

ATTACHMENT D

From: [Chad Roberts](#)
To: [Stephanie Cormier](#)
Cc: [Taro Echiburu](#); [Jim Provenza](#); [Don Saylor](#); [Bob Schneider](#); [Alan Pryor](#); [John Hopkins](#); [Steve Greco](#); "Charlie Tschudin"; [Lucas Frerichs](#); [Eric May](#)
Subject: RE: Proposed Zoning Code Amendments/Public Review
Date: Monday, August 8, 2022 2:01:24 PM

Hello Stephanie,

Generally these proposed changes are good ideas. However, I have a specific concern about uses that could be approved for POS and P-R designated open-space and parklands, based on the County's prior experiences at Grasslands Park, when a relatively large solar array was approved for installation without an adequate review of the project's environmental consequences. I understand that solar facilities are not proposed to be allowed in the POS and P-R zones other than to support existing caretaker facilities and other existing structures, which is a good approach. I also understand that new telecommunications facilities would not be authorized in POS and P-R zones, and only expansions of existing telecommunications facilities in these zone would be approvable.

What I don't see is a requirement that potential effects on natural environmental values in these public open space and recreational lands would be fully evaluated as part of the County's review process, including a functional equivalent of the biological and other resources assessment elements in the County's CEQA review process. The proposed ordinance changes require consideration of sensitive species covered by the HCP/NCCP, but I do not see any consideration of factors identified in the County-approved Resource Conservation Investment Strategy/Local Conservation Plan (RCIS/LCP), including effects on landscape connectivity, riparian resources, and other broad-scale conservation objectives in the RCIS/LCP, which were intentionally omitted by the Yolo Habitat Conservancy when the HCP/NCCP was prepared. These elements are directly addressed by elements in the County's adopted General Plan, and their consideration would seem to be mandatory for any County approval, but I'm concerned that the proposed ordinance revisions will not trigger their consideration.

Large-scale solar arrays, which I think I read the proposal to mean anything with a ground footprint larger than a hectare (2.5 acres), are frequently not compatible with a variety of conservation concerns that are sensitive to changes in larger landscape settings than individual parcels. Some consideration of the environmental consequences involved in approving these uses may be associated with significant impacts on one or more conservation values identified in the RCIS/LCP. I suggesting using the elements in the RCIS/LCP as a screen to identify unanticipated conservation impacts before authorizing uses proposed pursuant to the revised ordinances.

Best,

Chad

Chad Roberts, Ph.D., Conservation Ecologist
Professional Wetland Scientist (*emeritus*), Society of Wetland Scientists
Senior Ecologist (*emeritus*), Ecological Society of America

"There is no equilibrial 'new normal' for the foreseeable future, but rather accelerating rates of change in multiple drivers are causing ecological changes to be hastened overall and punctuated by episodes of abrupt change."

Turner et al (2020). *Phil Trans R Soc B* 375: 20190105

From: Stephanie Cormier <Stephanie.Cormier@yolocounty.org>

Sent: Monday, August 8, 2022 11:54 AM

To: Humberto Izquierdo <Humberto.Izquierdo@yolocounty.org>; David Guerrero <David.Guerrero@yolocounty.org>; George Galang <George.Galang@yolocounty.org>; Scott Doolittle <Scott.Doolittle@yolocounty.org>; Nicholas Burton <Nicholas.Burton@yolocounty.org>; Eric May <Eric.May@yolocounty.org>; OES <OES@yolocounty.org>; Juan Ceja <Juan.Ceja@yolocounty.org>; Charlie Tschudin <charlie@yolohabitatconservancy.org>; CapayValley <capayvalley@yahoo.com>; Craig Hamblin <chfire@msn.com>; psandholdt@cityofdavis.org; Station@DunniganFire.com; dgarrison@dunniganfire.com; Rich Yeung <turrwet@aol.com>; Curtis <curtis@espartofire.org>; klfpd2021@gmail.com; ycstation17@att.net; GFredericksen@yochadehe-nsn.gov; wpl30@wpfd.net; sbravo@wpfd.net; willowoakfire@afes.com; alt@cityofwestsacramento.org; Wifd.records@wintersfire.org; Matthew.Schechla@wintersfire.org; risk-reduction@cityofwoodland.org; dntafoya@yahoo.com; Yolofd800@yahoo.com; richardc@wcnx.org; jvnolan@yololaw.com; gm@ecsd-ca.org; chavarriagirl@sbcglobal.net; lrefmcsdist@yahoo.com; YoloCSA <YoloCSA@yolocounty.org>; jreed@ycfcwcd.org; Kristin Sicke <ksicke@ycfcwcd.org>; ocarrillo@yochadehe-nsn.gov; Gayle Totton <GTotton@yochadehe-nsn.gov>; Paul Hensleigh <PHensleigh@ysaqmd.org>

Subject: Proposed Zoning Code Amendments/Public Review

Hello,

The Yolo County Department of Community Services' Planning Division is proposing changes to the County's Zoning Regulations related to wireless telecommunication facilities, solar energy systems, and energy storage systems and invites public review and comment. Please refer to the attached Memorandum and Zoning Ordinance documents.

We are hoping to review the proposed amendments at the September 8, 2022, Planning Commission meeting so early comments are welcome! However, comments can also be submitted at the Planning Commission meeting and up until final action is taken by the Board of Supervisors.

The Memo and Zoning Ordinance documents can also be accessed at the following webpage:

[Current Projects | Yolo County](#).

Thank you for your participation in the public process!

Sincerely,
Stephanie

Stephanie Cormier
Principal Planner
Yolo County Department of Community Services
292 W. Beamer Street
Woodland, CA 95695
(530) 666-8041
www.yolocounty.org

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DELTA PROTECTION COMMISSION

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West Sacramento, CA 95691
(916) 375-4800
www.delta.ca.gov



August 30, 2022

Stephanie Cormier
Yolo County Department of Community Services
292 West Beamer Street
Woodland, CA 95695

Re: Proposed Amendments to Zoning Regulations, Article 11: Energy and
Telecommunications Development Standards

Dear Ms. Cormier:

Thank you for providing the Delta Protection Commission (Commission) the opportunity to review the proposed amendments to the Yolo County (County) Zoning Regulations (Project). The Project entails amending Article 11: Energy and Telecommunications Development Standards, particularly Sections 8-2.1102 (Wireless Telecommunication Facilities), 8-2.1104 (Small and Medium Solar Energy Systems), and 8-2.1105 (Large and Very Large Solar Energy Systems). County staff are proposing to combine the Solar Energy Systems ordinances into one Section (8-2.1104) and add a new Section 8-2.1105 for Energy Storage Systems.

The Commission is a state agency charged with ensuring orderly, balanced conservation and development of Delta land resources and improved flood protection. Proposed local government-approved projects within the primary zone of the Legal Delta must be consistent with the Commission's Land Use and Resource Management Plan (LURMP) (California Public Resources Code Sections 29700-29780). The proposed amendments to the zoning regulations affect agricultural lands within the Commission's jurisdiction over "development" in the primary zone, as well as lands in the secondary zone that may impact primary zone resources. Our comments are directed towards these agricultural lands and not lands in the unincorporated area outside the Legal Delta.

The Commission encourages County staff to review the Project for consistency with LURMP policies, particularly the following:

Land Use Policy 2. Local government general plans, as defined in Government Code Section 65300 et seq., and zoning codes shall continue to promote and facilitate agriculture and agriculturally supporting commercial and industrial uses as the primary land uses in the Primary Zone; recreation and natural resources land uses shall be supported in appropriate locations and where conflicts with agricultural land uses or other beneficial uses can be minimized.

Don Nottoli, Chair
Sacramento County Board of
Supervisors

Chuck Winn, Vice Chair
San Joaquin County Board of
Supervisors

Oscar Villegas
Yolo County Board of
Supervisors

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North Delta Reclamation
Districts

Nick Mussi
South Delta Reclamation
Districts

Toks Omishakin
CA State Transportation
Agency

Karen Ross
CA Department of Food and
Agriculture

Wade Crowfoot
CA Natural Resources Agency

Brian Bugsch
CA State Lands Commission

Ex Officio Members

Honorable Susan Eggman
California State Senate

Honorable Carlos Villapudua
California State Assembly

Land Use Policy 3. New non-agriculturally oriented residential, recreational, commercial, habitat, restoration, or industrial development shall ensure that appropriate buffer areas are provided by those proposing new development to prevent conflicts between any proposed use and existing adjacent agricultural parcels.

Agriculture Policy 2. Conversion of land to non-agriculturally-oriented uses should occur first where productivity and agricultural values are lowest.

We are concerned about the effect the Project may have on agricultural land in the primary zone. Telecommunication facilities, solar energy systems (SES), and energy storage facilities should be permitted in a manner that avoids or minimizes conversion of agricultural land. Where conversion of agricultural land is unavoidable, loss of agricultural land should be mitigated to the fullest extent feasible. Our specific comments on the proposed zoning amendments are provided below.

Comments on Section 8-2.1102 (Wireless Telecommunication Facilities)

The Commission supports projects that provide permanent, affordable high speed wireless access within the rural areas of the Delta. Wireless communication facilities can offer multiple benefits for residents, agricultural operations, visitors, and emergency personnel when both upload and download speeds consistently meet or exceed minimum state and federal standards. The Clarksburg Community Action Plan (November 2016) identifies improved internet access as a community goal: “Action 2a. Promote internet access through new or enhance broadband and Wi-Fi locations.” The Connecting the Delta: Broadband Action Plan (August 2019) states that legacy communities in the Delta, including Clarksburg, subscribe to the internet at a far lower rate than is seen throughout the state due to challenges with access, quality, reliability, and cost.

As wireless communication facilities are installed in the Delta, we want to ensure that the Delta’s cultural landscape values are not negatively impacted. When permitting wireless telecommunication facilities, we encourage the County to consider how the facilities may impact the visual character of the surrounding landscape and work with the project applicants to minimize the aesthetics impacts to the extent feasible. We are supportive of development standards that are protective of the unique, rural landscape in the primary zone.

The Project proposes to increase the maximum height of small wireless communication facilities from 80 feet to 120 feet. While this can increase potential viewshed impacts, we are generally not opposed to this change, because we recognize the difficulty in achieving line-of-sight with shorter facilities due to tree coverage in the Clarksburg area. For any sized facility, the County should ensure that the facility is properly marked to provide clear visibility to crop dusters and other low-flying aircrafts.

Comments on Section 8-2.1104 (Solar Energy Systems)

The Commission is supportive of the proposed zoning regulation amendments to differentiate between accessory and utility SES. We recognize that SES, particularly accessory systems, can have many uses in agricultural operations.

We are also supportive of the proposed new development standard to encourage SES to “locate on predominantly non-prime farmland and non-Williamson Act contract land, as feasible.” However, we believe this standard is not adequate to ensure protection and are concerned about the potential for SES projects to result in agricultural land conversion in the primary zone. Pursuant to LURMP Agriculture Policy 2, small- and medium-scale ground mounted SES in the primary zone should be sited in locations where productivity and agricultural values are lowest. Large-scale SES that would permanently convert agricultural land in the primary zone are not consistent with the LURMP and are not an acceptable land use in the primary zone. In addition, the amendments should require utility SES adjacent to agricultural parcels to include buffers to ensure that the systems do not negatively impact agricultural operations.

Where SES would cause a permanent loss of farmland, mitigation should be required. As proposed, the zoning amendments would require utility SES to mitigate for permanent loss of agricultural land in accordance with County Code Section 8-2.404 (the Agricultural Conservation and Mitigation Program). Medium-sized SES located on prime farmland or land with a William Act contract would also be subject to the County’s mitigation requirements. However, medium-sized SES approved by Site Plan Review and located on non-prime farmland or land without a Williamson Act contract would be exempt from these requirements.

The mitigation requirements for medium-sized SES should be expanded to require mitigation for unique farmland and farmland of statewide importance. Currently, the mitigation requirement for medium-sized SES is only protective of prime farmland or land with Williamson Act contracts.

Comments on Section 8-2.1105 (Energy Storage Facilities)

At the Clarksburg Citizens Advisory Committee meeting held on August 18, County staff and Committee members recommended revising the permitting requirements for energy storage facilities. The Project currently proposes permitting energy storage facilities based on the acreage the facility would occupy. Energy storage facilities up to 2.5 acres would be allowed in most zones with a Site Plan Review. County staff and Committee members recommended revising this requirement to issue permits based on the capacity of the facility instead.

The Commission supports this revision. Residential energy storage facilities are a reasonable allowed use for agricultural zoned land in the primary zone. Commercial energy storage facilities should require a Major Use Permit that should be issued based on the capacity of the facility and whether it is located on prime farmland, unique farmland, or farmland of statewide importance.

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Thank you for the opportunity to provide input. Please contact Kirsten Pringle, Senior Environmental Planner, at (530) 650-6327 for any questions regarding the comments provided.

Sincerely,

A handwritten signature in black ink that reads "Bruce Blodgett". The signature is written in a cursive, slightly slanted style.

Bruce Blodgett
Executive Director

cc: Oscar Villegas, Yolo County Supervisor and Commission member