

LARGE-SCALE SOLAR ON AG LAND POLICY DISCUSSION

July 11, 2023

- Small and Medium-Sized Solar Facilities Ordinance adopted September 2011
- Large and Very Large Solar Facilities Ordinance adopted October 2011
 - Solar Energy Systems Ordinance revised in 2022
 - Nine permitted solar energy systems permitted since 2011
 - Two medium-sized utility systems
 - Six medium-sized onsite serving systems
 - One accessory solar system

▶ *No large-scale solar energy systems have been approved by the County to date*



Large-Scale Solar Regulatory Framework

Large-scale solar energy system: > 30 acres

- *Large-scale solar projects require:*
 - *Major Use Permit*
 - *Environmental review*
 - *Mitigation under the Ag Conservation and Mitigation Program*
- *Projects up to 120 acres may be approved by Planning Commission*
- *Projects greater than 120 acres must be approved by the Board upon a recommendation from the PC*
- ▶ **Use Permits give decision-makers broad discretion to ensure a project aligns with County priorities**

PROCESS FOR PUBLIC ENGAGEMENT WHEN CONSIDERING A LARGE-SCALE SOLAR USE PROJECT

All proposed large-scale solar energy systems require a discretionary review process before a Use Permit can be issued, providing the public ample opportunities to engage

Request for Comments/Agency Review

Application submittal is routed for early agency feedback to address issues of concern and identify preliminary conditions

Courtesy Notice

Once an application is deemed complete, a courtesy notice is sent to property owners within 1000 feet of the project parcel and other interested parties. This initiates the public process.

Invitation for Early Tribal Consultation

Local Tribes are sent an invitation to consult prior to commencing the environmental review process.

CEQA process commences

It is assumed that all large-scale solar projects locating on ag land will require an EIR

County retains CEQA consultant

Environmental Initial Study may be prepared

CEQA and Public Engagement

An Environmental Review under CEQA continues the opportunity for public engagement, particularly for EIRs

▶ Notice of Preparation (NOP)

- ▶ *Once it is determined the project will require an EIR, an NOP is published in the local newspaper, posted online, and circulated to local and state responsible agencies, property owners w/in 1000 feet, and interested parties to initiate a 30-day scoping comment period*
- ▶ *A public scoping meeting is generally held during the comment period to receive verbal comments on the scope and content of the EIR*
- ▶ *Draft EIR is prepared*

▶ Notice of Availability (NOA)

- ▶ *Once a Draft EIR has been prepared, an NOA is published, posted, and circulated to agencies, property owners, and interested parties to commence a 45-day public comment period*
- ▶ *A public meeting is usually held with the Planning Commission to accept verbal comments on the Draft EIR*

▶ Citizens Advisory Committee (CAC)

- ▶ *Once project conditions and mitigations have been identified, the project is reviewed at applicable CAC meeting and recommendation is made*
- ▶ *Agenda sent to CAC interested parties list*

▶ Preparation of Final EIR

- ▶ *After the 45-day comment period closes, a Final EIR is drafted to include responses to comments and to identify any new issue areas*
- ▶ *If there are no new significant impacts, the Final EIR is posted at least 10 days prior to holding the first public hearing*
- ▶ *NOA is posted, published, and sent to commenters, property owners, and interested parties*

Public Hearing Required

Once the Final EIR is published, public hearing(s) conducted with the Planning Commission and/or Board of Supervisors

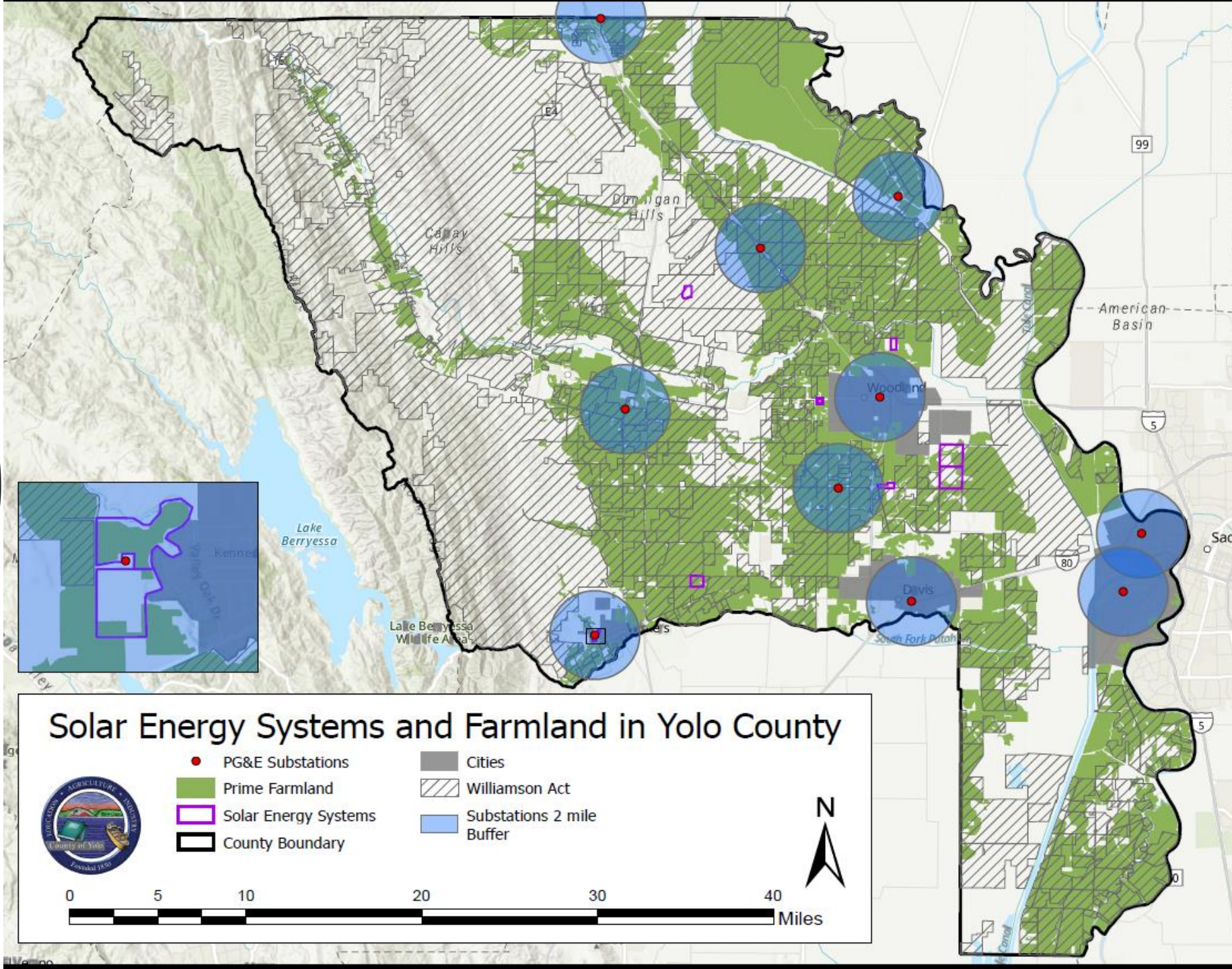
▶ Planning Commission Public Hearing Notice

- ▶ *A large-scale solar energy project up to 120 acres may be approved by the Planning Commission (PC)*
- ▶ *Large-scale solar energy projects greater than 120 acres require a recommendation from the PC to the Board of Supervisors (BOS), the final decision-making body*
- ▶ *A public hearing notice is published, posted, and mailed to property owners and interested parties at least 10 days in advance of the PC meeting; PC agendas are distributed to PC interested parties and posted online*
- ▶ *Any final decision by the PC on a large-scale solar energy project is appealable to the BOS*

▶ Board of Supervisors Public Hearing Notice

- ▶ *All large-scale solar energy projects greater than 120 acres require approval from the BOS upon a recommendation from the PC*
- ▶ *After a duly-noticed public hearing is held with the PC, the recommendation is brought forward for the Board's consideration*
- ▶ *A public hearing notice is published, posted and mailed to property owners and interested parties at least 10 days prior to the BOS meeting*

PG&E SUBSTATION LOCATIONS



BARRIERS TO LARGE-SCALE SOLAR DEVELOPMENT

Prime Farmland

- Approximately 93% of the unincorporated area is designated Agriculture and 40% of these lands are mapped as prime (Class I and II soils)
- All 6 substations are located on or immediately adjacent to prime farmland
- Up to 3:1 ag mitigation required

Williamson Act

- Over three-quarters of the unincorporated area is under contract affecting every substation
- Findings of compatibility must be made

Limited capacity at substations

- Improvements required for interconnection could be financially infeasible

Industry preference

- Parcel size limitations to meet industry needs

Options for minimizing impacts to Prime Farmland

Prohibit	Prohibit large-scale solar on prime farmland
Pre-Authorize	Require pre-authorization for large-scale solar proposals
Moratorium	Place a moratorium on accepting applications for large-scale solar projects
Restrict or cap	Restrict or cap the number of acres devoted to large-scale solar
Incentivize	Incentivize large-scale solar projects that allow for continued high value crop production





This Photo by Unknown Author is licensed under [CC BY](#)



This Photo by Unknown Author is licensed under [CC BY](#)