CREEK, CA. 94598
PHONE (925) 891-4183
FAX (925) 954-1220
WWW.SEQUOIA-ENGINEERING.COM

PROJECT

ALTHEA AVENUE SOLAR PHASE I & II
N RUSSELL AVE,
FIREBAUGH,
CA 93622
LAT: 36.891650°
LON: -120.654387°

SHEET TITLE

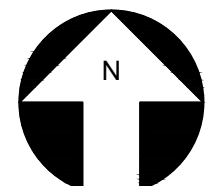
SITE PLAN

SCALE: AS SHOWN
DRAWN: LR
DATE: 10/16/23

PV-100

SHEET 1 OF 4

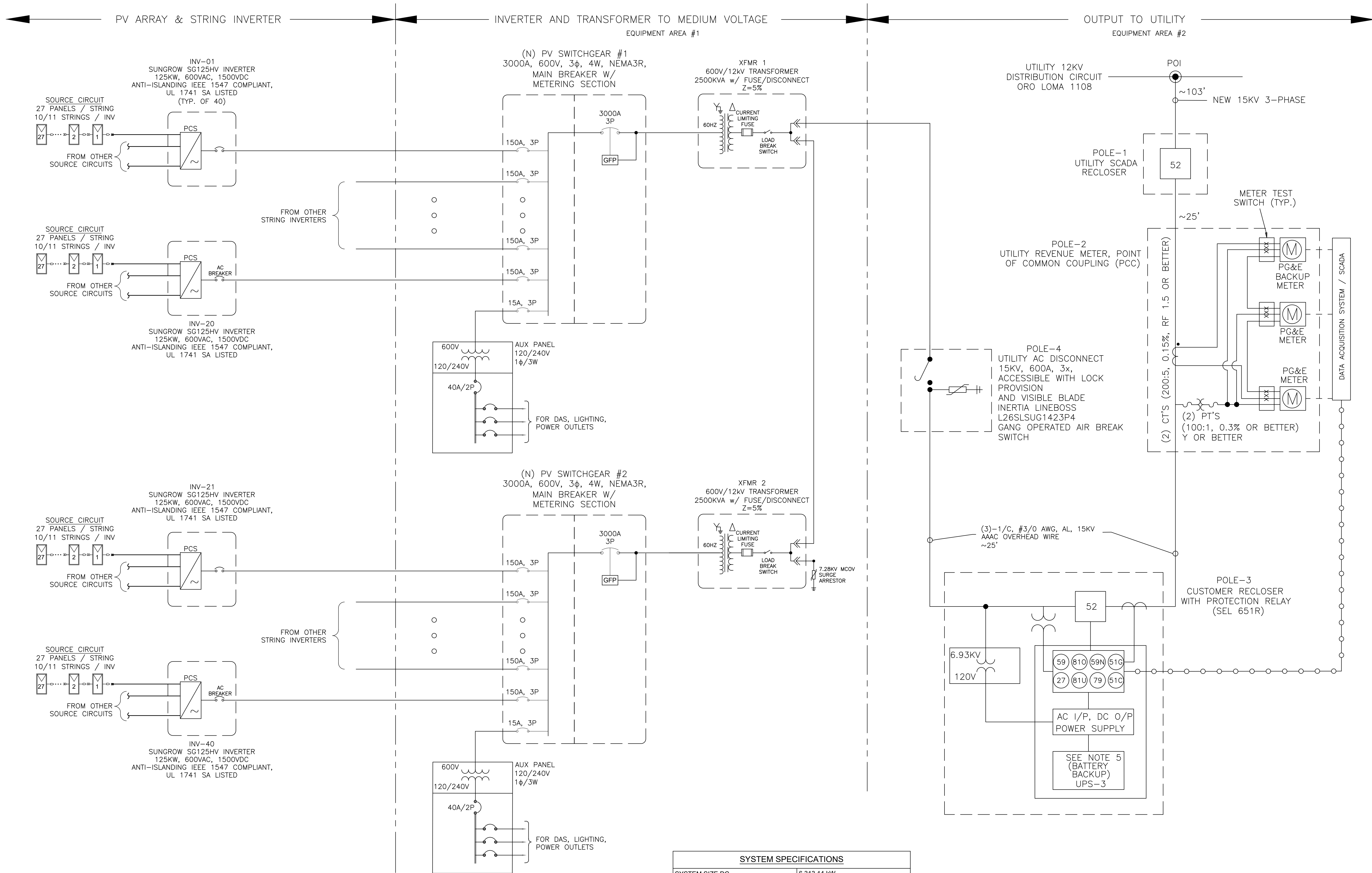
1 ARRAY LOCATION
SCALE: 1"=150'



NOT FOR CONSTRUCTION, FOR IA DISCUSSION ONLY.

EXHIBIT 5

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1 SINGLE LINE DIAGRAM

NOT FOR CONSTRUCTION, FOR IA DISCUSSION ONLY.

SYSTEM SPECIFICATIONS	
SYSTEM SIZE DC	6,313.14 kW
SYSTEM SIZE AC	5,000.00 kW
DC/AC RATIO	1.26
MODULE MANUFACTURER	ASTRONERGY
MODULE MODEL	CHSM72M(DG)/F-BH
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TOTAL MODULE QTY	11,691
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INVERTER RATING	125 kW
INVERTER QTY	40
STEP-UP TRANSFORMER	(2)12kV/600V, 2500kVA

- GENERAL NOTES**
- AC MV CIRCUITS SHALL BE INSTALLED AND INTERCONNECTED WITH UTILITY, PER UTILITY SPECIFICATIONS.
 - ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE 2020 EDITION OF NATIONAL ELECTRIC CODE.
 - ALL DC AND AC EQUIPMENT, WHERE APPLICABLE, SHALL BE LISTED AND LABELED PER RECOGNIZED ELECTRICAL TESTING LABORATORY AND INSTALLED PER THE LISTING REQUIREMENTS, THE MANUFACTURER'S INSTRUCTIONS AND IN ACCORDANCE WITH NEC.
 - RECLOSER CONTROL SETTINGS TO BE COORDINATED WITH UTILITY AND CONTRACTOR.
 - RELAY TO BE PROVIDED WITH 8-HOUR BATTERY BACK-UP.
 - UTILITY RIG, METER, WEATHER STATION AND ASSOCIATED COMMUNICATIONS EQUIPMENT TO BE PROVIDED WITH BATTERY BACK-UP PER UTILITY REQUIREMENTS.
 - ALL BREAKERS AND DISCONNECT SWITCHES ARE CLOSED UNDER NORMAL OPERATING CONDITIONS UNLESS OTHERWISE NOTED.
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REVISIONS		
7	PRELIM LAYOUT	10/16/23
6	PRELIM LAYOUT	09/21/23



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PROJECT

ALTHEA AVENUE SOLAR PHASE I & II
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FIREBAUGH,
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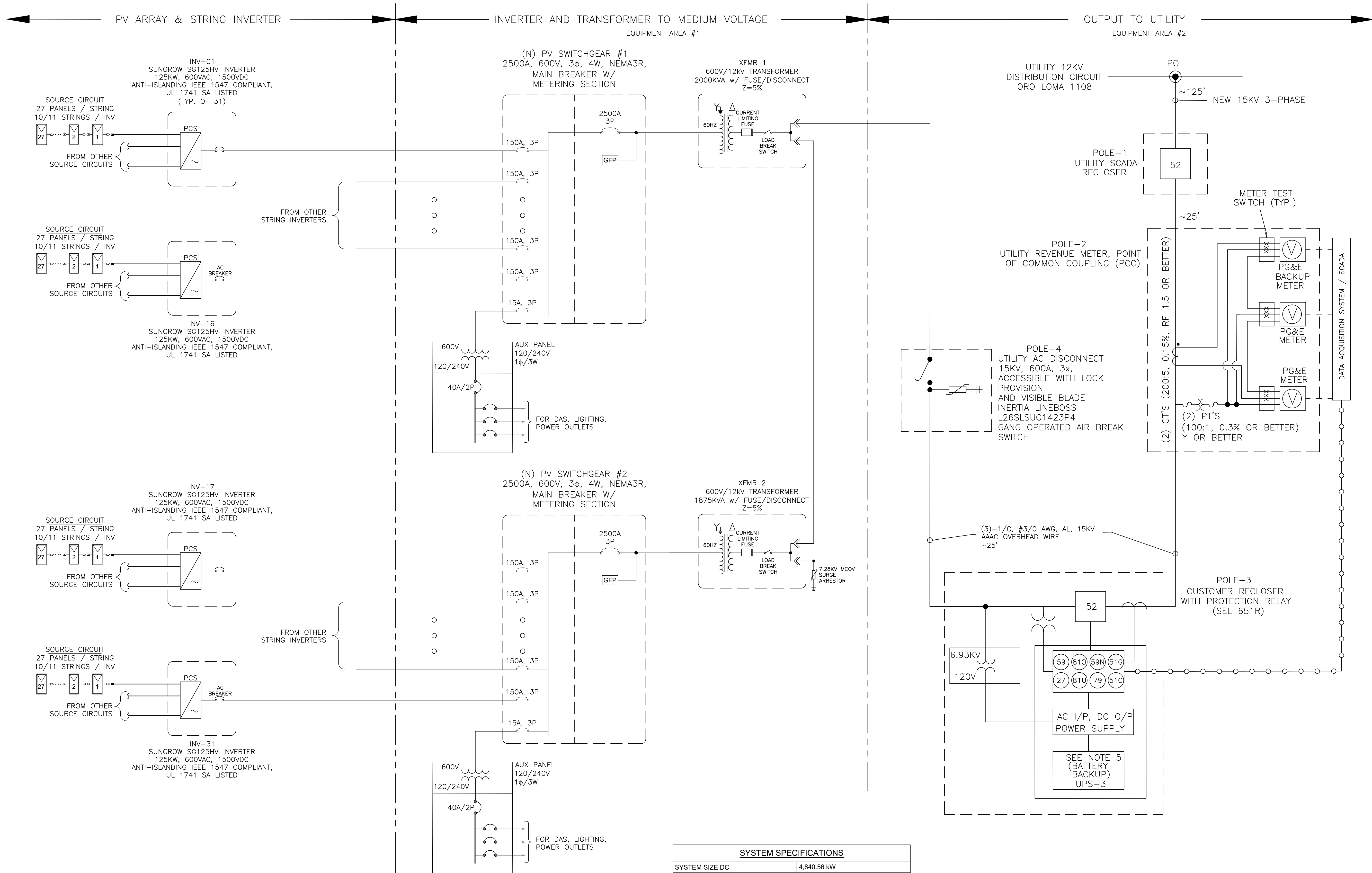
LAT: 36.891650°
LON: -120.654387°

SHEET TITLE

SINGLE LINE
DIAGRAM PHASE I

SCALE: AS SHOWN
DRAWN:LR
DATE: 10/16/23

E-101



1 SINGLE LINE DIAGRAM

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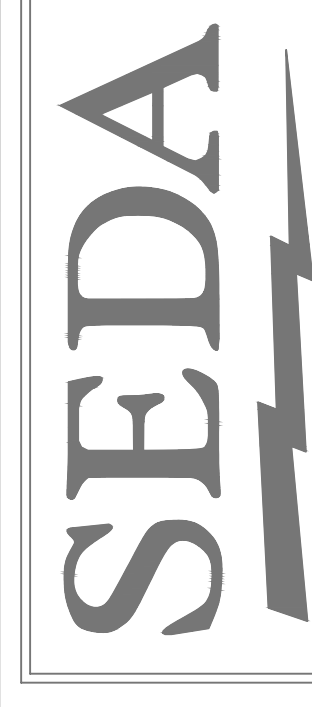
SYSTEM SPECIFICATIONS	
SYSTEM SIZE DC	4,840.56 kW
SYSTEM SIZE AC	3,875.00 kW
DC/AC RATIO	1.25
MODULE MANUFACTURER	ASTRONERGY
MODULE MODEL	CHSM72M(DG)/F-BH
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INVERTER RATING	125 kW
INVERTER QTY	31
STEP-UP TRANSFORMER	12KV/600V, 2000KVA, 12KV/600V, 1875KVA

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REVISIONS		
7	PRELIM LAYOUT	10/16/23
6	PRELIM LAYOUT	09/21/23



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PROJECT

ALTHEA AVENUE SOLAR PHASE I & II
N RUSSELL AVE,
FIREBAUGH,
CA 93622

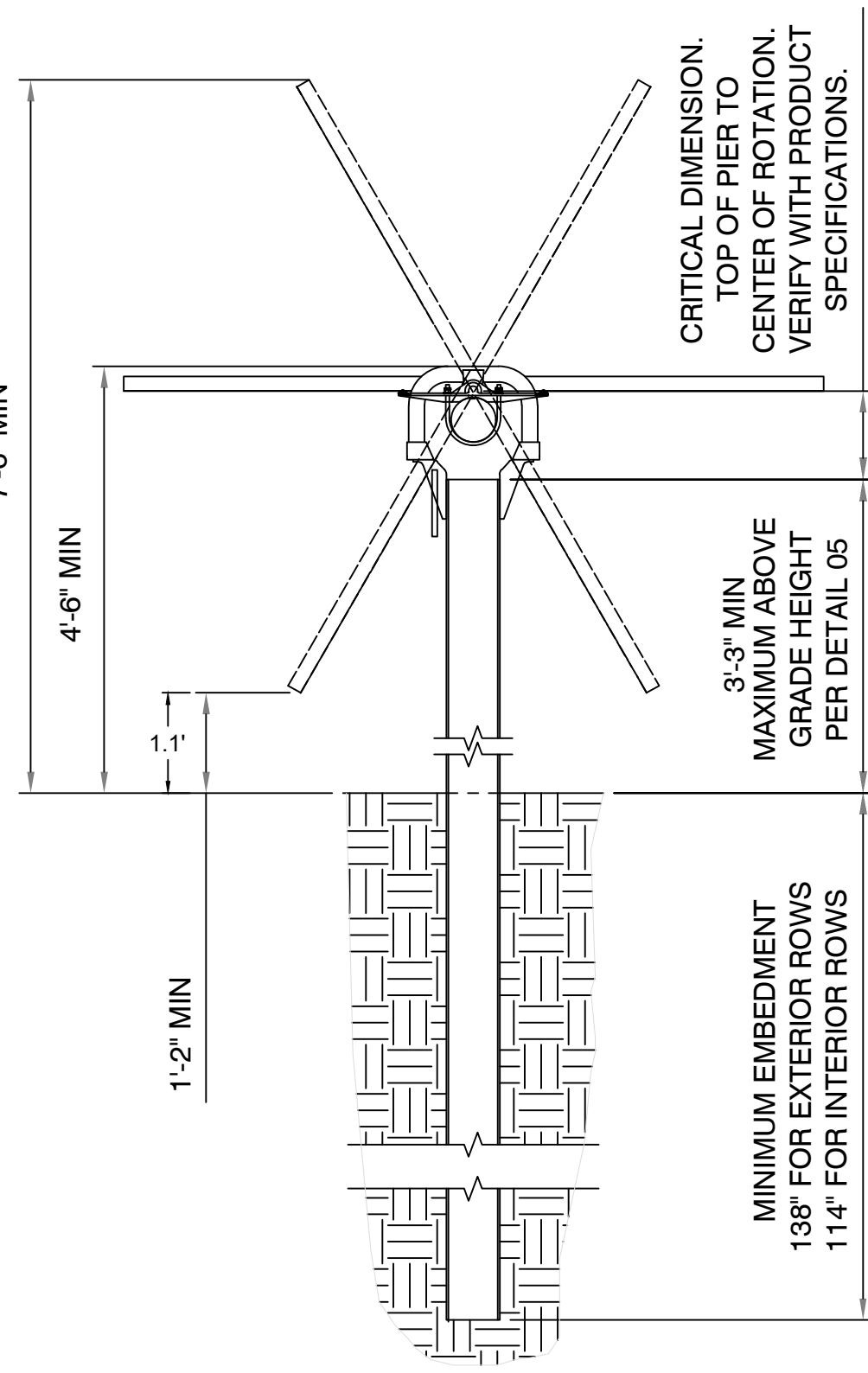
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LON: -120.654387°

SHEET TITLE

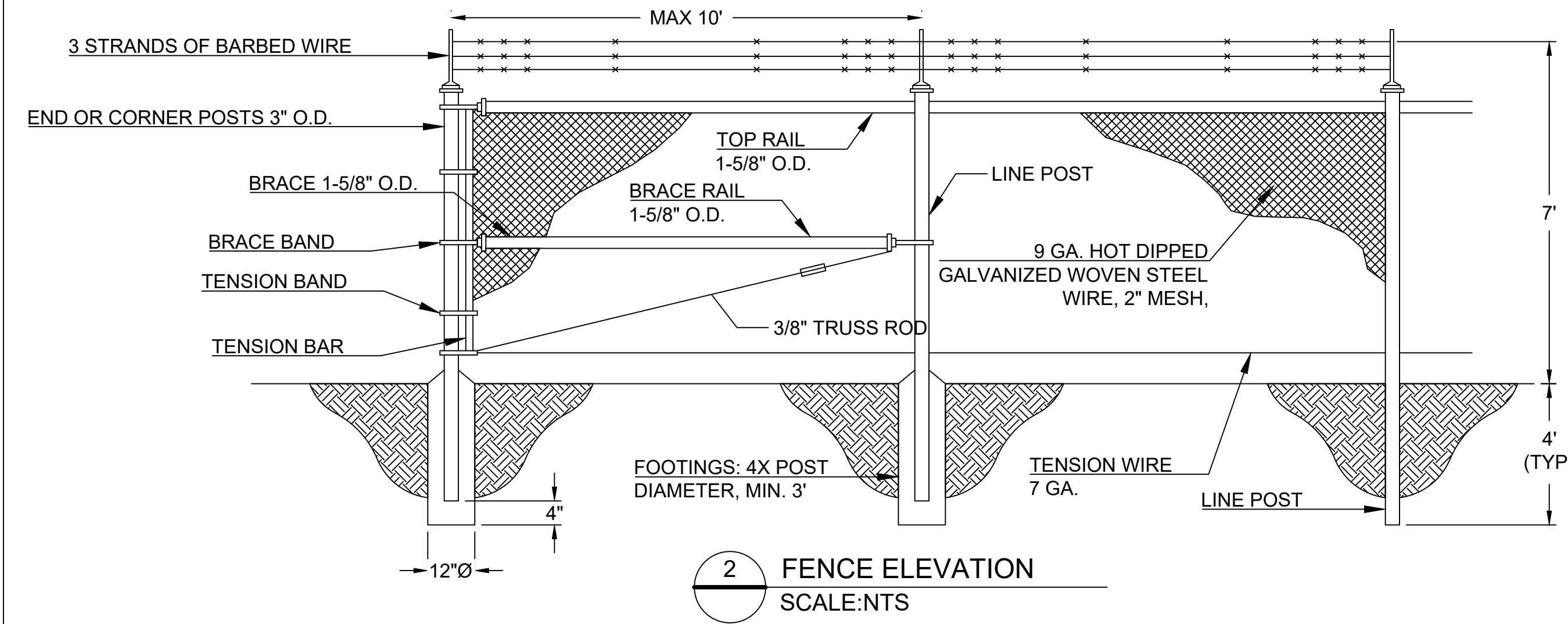
SINGLE LINE
DIAGRAM PHASE II

SCALE: AS SHOWN
DRAWN:LR
DATE: 10/16/23

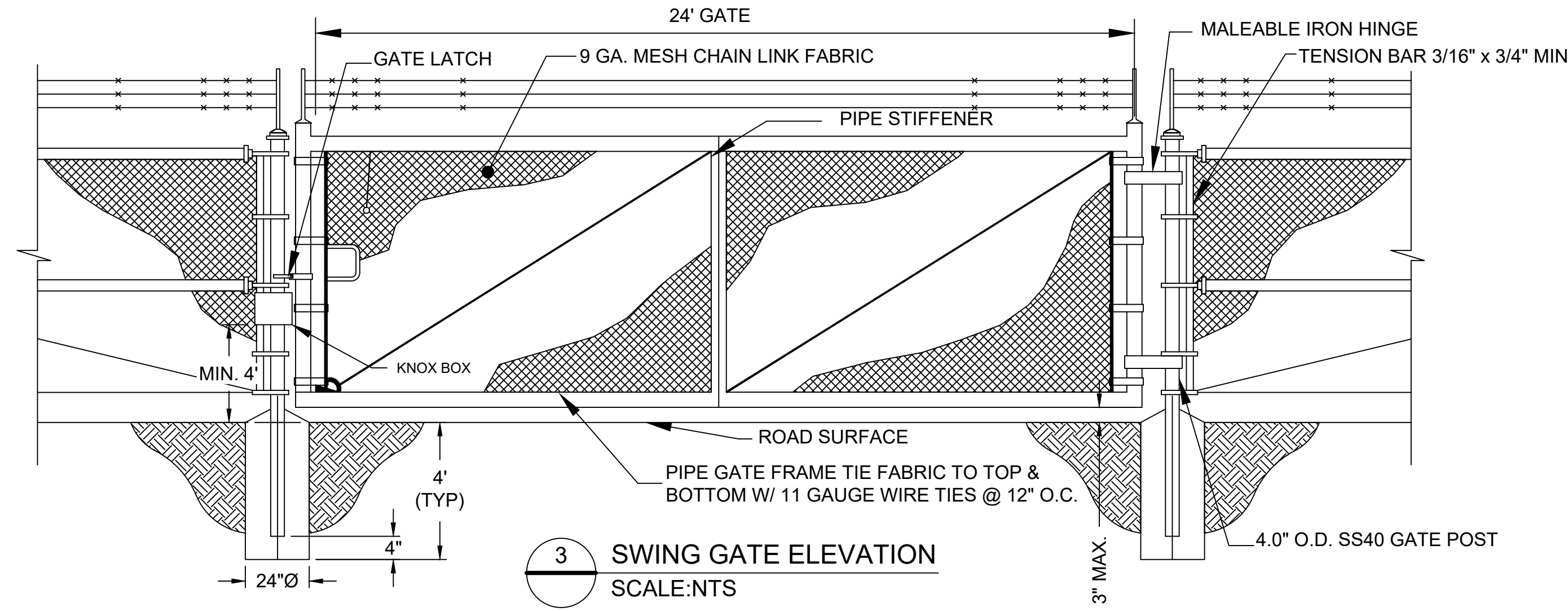
E-102



1 RACKING ELEVATION
SCALE:NTS



2 FENCE ELEVATION
SCALE:NTS



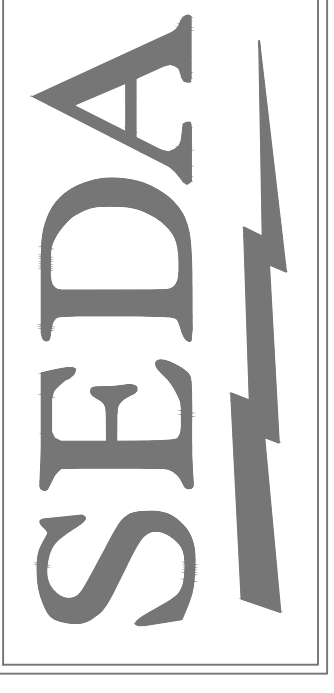
3 SWING GATE ELEVATION
SCALE:NTS

FENCE NOTE
CHAIN LINK FENCE SHALL HAVE PRIVACY SLATS FOR AESTHETIC SCREENING WHEREVER POSSIBLE ACCORDING SANTA MARIA MUNICIPAL CODE SECTION 12-33.211 "OUTDOOR STORAGE."

REVISIONS		
7	PRELIM LAYOUT	10/16/23
6	PRELIM LAYOUT	09/21/23



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N RUSSELL AVE,
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CA 93622
LAT: 36.891650°
LON: -120.654387°

SHEET TITLE

STRUCTURAL
DETAILS

SCALE: AS SHOWN
DRAWN:LR
DATE: 10/16/23

PV-202

SHEET 4 OF 4

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Althea Avenue Solar Operational Statement Checklist

The Applicant, RPCA Solar 8, LLC is completing the Department of Public Works and Planning Operational Statement Checklist to be included as part of the Conditional Use Permit Application for the Althea Avenue Solar Project Phase I and II (Project).

1. Nature of the operation—what do you propose to do? Describe in detail.

Applicant Response: *Althea Avenue Solar Project Phase I and II is a small-scale utility solar generation project located on approximately 41.2-acres of a 56.7-acre parcel of land in unincorporated Fresno County. The Project is located West of North Russell Avenue and North of West Althea Avenue (APN # 004-120-02). RPCA Solar 8, LLC has entered into a long-term Lease Agreement with the property owners (Randall S. Miles and Earlynn R. Miles) to facilitate the development of this small-scale, utility solar power generation facility.*

The Project will generate a total of 8.8 megawatts (MW) alternating current (AC) (11.1 MW direct current (DC)) of clean, reliable solar energy when complete. The Project will be constructed in two phases-- Phase I is 5 MWAC, and Phase II is 3.8 MWAC. The Project will interconnect to PG&E's pre-existing electrical distribution system located on site. The power generated from this facility will be sold to PG&E through a long-term Power Purchase Agreements (PPA). Additionally, the Project may be equipped with energy storage technology that will allow on site renewable energy generation to be stored and dispatched to the grid when needed.

The Althea Avenue Solar Project will utilize approximately 20,655 solar modules and 71 string inverters to convert the sun's energy into usable AC power. Single-axis tracking technology will be utilized to allow the modules to efficiently track the sun throughout the day and maximize the efficiency of solar collection. The modules will be mounted on a steel racking system, which will be anchored into the ground using driven steel piers. The overall height of the array will be no more than 15-feet tall at maximum tilt.

2. Operational Time Limits.

Applicant Response: *The Project will operate 365 days a year, 24 hours a day; however, will only produce power during daylight hours. The Project is expected to have a useful life of approximately 35-years, at which time the facility will either be repowered, or dismantled and the site returned to its current status as vacant land available for agricultural production.*

3. Number of Customers or Visitors.

Applicant Response: *The Project is not a commercial business or residential use. The Project will be unmanned, and no employees will report to the facility on a daily basis. The facility will be remotely operated. The passive nature of a utility solar project will result in no new traffic generated to the site. As part of the long-term operations and maintenance of the Project, we expect to have six (6) regular trips (one man in one truck) annually to handle operations responsibilities including solar panel washing, vegetation management and equipment preventative maintenance.*

4. Number of Employees.

Applicant Response: *During the construction phase of the Project, a six-month duration, will involve an estimated 40 employees. Construction activity is bell-shaped being relatively light on both the front and the back end with the most labor-intensive component occurring over a few weeks in the middle of the construction timeline.*

During the operational phase of the Project, no employees will report to the site on a regular basis. As part of the long-term operations and maintenance of the Project, we expect to have six (6) regular trips (one man in one truck) annually to handle operations and maintenance responsibilities including solar panel washing, vegetation management and equipment preventative maintenance. Otherwise, the facility will be remotely operated.

5. Service and Delivery Vehicles.

Applicant Response: *Regular delivery of construction equipment and materials will only occur during the construction phase of the Project which will be concentrated during the initial stages of the construction process. In other words, most deliveries will occur during the initial staging portion of construction and last approximately two to three weeks. During the heaviest construction periods, we anticipate no more than five (5) roundtrip tractor-trailer (18-wheeler) trips per day. Moving to non-peak construction, at approximately 22 weeks, we forecast one roundtrip tractor-trailer truck delivery per day.*

There will be no regular traffic resulting from deliveries by tractor trailers during the operational phase of the Project.

6. Access to the site:



Applicant Response: Entry to the site will be from Althea Avenue which is a paved, public road. The Project will be fenced and gated and will not be open to the public. The Project will provide a 12-foot wide gravel access road for regular access to major equipment such as the transformer locations.

7. Parking Spaces:

Applicant Response: The Project will be remotely operated and no employees will report to the facility on a daily basis. When performing maintenance, staff will temporarily park inside the fenced area within the Project boundaries.

8. Are any goods to be sold on site?

Applicant Response: N/A - the proposed use is not a commercial business and no goods will be sold on site.

9. What equipment is used?

Applicant Response: The equipment includes solar panels, inverters, single axis tracking racking system, AC and DC conductors, combiner boxes, switchgear, and transformers—please refer to the Project site plan for details. If a battery storage system is added it will use pre-engineered energy storage system and a power conversion system with a transformer.

10. What supplies are used and how are they stored?

Applicant Response: Once constructed the facility will not require regular delivery of supplies. During construction, the supplies used vary depending on the trade. For the installation of the racking system, the installer will use a truck mounted pile driver and tool to install metal tubes I-beams. For installation of the solar modules, metal clamps, nuts and bolts will be used. For electrical work, various tools and equipment will be used to excavate areas where underground PVC conduit and wire will be installed. Concrete and wood forms will be used to pour pads. Metal strut equipment racks will be constructed, and galvanized paint or aerosol spray may be used as part of the finishing process. All smart parts, tools and wire will be stored in locked storage containers. No long-term storage shelter or structure is proposed as part of the Project.

11. Unsightly appearance?

Applicant Response: Noise - The Project is expected to result in a temporary increase in noise levels related to the construction of the solar array. During operations, noise generating equipment associated with the solar facility will be limited to the transformers and inverters. The maximum sound/pressure

associated with this equipment is approximately 60dBA. At 1-meter the manufacturer of the inverter states the output will result in approximately 53.7 dBA. Chapter 8.40 of the Fresno County Code sets a threshold of 70 dBA during daylight hours and 65 dBA during nighttime hours. Based on the manufacturer specifications the equipment will not exceed the County dBA thresholds for noise.

Glare – The Project will not result in adverse impacts related to glare. The Applicant has provided a glare study to address this concern and the Project has received a Federal Aviation Administration Determination of No Hazard.

Dust –The Project shall employ the appropriate dust control activities in compliance with Fresno County’s regulations. This will ensure no adverse impacts related to dust are caused by the Project during construction and operations.

Odor – N/A. The Project will not generate any odor during construction or operations.

12. List any solid or liquid wastes to be produced.

Applicant Response: *N/A. The Project will not result in the production of any liquids or solid waste.*

13. Estimated volume of water to used (gallons per day). Source of water.

Applicant Response: *The Project will not require daily use of water or connect to a municipal water supply. Water usage will be limited to dust control during construction and panel washing on a semi-annual basis as part of regular operations and maintenance activities. Please see the table below for water consumption estimates. We currently assume working with a vendor to truck water to the site as needed.*

NOTE – *The construction water use contemplates a summer/fall build schedule which would require the most amount of water for dust control. If construction occurs in the winter/spring, construction water use will be much less.*

Althea Avenue Solar Water Consumption Analysis		
Construction Water Use		
Construction Water Use		Gallons
Peak Construction	12,000 gal/day for 6 weeks	504,000
Non-Peak Construction	6,000 gal/day for 6 weeks	252,000
Total Construction Usage		756,000
Annual O&M Water Use		
O&M Water Use		
Module Washing	8,000 gal/cleaning twice a year	16,000
Annual Total Use		16,000

Notes:

- 1) These are estimates and may change based on final site plan approval, time of year of construction commencement, and amount of actual module washing required by the
- 2) We expect to only do a module wash twice a year.
- 3) The majority of the construction water use is expected to be used for dust control management.

A typical water supply truck carries approximately 2,000 gallons of water which will result in peak round trip delivery of six (6) water trucks per day for approximately six weeks.

14. Describe any proposed advertising including size, appearance, and placement.

Applicant Response: N/A. The Project does not propose any advertising.

15. Will existing buildings or what portion of buildings will be used in the operation?

Applicant Response: N/A. The Project will have no permanent habitable structures.

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

Applicant Response: N/A. The Project has no buildings.

17. Will any outdoor lighting or an outdoor sound amplification system be used?



Applicant Response: N/A. The Project does not propose outdoor lighting or sound amplification.

18. Landscaping or Fence proposed?

Applicant Response: *The Project does not propose any landscaping. The Project will be surrounded by security fence. The fence will be designed as a 6-foot chain link fence with 1-foot barbed arms on top and three strands of barbed wire. The fencing will have a 4 to 6-inch knuckled opening at the bottom. This space will allow small animals to pass under and travel through the project area while simultaneously deterring larger animals and the general public from accessing the Project area.*

19. Any other information that will provide a clear understanding of the project or operation.

Applicant Response: *See Project Narrative for additional information.*

20. Identify all Owners, Officers and/or Board Members for each application submitted.

Applicant Response: *The Project applicant is RPCA Solar 8, LLC which is an affiliate of Renewable Properties, LLC.*



February 27, 2024

Mr. Elliot Racusin
Planner
Department of Public Works and Planning
2220 Tulare Street, 6th Floor
Fresno, CA 93721

RE: Althea Ave Solar 1 & 2 Project – Decommissioning Plan

Dear Elliot,

Sequoia Engineering and Design Associates (SEDA) has conducted a thorough review of the project design documents and has prepared an estimate for the probable decommissioning cost. Our estimate includes a comprehensive breakdown of the expected equipment and labor costs required to remove and dispose of the project equipment.

It is important to note that while our opinion on the probable decommissioning cost is based on rigorous research and analysis, it is not a guaranteed pricing. Rather, it is a well-informed and reasonable estimate based on a number of key assumptions, exclusions, and qualifications, including:

- Equipment and labor unit costs have been based on historical data for this type and size of project, as well as RSMeans construction cost databases modified for scale and location.
- Labor productivity metrics have been based on RSMeans construction cost databases.
- Our opinion of probable cost was developed based on material take-off quantities generated from current project data, with customized Excel workbooks serving as the primary estimating tools.

Based on the current market conditions, valuations, and adjustments for estimated future inflation, our estimate for the probable decommissioning cost is \$678k.

We appreciate your consideration of our estimate and would be happy to answer any further questions or address any concerns you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tarek Khoury", is written over a light blue horizontal line.

Tarek Khoury P.E.
Principal Engineer
Sequoia Engineering & Design Associates





ALTHEA ROAD SOLAR

Decommissioning Plan

RPCA Solar 8, LLC



Table of Contents

Introduction.....	1
Project Information	1
Project Proponent	1
Project Information	2
Facility Description	2
Decommissioning of the Facility	3
Equipment Dismantling and Removal	4
Timeline	5
Cost of Decommissioning	5

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Figure 2: Proposed Project Layout.....	3
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Introduction

RPCA Solar 8, LLC (RPCA 8) is developing a ground mounted photovoltaic project named “Althea Avenue Solar Phase 1&2” (Solar Facility), in Fresno County in California. The Solar Facility, as proposed, will occupy approximately 40 acres of a 59.5-acre parcel (APN 004-120-020) in the unincorporated community of Firebaugh in Fresno County, California (Figure 1). The Solar Facility is planned to connect to the local electric grid with a capacity of up to 11,153.7 kWDC.

This Decommissioning Plan (“Plan”) provides an overview and cost of activities that will take place during the decommissioning phase of the Solar Facility including the restoration of the land and the management and disposal of materials and waste from the site.

This Plan assumes the Solar Facility will have a useful life and a maturity date of thirty-five (35) years at which time the facility will be decommissioned consistent with Fresno County (County) Guidelines for such activities. Upon decommissioning, the Solar Facility will be dismantled, and the project site will be returned to conditions approximate to pre-construction condition. The plan also covers the abandonment of a Solar Facility, for any reason, prior to the project’s 35-year maturity date. It is designed to provide a level of financial protection for Fresno County.

Decommissioning of the Solar Facility will include the disconnection of the Solar Facility from the electrical grid and the removal of all Solar Facility components including:

- Photovoltaic (PV) modules, panel racking and supports;
- Inverter unities, transformers, and other electrical equipment;
- Access roads, wiring cables, perimeter fence; and,
- Concrete foundations.

Project Information

The following section describes information pertaining to the applicant and the physical location of the project.

Project Proponent

RPCA 8 or the future owner-operator will manage and coordinate the decommissioning process. RPCA 8 or the future owner-operator will obtain all necessary regulatory approvals that are applicable at the time to complete the decommissioning process.

Company: RPCA Solar 8, LLC

Contact: Stephanie Loucas

Address: 879 Sanchez Street, San Francisco, California 94114

Email: stephanie@renewprop.com

Project Information

Physical Address: 10735 N. Russell Avenue, Firebaugh, California 93622

GCS Location: 36.892427, -120.657849

APN: 004-120-02

Parcel Size: 59.5 acres

Project Site Size: 40 acres

Property Owner: Randall S. and Earlynn R. Miles

Site Agreement: Executed lease agreement with the property owners



Figure 1: Project Parcel

Facility Description

The Solar Facility has been designed using single axis tracker structures. As engineering drawings will not be finalized until building permit submittal, this Plan assumes that the final project specifications will not differ materially from those shown in this section.

The proposed layout is shown in Figure 2, below:

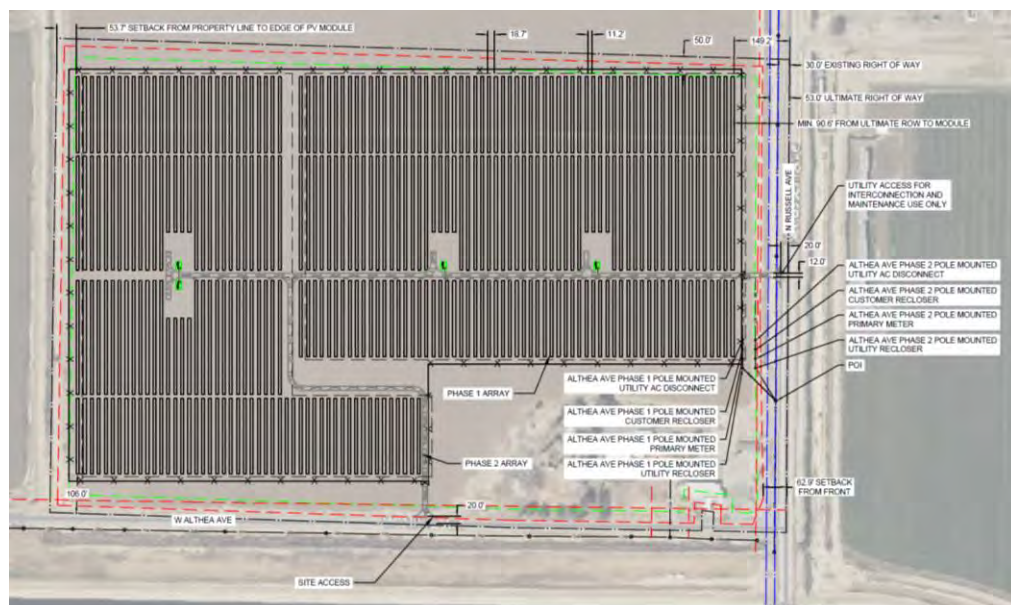


Figure 2: Proposed Project Layout
EXHIBIT 7 PAGE 5

As of the time of this Plan, the Solar Facility has specified the following equipment:

System Equipment Summary			
Component	Manufacturer	Model Number	Quantity
Modules	Astronergy	CHSM72M(DG)/F-BH	20.655
Inverter	Sungrow	SG125HV-V122	71
Racking – Trackers	ATI	HSAT	N/A

Decommissioning of the Facility

The Solar Facility may be decommissioned under the following conditions:

1. RPCA 8 or any entity that may own or operate the facility in the future (the “future owner-operator”) decides to retire the Solar Facility;
2. Commercial operation of the Solar Facility has not commenced within eighteen (18) months of the project’s construction completion; or
3. The Solar Facility ceases to be operational for more than twelve (12) months outside of routine repairs or causes beyond the reasonable control of RPCA 8 or the future owner operator.

RPCA 8 will provide a financial guarantee to Fresno County prior to commencing construction as per the agreed upon form between the County and the Proponent, so funds are always available to perform the Solar Facility decommissioning. Although RPCA 8 intends to perform the decommissioning, unforeseen circumstances such as RPCA 8 selling the project to another entity, or RPCA 8 going out of business are possible.

At the time of decommissioning, the installed components will be removed and disposed of with no consideration to reuse or recycle. The facility site will be restored to a state similar to its preconstruction condition. All removal of equipment will be done in accordance with all applicable Fresno County regulations and informed by the manufacturer recommendations.

In the unlikely scenario that RPCA 8 or the future owner-operator cannot execute the decommissioning, the County may commence the decommissioning through the reclamation funds established to cover the expenses.

Equipment Dismantling and Removal

Generally, the sequence of decommissioning of the Solar Facility proceeds in the reverse order of the installation.

1. The Solar Facility shall be disconnected from the utility power grid.
2. PV modules shall be disconnected, collected, and disposed at an approved solar module disposal facility

3. All aboveground electrical interconnection and distribution cables and poles shall be removed and disposed off-site at an approved facility.
4. All underground direct buried electrical conduits and conductors with less than 48-inches of cover shall be removed by means causing the least amount of disturbance possible.
5. Underground electric conduits and direct buried conductors with 48-inches or more of soil cover shall be abandoned in place.
6. Galvanized steel PV module support and racking system support posts shall be removed and disposed off-site at an approved facility.
7. Electrical and electronic devices, including transformers, inverters, switchgear, and support structures shall be removed and disposed off-site at an approved facility.
8. Concrete foundations shall be removed and disposed off-site at an approved facility. Access roads shall be removed, unless otherwise specified by the landowner.
9. Fencing and gates shall be removed and will be disposed off-site at an approved facility.

Hazardous Waste

Currently, the solar power plant is deemed to generate a minimal amount of hazardous waste, mainly consisting of small-capacity batteries used in the UPS devices linked to communication and protection equipment. The anticipated disposal cost for any occasional hazardous waste is expected to remain well below \$1000, comfortably aligning with our contingency estimates

Unlike cadmium telluride, gallium arsenide, or thin-film modules, which contain materials considered toxic by the Department of Toxic Substance Control, the PV modules specified for this project are made of crystalline silicon. These modules do not currently exhibit the hazardous waste characteristic of toxicity under the Resource Conservation and Recovery Act (RCRA) or according to the regulations of the US EPA.

Sequoia recommends that any potentially hazardous waste found in the inverters, transformers, or other equipment be managed by recycling facilities responsible for their safe transportation and disposal. An example of this is the Envriotemp FR3 fluid found in transformers. Although it is a mineral oil and not considered a hazardous substance, Sequoia recommends that the FR3 fluid be recycled or disposed of in accordance with the Cooper FR3 Material Data Safety Sheet (MSDS), as outlined in Bulletin 98082.

Timeline

RPCA 8 has prepared a timeline for the major actions to be undertaken during decommissioning. As it is difficult to know what specific approvals and protocols will be in place when decommissioning begins, the timing of these actions is estimated based on best available information.

- Notifications to Stakeholders: Months 0-6 (County notified 6 months prior to decommissioning activities)
- Permitting and environmental review: Months 2-3
- Physical Decommissioning and Removal of Equipment: Month 6
**NOTE – the quick timeline is due to full site removal with no contemplation of recycling for reuse*
- Restoration: Months 6-15 (depending on timing of growing season)

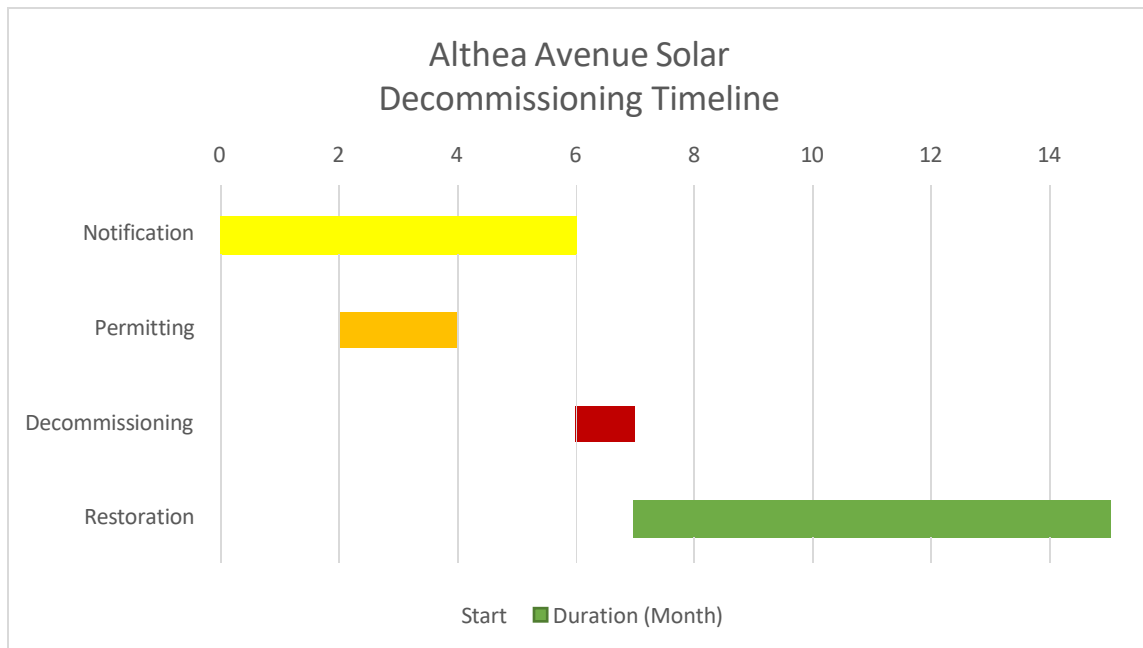


Figure 3: Decommissioning Timeline

Cost of Decommissioning

The current cost to decommission the 11 MW Althea Avenue Solar has been estimated, on behalf of RPCA 8, by their engineering consultants and following industry standards, at \$678,550 (refer to Appendix A Estimated Decommissioning Costs). This cost estimate is based upon the best available engineering and demolition information and demolition experience with other types of construction projects along with the assumptions described below.

In addition, the salvage values of valuable recyclable materials (aluminum, steel, copper, etc.) have **not** been factored into the decommissioning cost estimate.

At the start of construction, RPCA 8 will post financial security in the amount of approximately \$678,550 which is equal to the total amount at the project's year one decommissioning estimate.

APPENDIX A

ESTIMATED DECOMMISSIONING COSTS

Decommissioning Cost Opinion							
Direct Costs:			Transportation cost				
			Labor and Equipment Costs	Disposal Costs	Weight (tons)	Distance (mi)	\$/ton/mile
1	Remove PV Modules	\$26,030	\$371,790	723	310	0.06	\$13,535
2	Remove Racking	\$3,990	\$44,042	339	151	0.13	\$6,578
3	Remove Inverters	\$13,819	\$3,550	7	71	6.48	\$3,102
4	Remove Transformers	\$571	\$4,000	32	24	1.37	\$1,048
5	Remove Wiring	\$21,592	\$6,525				w/modules
6	Remove Fence	\$5,884	\$2,539	20	12	2.24	\$524
7	Remove Concrete / Gravel	\$6,900	\$44,026	339	258	0.13	\$11,291
8	Re-seed site	\$42,525					
9	Transportation costs	\$37,017					
Subtotal		\$158,329	\$476,472				\$37,017
Indirect Costs:							
10	15% Contingency	\$22,749					
	Hazardous waste fee	\$1,000					
11	(incidentals)						
12	Project management fee	\$20,000					
Subtotal		\$43,749					
Summary							
	Direct	\$634,801					
	Indirect	\$43,749					
Total		\$678,550	\$476,472				\$37,017



County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Dakin Spain

APPLICATION NOS.: Initial Study No. 8403 and Unclassified Conditional Use Permit No. 3764

DESCRIPTION: Allow a photovoltaic solar facility and related facilities on a 39.8-acre parcel section from a 56.70-acre parcel within the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) and ACC (Agricultural Commercial Center) Zone Districts.

LOCATION: The subject parcel is located on the northwest corner of W. Althea Ave. and N. Russell Ave., approximately 9.17-miles west from the City of Firebaugh. (APN: 004-120- 02) (48054 W. Athena Ave. Firebaugh) (Sup. Dist. 1).

I. AESTHETICS

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

- A. Have a substantial adverse effect on a scenic vista; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject site is in a predominantly agricultural area throughout the region. Images of the subject site depict views of the nearby foothill range located east and northeast of the subject site. Underlying development standards established by the Zone District will regulate construction of the structure to a maximum height of 35 feet. Due to the dark color and low-profile nature of the photovoltaic panels, the solar panels generally do not create a high visual contrast with other parts of the landscape and character. In considering the project will be following development standards of the underlying zone district and that no scenic vista would be negatively impacted by the project, a less than significant impact can be seen.

- B. 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 situated on the northwest corner of W. Althea Ave. and N. Russell Ave. Per Figure OS-2 of the Fresno County General Plan, W. Athena Ave. and N. Russell Ave are not designated as scenic resources. The project site is not located around of the points of interest. As there were no scenic resources identified on the project site, the project is not expected to have a significant impact on a scenic vista or scenic resource.

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

FINDING: NO IMPACT:

The mix of rural agricultural views along with views of solar generation facilities in the Project vicinity can be described as representative of views in the region; with a generally rural landscape dominated by agricultural views interspersed with more industrial and developed land uses, existing solar facilities and power lines, as well as machinery, buildings and structures associated with residential and agricultural operations. Overall, the visual character of the Project site is a combination of both agricultural and industrial elements. In addition, there are no significant trees, rock outcroppings, or historical buildings on the Project site that would be affected by the Project, and the Project would not alter long-distance scenic views of mountains, valleys, or other natural features. For these reasons, the Project would cause no impact on scenic resources.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per the Applicant's Operational Statement, the project will utilize outdoor site lighting and pole mounted parking lot lights to provide security for the development. To ensure that new sources of lights and glare do not adversely affect day or nighttime views in the area and not substantially impact adjacent properties or public right-of-way, mitigation measures for the placement and design of outdoor lighting will be implemented.

Mitigation Measure(s)

1. *All outdoor lighting shall be hooded and directed downward so as not to shine on adjacent properties or public right-of-way.*

II. AGRICULTURAL AND FORESTRY RESOURCES

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

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

FINDING: NO IMPACT:

Per Fresno County General Plan Land Use section A.23 Farmland Conversion, discretionary land use projects that are not directly related to or supportive of agricultural uses and which propose the permanent conversion of twenty acres or more of Prime Farmland, Unique Farmland or Farmland of Statewide Importance (as designated by the Farmland Mapping and Monitoring Program) to nonagricultural uses, the County shall consider and adopt feasible measures. Per the 2018 Fresno County Important Farmland Map, the subject property is designated land of Local Importance. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland land of Statewide Importance, and no mitigation measures are required. In addition, the project shall be subject to a reclamation plan which shall restore the project site to its original conditions after 35 years.

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

FINDING: NO IMPACT:

The subject parcel is AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is not subject to a Williamson Act Contract. Although the project will convert the existing zoning from an agricultural use for purposes of generating renewable energy, the applicant has submitted a comprehensive reclamation plan of which shall be reclaimed back to its original agricultural state.

- C. Conflict with existing zoning for forest land, timberland, or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use; or

FINDING: NO IMPACT:

The subject parcel is not zoned for forest land or timberland, and therefore will not result in the loss of forest land or the conversion of forest land or facility land to incompatible uses.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Per the Applicant's Reclamation Plan, mitigation measures for the restoration of the site will be implemented. The subject parcel is AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel will be reclaimed to its original state (as specified in the reclamation agreement). This project is deemed to provide a benefit to Fresno County as a whole, with the assertion after an unspecified time, the land will be reclaimed for agricultural purposes.

Mitigation Measure(s)

- a. *Prior to the County of Fresno's issuance of any grading or development permit, the project owner must enter into a reclamation agreement with the County of Fresno on terms and conditions acceptable to the County of Fresno, which reclamation agreement shall require the project owner to (1) decommission, dismantle, and remove the project and reclaim the site to its pre-project condition in accordance with the approved Reclamation Plan, and (2) maintain a financial assurance to the County of Fresno, to secure the project owner's obligations under the reclamation agreement, in an amount sufficient to cover the costs of performing such obligations, as provided herein. Such financial assurance shall be in the form of cash and maintained through an escrow arrangement acceptable to the County of Fresno. The amount of the financial assurance under the reclamation agreement shall (1) initially cover the project owner's cost of performing its obligations under the reclamation agreement, as stated above, based on the final County of Fresno-approved design of the project, which cost estimate shall be provided by the project owner to the County of Fresno, and be subject to approval by the County of Fresno, and (2) be automatically increased annually, due to increases in costs, using the Engineering News-Record construction cost index. This initial cost estimate will consider any project components, other than Improvements, that are expected to be left in place at the request of and for the benefit of the subsequent landowner as long as the improvements are directly supportive restoring the site to a viable agricultural use. (e.g., access roads, electrical lines, O&M building).*

III. AIR QUALITY

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

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

An Air Quality and Greenhouse Gas Emissions Analysis prepared by James A. Reyff & Jordyn Bauer dated August 2, 2023 asserting no measurable impacts to greenhouse gas emissions will occur. The Analysis was provided to the San Joaquin Valley Air Pollution Control District (SJVAPCD) along with the project information for review and comments. No concerns were expressed by Air District.

The proposed project's construction and operations would contribute the following criteria pollutant emissions: reactive organic gases (ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and particulate matter (PM₁₀ and PM_{2.5}). Project operations would generate air pollutant emissions from mobile sources (automobile activity from employees) and area sources (incidental activities related to facility maintenance). Criteria and Greenhouse Gas (GHG) emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 [California Air Pollution Control Officers Association (CAPCOA) 2017], which is the most current version of the model approved for use by SJVAPCD.

Per the Air Quality and Greenhouse Gas Impact Analysis, the short-term construction emissions associated with the project would be below SJVAPCD thresholds for ROG, NO_x, CO, SO_x, PM_{2.5}, or PM₁₀ emissions. In addition to the construction period thresholds of significance, SJVAPCD has implemented Regulation VIII measures for dust control during construction. These control measures are intended to reduce the amount of PM₁₀ emissions during the construction period. Implementation of regulation requirements would ensure that the proposed project complies with Regulation VIII and further reduces the short-term construction period air quality impacts. Based on the air quality impact analysis, emission estimates for operation of the project calculated using CalEEMod shows that the total project emission resulting from the project would not exceed San Joaquin Valley Air Pollution Control District thresholds for annual ROG, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} emissions; therefore, the proposed project would have a less than significant effect on regional air quality, and thus, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standards.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project area is located within the San Joaquin Valley Air Basin (SJVAB), which is included among the eight counties that comprise the San Joaquin Valley Air Pollution Control District. Under the provisions of the U.S. Clean Air Act, the attainment status of the SJVAB with respect to national and state ambient air quality standards has been classified as non-attainment/extreme, non-attainment/severe, non-attainment, attainment/unclassified, or attainment for various criteria pollutants which includes O₃, PM₁₀, PM_{2.5}, CO, NO₂, SO₂, lead and others.

The Air Quality and Greenhouse Gas Emissions Analysis prepared by James A. Reyff & Jordyn Bauer dated August 2, 2023 stated the project does not pose a substantial increase to basin emissions. As the project would generate less than significant project-related operational impacts to criteria air pollutants, the project's contribution to cumulative air quality impacts would not be cumulatively considerable.

C. Expose sensitive receptors to substantial pollutant concentrations; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located approximately 9.17-miles west from the City of Firebaugh and 0.87-miles north from the nearest sensitive receptor. Pollutant concentrations may stem from the clearing of vegetation and grading of the proposed equipment area. While it is expected that there will be some dust and particulate matter released into the air during construction activities, the overall area of ground disturbance would be limited to the proposed project site.

Given its limited scope, this proposed project is not expected to conflict with or obstruct implementation of the applicable Air Quality Plan or violate any air quality standard or result in a cumulatively considerable net increase in any criteria pollutant for which the project region is designated a non-attainment area, under ambient air-quality standard. The proposal will be subject to General Plan Policy OS-G.14, which requires that all access roads, driveways, and parking areas serving new development to be constructed with materials that minimize particulate emissions and are appropriate to the scale and intensity of the use.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Based on the Air Quality and Greenhouse Gas Emissions Analysis prepared by James A. Reyff & Jordyn Bauer dated August 2, 2023, heavy-duty equipment in the project area during construction would emit odors, primarily from the equipment exhaust. As mentioned above, the project site is located approximately 9.17-miles west from the nearest sensitive receptor and will not result in odors negatively affecting a substantial number of people. No other sources of objectionable odors have been identified for the project as the solar panels are not anticipated to emit odors.

The San Joaquin Valley Air Pollution Control District has not established a rule or standard regarding odor emissions; rather, the district nuisance rule requires that any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact. The uses proposed by the subject application are not anticipated to emit any objectionable odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES

Would the project:

- A. Has 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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the California Department of Fish and Wildlife, California Natural Diversity Database (CNDDDB) BIOS web mapping application and applicant's provided biological report dated October 2022 prepared by Kleinfelder, the field survey focused on the approximate 39.81-acre Project area, although the entire 57-acre parcel was assessed, as well as the 28.8-acre parcel adjoining the northern boundary of the Project parcel. Based on the results of the desktop review and field verification survey, three special-status wildlife species, including burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), and San Joaquin kit fox (*Vulpes macrotis mutica*) were determined to have a moderate or higher potential to occur within the Project area. Other Sensitive or special-status species of which include California Tiger Salamander and Vernal Pool Fairy Shrimp were not identified. To reduce negative impact towards the wildlife, mitigation measures were considered. Therefore, with adherence to the mitigation measures identified above, potential special-status species impacts resulting in disturbing these habitats are determined to be less than significant.

Mitigation Measure(s)

- a. *A nesting bird survey shall be performed by a qualified biologist no earlier than one week prior to any construction during the nesting season (March 1 – August 31) to determine if any native birds are nesting on or near the site (including a 250-foot buffer for raptors). If any active nests are observed during surveys, a suitable avoidance buffer from the nests should be determined by the qualified biologist based on species, location, and extent and type of planned construction activity. These nests would be avoided until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. A recommendation to remove any suitable nesting habitat (i.e., trees and vegetation) outside of the bird breeding season to avoid impacts to nesting birds.*

- b. All trash and waste items generated by construction or crew activities should be properly contained in a covered trash receptacle and locked up overnight or removed from the Project site daily. This includes biodegradable items, such as apple cores and banana peels, that attract predators such as raccoons and American crows that could prey upon sensitive wildlife species.*
- c. All Project personnel will visually check for animals in any pipes, culverts, or other open-ended materials and equipment stored on site for one or more overnight periods prior to moving, burying, or capping to ensure that no animals are present within the materials and equipment. To prevent accidental entrapment of wildlife during construction, all excavated holes, ditches, or trenches greater than six (6) inches deep will be covered at the end of each workday by suitable materials that cannot be displaced or escape ramps will be placed in excavations. After opening and before filling, such holes, ditches, and trenches will be thoroughly inspected for trapped animals.*
- d. A qualified biologist (approved by USFWS) shall perform early evaluation surveys in accordance with the current USFWS-approved protocol for San Joaquin kit fox prior to ground- or vegetation-disturbing activities associated with pre-construction, geotechnical or soils investigations, construction, operations, or maintenance. Upon completion of early evaluation surveys, informal consultation with USFWS will be initiated to determine proper techniques to employ to avoid impacts to this species during project construction, which would be considered significant under CEQA.*
- e. Security fences installed on the project site shall be designed to enable passage of San Joaquin kit fox and their prey, while impeding the passage of larger predators, such as coyotes (*Canis latrans*) and larger domestic dogs. All fencing shall leave a 4- to 6-inch opening between the fence mesh and the ground. The bottom of the fence fabric shall be knuckled (wrapped back to form a smooth edge) to protect wildlife that pass under the fence. Fences shall be monitored quarterly to ensure that any damage or vandalism is quickly repaired.*
- f. A qualified biologist shall initiate preconstruction surveys prior to the onset of construction, based on the seasonal timing of construction (i.e., breeding season vs. nonbreeding season surveys). If burrowing owls and occupied burrows are detected during surveys, avoidance of occupied burrows is the preferred strategy. If avoidance is infeasible, buffers from occupied burrows should be employed.*
- g. A qualified biologist will conduct an environmental education program for all persons working on the Project prior to the onset of construction. A discussion of the biology and general behavior of any sensitive species which may be in the area, how they may be encountered within the work area, and procedures to follow when they are encountered will be included in the training. The status of special-status species, including legal protection, penalties for violations, and Project-specific protective measures will also be discussed. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be*

provided for any new workers prior to on-site Project activity. Copies of the training will be maintained at the worksite with the Project supervisor, and a handout containing this information will be distributed for workers to carry on-site. Upon completion of the program, employees shall sign an affidavit stating they attended the program and understand all protective measures.

- 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

According to the National Wetlands Inventory mapper web application, the project site has the potential to negatively affect riparian habitat or other sensitive natural community. With the mitigation measures identified (Section A) impacts resulting in disturbing these habitats can be mitigated to less than significant.

Mitigation Measure(s)

1. See Section XV (A).

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

FINDING: NO IMPACT:

The proposed project is not located within a state or federally-protected wetland. No state or federally-protected wetlands will be affected.

- 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; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project is likely to affect and may interfere substantially with the movement of any native resident or migratory fish or wildlife species.

- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

This project does not conflict with any local policies or ordinances protecting biological resources.

- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

The majority of the site is project site is unimproved with no vegetation. The project is not within any Conservation Plan area. The project will not conflict with local policies or ordinances regarding a tree preservation policy or ordinance.

V. CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Additional mitigation measures including proper procedure for identification of cultural resources should they be identified during project construction and the requirement of an archeological monitor being present during ground-disturbing activity will further ensure that the project would result in a less than significant impact. Further discussion can be found in Section XVIII. Tribal Cultural Resources.

Mitigation Measure(s)

1. See Section XVIII. Tribal Cultural Resources

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Construction activities and corresponding fuel energy consumption would be temporary and localized. There are no unusual project characteristics that would cause the use of construction equipment to be less energy efficient compared with other similar construction sites in the County. Therefore, construction-related fuel consumption by the project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the area.

The project will also be subject to meeting California Green Building Standards Code (CCR, Title 24, Part 11-CALGreen), effective January 1, 2020, to meet the goals of Assembly Bill (AB) 32 which established a comprehensive program of cost-effective reductions of greenhouse gases to 1990 levels by 2020.

B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Energy resource consumption is expected to occur during project construction and operation. The proposed development is subject to current building code standards which would consider state and local energy efficiency standards and renewable energy goals. The project would result in a less than significant impact.

VII. GEOLOGY AND SOILS

Would the project:

A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

FINDING: NO IMPACT:

Per the California Department of Conservation's Earthquake Hazard Zone Web Application, the project is not located within or near an Earthquake Fault Zone or known earthquake fault.

2. Strong seismic ground shaking?

FINDING: NO IMPACT:

According to Figure 9-5 of the Fresno County General Plan Background Report, the project site is located on land that has a 0-20% chance of reaching peak horizontal ground acceleration assuming a probabilistic seismic hazard with 10% probability in 50 years. In consideration of Figure 9-5, the project site has a low chance of reaching peak horizontal ground acceleration and would have a low chance of being subject to strong seismic ground shaking.

3. Seismic-related ground failure, including liquefaction?

4. Landslides?

FINDING: NO IMPACT:

As depicted in Figure 9-6 of the Fresno County General Plan Background Report, the project site is not located within an area with landslide hazard or subsidence hazard. In addition, as noted above, the project site is not expected to be subject to strong seismic shaking which if prolonged would result in liquefaction of the site.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Project construction may result in the loss of topsoil due to the addition of impervious surface. The existing terrain of the project site is relatively level. The project would be subject to local and state standards for development of the site. Development of the site would be further reviewed and permitted and would ensure that the development would not result in substantial soil erosion where increased risk would occur.

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

FINDING: NO IMPACT:

No adverse geologic unit or unstable soil has been identified on the project site.

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

FINDING: NO IMPACT:

According to Figure 7-1 of the Fresno County General Plan Background Report, the project site is not located on soils exhibiting moderately high to high expansion potential.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to Figure 7-1 of the FCGPBR, the project site is not located on identified areas having expansive soils.

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

FINDING: NO IMPACT:

The operational characteristics of the proposal will not require a septic system or alternative wastewater disposal system to be installed. No unique paleontological or unique geologic features were identified on the project site.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the *Air Quality and Greenhouse Gas Analysis Report* Illingworth and Rodkin Inc. dated August 2, 2023, during construction and operations, which would generate approximately 0.26 metric tons of CO₂ emissions (MTCO₂e). The subject project estimates a 180-day (six-month) construction period with an average of five employees per day. In addition to the estimated employee trips, a total of 30 delivery truck trips are projected to deliver all equipment and materials for the development of the project. The project is for a renewable energy generation facility that would assist in decreasing GHG emissions by offsetting emissions resulting from other power generation resources. The project would further result in local, regional, and statewide GHG emissions reduction targets and would not conflict with an applicable plan, policy, or regulation adopted to reduce GHG emissions.

- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of this application by the Air District indicated that this project, with adherence to regulatory requirements proposed by the Air District, would follow their policies and regulations adopted for the purpose of reducing the emissions of greenhouse gases.

These requirements provide oversight for the project to ensure that standards continue to be met. As they do not address any specific impacts, they will be included as conditions of approval to the Conditional Use Permit associated with this Initial Study. The purpose of District Rule 9510 (Indirect Source Review) is to reduce the growth in both NO_x and PM₁₀ emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into the development project. In case the proposed project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions. Adherence to the Air District's regulations will ensure less than significant impacts on the release of greenhouse gases.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the project and provided comments. These comments include compliance of the project with State and local regulations for the use and/or storage of hazardous materials and wastes should they be utilized. Regulations include compliance with the California Health and Safety Code and preparation of submittal of a Hazardous Materials Business Plan. With the project's compliance with applicable State and local handling and reporting requirements, the project is not likely to result in a significant hazard or result in a significant hazard due to accident conditions involving the release of hazardous materials into the environment.

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

FINDING: NO IMPACT:

There are no existing schools within a one-quarter mile of the project site nor any indication of any designated sites for a school within the Specific Plan area. The closest school, Faith Academy, is located 10.40-miles southeast of the project site.

- 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?

FINDING: NO IMPACT:

According to the NEPAssist database, there are no listed hazardous materials sites located on the project site, nor in proximity of the subject 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 or excessive noise for people residing or working in the project area; or

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility* Plan Update adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Firebaugh Airport, is located 10-miles southwest to the project site. According to a letter by the Federal Aviation Administration's Southwest Regional Office, the Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77 and concluded the aeronautical study as proposed does not exceed obstruction standards and would not be a hazard to air navigation.

Given the nature of the operation, the unmanned solar facility will not subject individuals to safety and noise impacts resulting from flying operations on people residing or working in the project area. The impact is deemed to be less than significant.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

FINDING: NO IMPACT:

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

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per Figure 9-9 of the Fresno County General Plan Background Report, the project site is not within the State Responsibility area for wildland fire. Potential exposure to wildland fires is deemed less than significant as the area is away from sensitive receptors who may be negatively affected from potential risk of wildfires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not violate any water quality standards. The project site falls under the purview of the Westland Water District. The land is currently eligible to receive an allocation of water from the District's agricultural water service contract.

Per the Fresno County Department of Public Health, Environmental Health Division (Health Department) review of the proposal, the following shall be included as Project Notes: 1) In an effort to protect groundwater, any water wells or septic systems that exist or that have been abandoned within the project area, not intended for future use and/or use by the project, shall be properly destroyed; 2) the applicant shall apply for and obtain a permit(s) to destroy water well(s) from the Health Department prior to commencement of work; and 3) if any underground storage tank(s) are found during mining activities, the applicant

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The description indicates that the project will be temporary in nature, will be decommissioned after the useful life and the land will be returned to a condition that is suitable for agricultural use, as reflected in the Reclamation Plan that contains financial assurances that the decommissioning will be completed. Water will be trucked in six times per year to clean the solar panels. No groundwater will be used from the site.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?

FINDING: NO IMPACT:

The project site is not expected to alter any existing drainage pattern of the site or area, including through the alteration of the course of a stream or river. Any additional storm water runoff generated by the development of this site cannot be drained across property lines or into the County road right-of-way, and must be retained onsite, per County Standards.

- 1. Result in substantial erosion or siltation on- or off-site.

FINDING: LESS THAN SIGNIFICANT IMPACT:

Any site grading and drainage associated with the construction of the solar facility will adhere to the Grading and Drainage Sections of the County Ordinance Code.

The Applicant shall provide a detailed erosion and drainage control program for the project to control erosion, siltation, sedimentation, and drainage.

- 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

- 3. 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; or
- 4. Impede or redirect flood flows?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project development may cause changes in absorption rates, drainage patterns, and an increase in the rate and amount of surface runoff. This potential impact would result from construction and paving activities, which would compact and over cover the soil, thereby reducing the area available for infiltration of storm water.

According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, the project shall require: 1) an engineered grading and drainage plan to show how the additional storm water runoff generated by the proposed development will be handled without adversely impacting adjacent properties; 2) filing of a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) with State Water Resources Control Board (SWRCB) before the commencement of any construction activities disturbing 1.0 acre or more of area; and 3) providing copies of completed NOI and SWPPP to Development Engineering prior to any grading work. These requirements will be included as Project Notes.

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

FINDING: NO IMPACT:

According to FEMA FIRM Panel 06019C0950H the parcel is not subject to flooding from the 100-year storm.

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

FINDING: NO IMPACT:

The subject proposal would not conflict with any Water Quality Control Plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community; or

FINDING: NO IMPACT:

The project will not physically divide an established community. The project site is located approximately 9.17-miles west from the City of Firebaugh and as such do not pose any threat to an established community as the surrounding parcels consist of agricultural land, and not therefore physically divide an established community.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is not in conflict with any land use plan, policy, or regulation of any agency with jurisdiction over the project and complies with Fresno General Plan policies.

XII. MINERAL RESOURCES

Would the project:

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

FINDING: NO IMPACT:

Per Figure 7-8 of the Fresno County General Plan Background Report, the project site is not located within a mineral-producing area of the County.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project more than standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

Noise from increased vehicular traffic on and around the project site during construction of the storage pond would be less than significant. Construction-related noises are expected to be short term and exempt from compliance with the Fresno County Noise Ordinance, provided construction activities occur between the hours of 6:00 a.m. to 9:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. Saturday and Sunday.

- B. Generation of excessive ground-borne vibration or ground-borne noise levels; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed project involves the creation of a new solar facility with related equipment. A Project Note would require that the construction of the project shall comply with the County Noise Ordinance regulations.

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

FINDING: NO IMPACT:

Per the Fresno County *Airport Land Use Compatibility* Plan Update adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest public airport, Firebaugh Airport, is located 10-miles southwest to the project site. Per the Fresno County Airport Land Use Compatibility Plan Update adopted by the Airport Land Use Commission (ALUC) on December 3, 2018, the nearest private airport, Eagle Field Airport, is located westerly adjacent to the project site. In addition, the nearest public airport, Firebaugh Airport, is located 10-miles southwest to the project site. According to a letter by the Federal Aviation Administration’s Southwest Regional Office, the Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77 and concluded the aeronautical study as proposed does not exceed obstruction standards and would not be a hazard to air navigation.

XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? Or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed new solar facility with related equipment on a +/-40-acre parcel will not result in any unplanned population growth.

- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The site is currently vacant and will not displace any exiting people or houses necessitating housing replacement elsewhere.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for any of the public services?
 - 1. Fire protection.
 - 2. Police protection.
 - 3. Schools.
 - 4. Parks; or
 - 5. Other public facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. As stated in the project description, the primary use of the project is to allow for a photovoltaic solar facility and related facilities of which will not require additional resources to be spent towards fire, police, schools, parks or other public facilities.

XVI. RECREATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed new solar facility with related equipment on a +/-40-acre parcel will not result in the expansion of recreational facilities.

XVI. TRANSPORTATION

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Design Division of the Fresno County Department of Public Works and Planning reviewed the proposal and required a traffic management plan to determine the project's impacts to County roads and intersections. According to the traffic and operational statement dated March 22, 2023, project construction is anticipated to occur over a six-month construction period with an average of five employees a day. In addition to employee trips, an estimated five delivery truck trips associated with equipment and materials per day. This will provide an increase in overall trip generation, however, would have a minimal impact on the average daily trip for construction related traffic. Once construction of the project is complete, trip generation related to operation would be minimal, as monitoring of the site would be remotely conducted. It is anticipated there would be occasional maintenance of the facility, but it would be sporadic and completed using a regular pickup truck. Additionally, PV module cleaning would occur twice a year where a water tanker truck would be utilized.

- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? or

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will not conflict nor be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). With the anticipated number of daily trips generated during construction and daily trips associated with operation, the project will generate less than 110 trips per day and can be assumed under guidance of the operational statement that the project would result in a less than significant impact.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., facility equipment)? or
- D. Result in inadequate emergency access?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Road Maintenance & Operations division reviewed the proposal and required a traffic management plan be conducted.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not located in an area determined to be highly or moderately sensitive to archeological resources. Pursuant to Assembly Bill (AB) 52, project information was routed to the Picayune Rancheria of the Chukchansi Indians, Dumna Wo Wah Tribal Government, Table Mountain Rancheria 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 requests for consultation were presented to County Staff.

However, in the unlikely event that cultural resources are identified on the property, the Mitigation Measure included in the CULTURAL ANALYSIS section of this report will reduce impact to tribal cultural resources to less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VII. E. GEOLOGY AND SOILS and Section X. B. HYDROLOGY AND WATER QUALITY above. The construction of any new or

expanded electric power, or natural gas to provide for the proposed residential development.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

Water usage shall primarily consist of solar panel washing. All water use shall be trucked in from off-site.

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

FINDING: NO IMPACT:

No wastewater is expected to be generated for the solar facility.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project does not anticipate on generating solid waste exceeding State or local standards. As such, the impact would be a less than significant impact.

XX. WILDFIRE

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

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

- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project proposal was routed to the Fresno County Fire Department who expressed no concern over the project. The project is not located within the State Responsibility Area (SRA). The project will not impair any emergency response/evacuation plan, exacerbate wildfire risks due to slope, prevailing winds, and other factors to require installation or maintenance of associated infrastructure, or create risks related to downstream flooding due to drainage changes or landslides.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

FINDING: NO IMPACT:

The project site is not located within an area of wildlife and wetlands.

- 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); or

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION:

Each of the projects located within Fresno County has been or would be analyzed for potential impacts, and appropriate project-specific Mitigation Measures are developed to reduce that project’s impacts to less than significant levels. Projects are required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code at the time development occurs on the property. No cumulatively considerable impacts relating to Agricultural and Forestry Resources, Air quality or Transportation were identified in the project analysis. Impacts identified for Aesthetics, Cultural Resources, and Biological

Resources will be mitigated by compliance with the Mitigation Measures listed in Sections I., V., and XVII of this report.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project was analyzed for potential impacts, and appropriate project-specific Mitigation Measures have been developed to reduce project impacts to less than significant levels. The project is required to comply with applicable County policies and ordinances. The incremental contribution by the proposed project to overall development in the area is less than significant.

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, the San Joaquin Air Pollution Control District, and the California Code of Regulations Fire Code. No cumulatively considerable impacts relating to Agricultural, and Forestry Resources, Air Quality, or Transportation were identified in the project analysis. Impacts identified for Aesthetics, Biological Resources, Cultural Resources, and Energy will be addressed with the Mitigation Measures discussed above in Section I, Section IV, Section V and Section VI.

CONCLUSION/SUMMARY

Based upon Initial Study No. 8403 prepared for Unclassified Conditional Use Permit No. 3764, staff has concluded that the project will not have a significant effect on the environment.

No potential impacts were identified related to population, recreation, wildfire, housing mineral resources.

Impacts related to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, agricultural and forestry resources, , hydrology and water quality, land use and planning, noise, energy, public services, transportation, utilities and service systems, and have been determined to be less than significant.

Impacts related to aesthetics, biological resources, and tribal cultural resources have been determined to be less than significant with adherence to the proposed 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, Ste. "A", Fresno, CA.

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.

ER

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EXHIBIT 9

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 8403	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-202410000105
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): Elliot Racusin, Planner	Area Code: 559	Telephone Number: 600-4245	Extension: N/A
Project Applicant/Sponsor (Name): Dakin Spain	Project Title: Initial Study No. 8403 & Unclassified Conditional Use Permit No. 3764		
Project Description: Allow a photovoltaic solar facility and related facilities on a 39.8-acre parcel section from a 56.70-acre parcel within the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) and ACC (Agricultural Commercial Center) Zone Districts. The subject parcel is located on the northwest corner of W. Athea Ave. and N. Russell Ave., approximately 9.17-miles west from the City of Firebaugh. (APN: 004-120- 02)(48054 W. Athena Ave. Firebaugh) (Sup. Dist. 1).			
Justification for Negative Declaration: Based upon the Initial Study prepared for 8403 Unclassified Conditional Use Permit Application No. 3764, staff has concluded that the project will not/will have a significant effect on the environment. It has been determined that there would be no impacts to Hydrology, Land Use Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, and Utilities and Service Systems. Potential impacts related to Aesthetics, Agricultural and Forestry, Energy, Geology and Soils, Green House Gas Emissions, Hazards and Hazardous Materials, Noise, Wildfire, and Mandatory Findings of Significance have been determined to be less than significant. Potential impacts relating to Biological Resources and Cultural Resources have determined to be less than significant with mitigation.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – April 15, 2024		Review Date Deadline: Planning Commission – TBD	
Date: 4.16.24	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Elliot Racusin Planner 	

State 15083, 15085

County Clerk File No.: E-202410000105

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**

EXHIBIT 10



Overview of APE, facing north



Overview of APE, facing west



Overview of APE, facing east



Overview of APE, facing south