

ATTACHMENT F

**FINDINGS
ZONE FILE #2020-0043
GIBSON SOLAR FARM PROJECT
USE PERMIT**

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2020-0043, the Yolo County Board of Supervisors finds the following:
(A summary of the evidence to support each FINDING is shown in italics)

I. California Environmental Quality Act (CEQA)

That the proposed Environmental Impact Report (EIR) prepared for the project is the appropriate environmental documentation in accordance with CEQA and the CEQA Guidelines.

Pursuant to the California Environmental Quality Act (CEQA) and Article 5, Section 15064 of the CEQA Guidelines, an environmental evaluation (Environmental Impact Report) was prepared and filed due to substantial information indicating that the project may have a significant and unavoidable effect on the environment. The EIR was circulated for 45 days for public review and to Responsible Agencies having jurisdiction over the project. Five written comments were received during the review period, but no significant comments were noted. The preparation of the EIR was determined to be the appropriate level of environmental review pursuant to Article 5, Section 15064 of the CEQA Guidelines. (Attachment C).

II. Yolo County General Plan

The proposal is consistent with the applicable Yolo County General Plan Policies.

The Yolo County General Plan designates the subject property as Agriculture (AG). The project is consistent with the following General Plan Policies:

Land Use Policy LU-2.1 *seeks to protect existing farm operations from impacts related to the encroachment of urban uses and to ensure that development will not have a significant adverse effect on the economic viability or constrain the lawful practices of adjoining or nearby agricultural operations. The project is designed in a way to minimize the impacts to the existing farmland and nearby operations by maintaining the required setbacks from any property line, maintaining the all-weather access roads to offset localized flooding, and by integrating the Project into the agricultural landscape by establishing and maintaining a pollinator substrate derived from native plant species and keeping the site clear of combustible vegetation (see Conditions of Approval items 14; 20; 21; 23; and 24).*

Land Use Policy LU-2.4 *seeks to vigorously conserve, preserve, and enhance the productivity of the agricultural lands in areas outside of adopted community growth boundaries and outside of city SOIs. The project is designed in a way to minimize the impacts to the existing farmland and nearby operations by maintaining a minimum 50-foot setback from any property line, and implementing a multi-use plan to support long-term soil health and restoration, reduce the water supply demand onsite, and co-locate solar*

PV with apiary uses to further support biodiversity at the site (see Conditions of Approval items 14; 21; 23; and 56).

Land Use Policy LU-3.5 *seeks to avoid or minimize conflicts and/or incompatibilities between land uses. The project is designed in a way to minimize the impacts to the existing farmland and nearby operations by demonstrating compliance with the standard development requirements set forth in the County's Solar Energy Systems Ordinance in Section 8-2.1104 of the Yolo County Code, and satisfying Conditions of Approval, including the seven identified Mitigation Measures. (See Conditions of Approval items 1 and 56).*

Community Character Policy CC-1.8 *seeks to screen visually obtrusive activities and facilities such as infrastructure and utility facilities, storage yards, outdoor parking and display areas, along highways, freeways, roads and trails. The project includes conditions of approval to screen the project from the nearby roadway and integrate the solar energy system and BESS into the agricultural landscape (see Condition of Approval items 10 and 20).*

Community Character Policy CC-1.8 *encourages individual and community-based wind and solar energy systems. The project is in furtherance of this objective by developing a solar energy system, coupled with battery storage, that provides community benefits (including the potential for increased resiliency to public infrastructure and services) while minimizing the impact to agriculture.*

Public Facilities and Services Policy PF-5.9 *requires that applicants must provide a will-serve letter from the appropriate fire district/department confirming the ability to provide fire protection services to the project, prior to each phase. Per Condition of Approval item 43, the project applicant will be required to obtain a will-serve letter from the Esparto Fire Protection District confirming the ability to provide fire protection service to the project, prior to each phase.*

Public Facilities and Services Policy PF-11.5 *seeks to increase the availability and reliability of power to the rural areas including underserved communities. The project is in furtherance of this objective by developing a solar energy system, coupled with battery storage to provide renewable energy during non-peak hours, that provides community benefits (including the potential for increased resiliency to public infrastructure and services) while minimizing the impact to agriculture and nearby residences.*

Agriculture Policy AG-1.6 *requires mitigation as a ratio of no less than 1:1 for the conversion of farmland and/or the conversion of land designated or zoned for agriculture, to other uses. The project includes conditions of approval that require the acquisition of an agricultural preservation easement at a ratio between 1:1 and 3:1, depending on the location of the easement areas, to mitigate for permanent loss of prime farmland to a non-agricultural use (Condition of Approval No. 25).*

Agriculture Policy AG-2.13 *promotes wildlife-friendly farm practices such as native species/grasslands restoration in field margins. The project includes elements to protect and help promote the use of native species to establish and maintain a native pollinator substrate, and reclamation of the land after the project is decommissioned (Conditions of Approval items 8; 10; and 15 through 17).*

Conservation and Open Space Policy CO-2.10 encourages the restoration of native habitat. The project includes elements to protect and help promote the use of native species to establish and maintain a native pollinator substrate, and reclamation of the land after the project is decommissioned (Conditions of Approval items 8; 10; and 15 through 17).

Conservation and Open Space Policy CO-2.17 emphasizes and encourages the use of wildlife-friendly farming practices within the County's Agricultural Districts and with private landowners, including:

- Establishing native shrub hedgerows along field borders; and
- Using native species and grassland restoration in marginal areas.

The project includes elements to help promote the use of native species to integrate the facility into the agricultural landscape, and reclamation of the land after the project is decommissioned (Conditions of Approval items 10; 15 through 17; 20 and 23).

Community Character Policy CO-7.1 encourages conservation of natural gas, oil and electricity, and management of peak loads in existing land uses. The project is in furtherance of this objective by developing a solar energy system and battery energy storage system that provides community benefits (including the potential for increased resiliency to public infrastructure and services) while minimizing the impact to agriculture and nearby residences.

Conservation and Open Space Policy CO-8.5 promotes greenhouse gas emission reductions by supporting carbon efficient farming methods; installation of renewable energy technologies; protections of grasslands, open space, oak woodlands, riparian forest and farmlands from conversion to other uses; and development of energy-efficient structures. The project is in furtherance of this objective by developing a solar energy system, coupled with battery storage, that provides community benefits (including the potential for increased resiliency to public infrastructure and services) while minimizing the impact to agriculture. The project also proposes a multi-use plan to co-locate solar PV with apiary uses at the site to compliment policies that aim to preserve and enhance farmland by supporting long-term soil health and restoration, reduce water supply demand at the site, and further support biodiversity.

Economic Development Policy ED-5.11 promotes use of solar technology, water reuse systems, biomass systems, and other systems to capture alternative sources of energy in all agricultural, industrial, and commercial endeavors. The project is in furtherance of this objective by developing a solar energy system, coupled with battery storage, that provides community benefits (including the potential for increased resiliency to public infrastructure and services) while minimizing the impact to agriculture.

III. Zoning Code

The proposal is consistent with applicable zoning standards.

The property is zoned Agricultural Intensive (A-N). The proposed use is consistent with Section 8-2.1104 and 1105 of the Yolo County Code, which requires the approval a Major

Use Permit for large-scale solar energy systems on A-N zoned property occupying more than 120 acres by the Yolo County Board of Supervisors, following a recommendation from the Planning Commission, provided that the application is consistent with conditions and standards set forth in Sections 8-2.1104(h) and (i) of the Yolo County Code. The proposed project is also coupled with energy storage greater than 2 megawatts (MW) and is consistent with zoning standards per Section 8-2.1105 of the Yolo County Code. Utility-scale solar energy systems that are proposed to locate on lands under a Williamson Act contract must be found to be compatible in accordance with Section 106 of the Yolo County Williamson Act Guidelines, including compliance with the Williamson Act statutes governing the principles of compatibility under Section 51238.1 of the California Government Code. If the compatibility cannot be established, the project cannot proceed until the Williamson Act contract either expires following non-renewal or is cancelled.

The proposed solar project would interconnect to the Madison substation's distribution grid, approximately 0.88 mile east of the proposed project site on County Road 89, to supply residents and businesses within Yolo County with a renewable energy source. The proposal has been awarded a Power Purchase Agreement (PPA) with Valley Clean Energy (VCE), a Community Choice Aggregation (CCA) public agency that focuses on providing its 150,000 customers with cost competitive renewable energy and local reinvestment. The proposed project will satisfy 35 percent of total local procurement from Yolo County and neighboring counties.

The proposal is consistent with findings required for approval of a Use Permit, as set forth in County Code Section 8-2.217(e):

1. The requested use is listed as a conditional use in the zone regulations or elsewhere in the code;

Pursuant to Section 8-2.1104 and 1105, the proposed large-scale solar energy system project (<120 acres), coupled with a battery energy storage system (<2 MW), is allowed within the A-N zone through the Use Permit review and approval process. Solar energy systems that occupy more than 120 acres is requires the approval of a Major Use Permit by the Yolo County Board of Supervisors following a recommendation from the Planning Commission, provided that the application is consistent with conditions and standards set forth in Sections 8-2.1104(h) and (i) of the Yolo County Code.

2. The requested use is essential or desirable to the public comfort and convenience;

State and federal legislation require local jurisdictions to address the promotion of greenhouse gas emissions (GHG) reduction, which is consistent with policies in the Yolo County 2030 Countywide General Plan and accompanying Climate Action Plan (CAP) that call for measurable reductions in GHGs through expanded capacity and reliance on renewable and sustainable energy sources by 2030.

The proposed project will contribute up to 20 MW of renewable energy power, including up to 13 MW of battery energy storage, providing Yolo County with a clean source of renewable energy. Electricity generated by the proposed project will be sold to VCE, a local CCA program, via a PPA to help satisfy VCE's local renewable portfolio standards to ensure 75 percent of the County is relying on 50

percent renewable energy, and 25 percent of the County is relying on 100 percent renewable energy to achieve the 2030 target.

3. The requested use will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare;

As evidenced in the EIR, the proposed project will not create a significant effect on the character of the surrounding rural area. The approximately 147-acre project is located about 4,650 feet (0.88 miles) west of the Madison substation located on County Road 89. The project will connect to an existing PG&E 21-kilovolt (kV) distribution line located about 2,400 feet south of the proposed project site. The property and surrounding vicinity are currently in use as farmland (row crops and orchards). State Route (SR) 16 lies to the north and the community of Madison lies approximately 0.6 miles to the east of the project site. The distance from the closest rural residence to the nearest project boundary ranges from about 2,000 to 3,200 feet. The project proposes minimal ground disturbance, as the existing terrain is relatively flat, and the solar arrays will be pile-driven and not require concrete footings which would further reduce the project's footprint. A vegetative buffer comprised of native species will be provided at the northern parcel boundary, to the greatest extent practicable, to soften the view of the solar energy system from the public right-of-way. A multi-use plan has been proposed as part of the project to incorporate apiary uses, support grassland/pollinator habitat, and livestock grazing to further reduce the visual impacts of the project with the surrounding agricultural lands. Minimal lighting will be used at the site for safety and security functions, such as motion sensitive, directional security lights. All lighting will be directed downward and shielded to minimize light trespass to neighboring residential properties. The proposed use is consistent with surrounding land uses, including other rural residences and nearby agricultural operations, and will serve to enhance the surrounding agricultural operations. Mitigation required through the project's Conditions of Approval will ensure that the public's health, safety, or general welfare will not be impaired.

4. The requested use will be in conformity with the General Plan;

The proposed project implements General Plan policies that seek to expand the capacity and reliance on renewable energy sources, while promoting regional GHG emission reductions. The project is consistent with policies that aim to avoid or minimize conflicts and/or incompatibilities between land uses and encourage the production of alternative energy. The project will provide a balanced approach to ensure the County's commitment to conserve and protect farmland and natural resources is not compromised, while enhancing the productivity of surrounding agricultural lands through the implementation of a multi-use plan. The multi-use plan aims to meet land use policies by incorporating livestock grazing for vegetation management, hosting apiary uses at the site, and supporting grassland/pollinator habitat using native species in marginal areas between the arrays to soften the view of project from the public right-of-way.

5. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided; and

All necessary infrastructure and utilities will be required of the proposed project. The existing approach to State Route 16 will serve the project, as will the proposed

internal roads that will allow both site access and emergency access. The project will require the preparation of a Stormwater Pollution Prevention Plan to control construction activities that may adversely affect water quality. A Will-Serve letter will be required from the Esparto Fire Protection District, as required by the Conditions of Approval. The project does not require sanitation facilities. No other utilities are required for the solar facility.

6. The requested use, if located in an agricultural zone, will serve and support production of agriculture, the agricultural industry, or is otherwise agriculturally related; or if the use is not agriculturally related (e.g., solar or wind energy, rural recreation, and other non-agricultural uses), the use is listed as a conditional use consistent with subsection.

The proposed use is consistent with this finding, as it is an alternative energy system. The project is located in close proximity to an existing PG&E substation. The proposed project is approximately 0.88 miles west the Madison substation located on County Road 89. Utility-scale solar facilities are typically located in rural, remote areas, away from urban centers, where there is available land surface and proximity to an existing substation. The distance from the closest rural residence to the nearest project boundary ranges from about 2,000 to 3,200 feet. The project will incorporate a vegetative buffer comprised of native species at the northern parcel boundary, to the greatest extent practicable, to soften the view of the solar energy system from the public right-of-way. All safety lighting will be shielded and downward facing so as not to spill over onto adjacent properties, the roadway, or the night sky. Noise levels will be less than typical agricultural noise levels, and the project will only operate during daylight hours. The project will not generate any noise during evening or nighttime hours. As stated above, the proposed use is consistent with Section 8-2.1104 and 1105 of the Yolo County Code, which requires a Major Use Permit for large-scale solar facilities on A-N zoned property.

7. The requested use, if located in an agricultural zone, and if proposed on prime farmland, cannot be reasonably located on lands containing non-prime farmland.

The proposed project would convert up to 147 acres of Prime Farmland for a large-scale solar energy generation facility, coupled with battery storage, to a non-agricultural use. The project is proposed on farmland that is considered "Prime Farmland" per the Farmland Mapping and Monitoring Program (FFMP) established by the Department of Conservation. The property was recently farmed in alfalfa, wheat, and tomatoes and is irrigated via surface water supplied by the Yolo County Flood Control & Water Conservation District (YCWCD). Mitigation for the permanent loss of agricultural resources will be required to comply with the Yolo County Agricultural Conservation and Mitigation Program [Yolo County Code Section 8-2.404] which requires the acquisition of an agricultural preservation easement at a ratio between 1:1 and 3:1, depending on the location of the easement areas.

The project site is approximately 0.88 miles from the Madison substation. The interconnection of a new generation tie (gen-tie) line from the point of interconnection at the project site to the existing 21- kilovolt (kV) PG&E distribution line would require up to 0.45 miles of a new gen-tie line to be installed. There are six substations located in unincorporated Yolo County, all of which are located on or adjacent to prime farmland and surrounded by lands under Williamson Act contract. According to the applicant, PG&E prefers to site renewable energy

projects near existing substations. Through analysis, the EIR identified an Environmentally Superior Alternative site that would not impact Prime Farmland and is not subject to a Williamson Act contract. Although this site has low potential for environmental resource impacts, the applicant does not have site control of the parcel. Additional alternative sites analyzed in the EIR were eliminated by the applicant because of the presence of existing orchards, land acquisition costs, and the need for infrastructure installation to connect to existing PG&E substations and distribution lines.