

SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for the Cuyama Solar Project

Hearing Date: July 22, 2014

Staff Report Date: July 3, 2014

Case Nos.: 13GPA-00000-00002; 10ORD-00000-00001;
13GPA-00000-00001; 10RZN--0000000001;
10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008;
14GOV-00000-00006

Deputy Director: Kevin Drude

Division: Energy & Minerals

Supervising Planner: Errin Briggs

Supervising Planner Phone #: 568-2047

Staff Contacts: Kathy Pfeifer; Susan Curtis

Planners' Phone #s: 568-2507; 568-3573

Environmental Document: 11EIR-00005; SCH#2011121009

OWNER/APPLICANT:

Brian Kunz
Cuyama Solar, Inc.
135 Main Street, 6th Floor
San Francisco, CA 94105
(415) 935.2487

AGENT:

Laurel Perez
Suzanne Elledge Planning
& Permitting Services, Inc.
1625 State Street
Santa Barbara, CA 93101
(805) 966-2758

Application Complete:

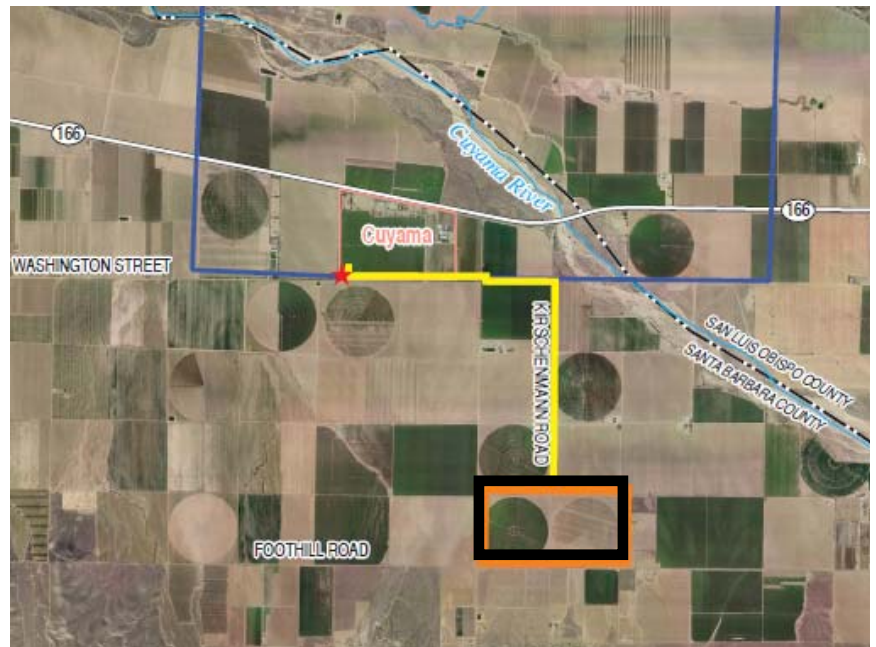
October 27, 2011

Amended Application Complete:

October 28, 2013

Processing Deadline:

180 days from certification of EIR



The proposed Cuyama Solar Facility site is identified as Assessor Parcel Numbers: 149-150-029, 149-150, 030, 149-150-031, 149-150-032, 149-140-076, 149-150-039, 149-140-041, 149-330-001, and 149-010-049. The Solar Array portion would be located on 327 acres at 596 Kirchenmann Road, and the proposed generation tie-line would run along Kirschenmann Road and Washington Street to the PG&E Cuyama Substation. The project site is located south and southeast of the town of Cuyama, in the First Supervisorial District.

The proposed Comprehensive Plan Overlay for utility-scale solar photovoltaic facilities would apply to the Cuyama Valley Rural Region (approximately 112,335 acres) (see Figure 3 in the staff report).

1.0 REQUEST

Hearing on the request of Suzanne Elledge Planning & Permitting Services, Inc., agent for the applicant, Cuyama Solar, Inc., to consider:

1. Case No. 13GPA-00000-00002 [amended application filed on October 2, 2013] for amendment of the Santa Barbara County Comprehensive Plan Land Use Element to allow for the development of up to 600 acres of utility-scale solar photovoltaic facilities, exclusive to the Cuyama Valley Rural Region, on lands designated Agriculture II (A-II) or Agricultural Commercial (AC) and zoned Agriculture II (AG-II), with a Utility-Scale Solar Photovoltaic Facility Overlay; and
2. Case No. 10ORD-00000-00001 [amended application filed on October 2, 2013] for amendment of the Santa Barbara County Land Use and Development Code (Chapter 35 of the Santa Barbara County Code) in compliance with Chapter 35.104 of the County Land Use and Development Code by amending Sections 35.21.030, Table 2-1, 35.28.200 and 35.110.020 and by amending Article 35.5 to allow for utility-scale solar photovoltaic facilities in the Cuyama Valley Rural Region on up to 600 acres of lands zoned Agriculture II (AG-II), subject to discretionary approval of a Conditional Use Permit (CUP); and
3. Case No. 13GPA-00000-00001 [amended application filed on October 2, 2013] for the amendment of the Santa Barbara County Comprehensive Plan Land Use Element Cuyama Valley Rural Region, Land Use Designation Map by changing the Land Use Designation on specified portions of APN 149-140-076 from Agricultural Commercial (AC) to Agriculture II (A-II) and to amend the Santa Barbara County Land Use Element Map Comp-9 by applying the Utility-Scale Solar Photovoltaic Facility Overlay to the 327-acre Project site; and
4. Case No. 10RZN-00000-00001 [amended application filed on October 2, 2013] for approval of a rezone to four parcels (APNs 149-150-029, 149-150-030, 149-150-031 and 149-150-032) from Unlimited Agriculture (U under Ordinance No. 661) to Agriculture II (AG-II-40) in compliance with Chapter 35.104 of the County Land Use and Development Code; and
5. Case No. 10AGP-00000-00002 [application filed on September 14, 2012] for approval of tentative cancellation of Williamson Act Agricultural Preserve Contract 76-AP-072, which includes 1,529 acres on APN's 149-140-076 and 149-150-039; and
6. Case No. 10LLA-00000-00004 [amended application filed on October 2, 2013] for approval of a Lot Line Adjustment in compliance with Section 21-90 of the County's Subdivision Regulations and Section 35.30.110 of the County Land Use and Development Code to adjust lines between three lots of 406.12 (APN 149-140-076), 38.71 (APN 149-150-029), and 39.80 (APN 149-150-030) gross acres to reconfigure into

three lots of 241.16, 166.83, and 79.51, gross acres, respectively, on property located in the AG-II (and Unlimited Agricultural) Zone District; and

7. Case No. 13AGP-00000-00024 [application filed on September 13, 2013] for approval of a replacement Agricultural Preserve Contract (1,362 acres) pursuant to the Williamson Act, Government Code Section 51200 et seq. and the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones; and
8. Case No. 10CUP-00000-00008 [amended application filed on October 2, 2013] for approval of a Conditional Use Permit to allow for the construction and operation of the Cuyama Solar Facility in compliance with Sections 35.44.010 (Commercial Telecommunication Facilities) and 35.82.060 (Conditional Use Permits) of the County Land Use and Development Code, on property zoned AG-II; and
9. Case No. 14GOV-00000-00006 [application filed on June 16, 2014] for a determination that a franchise for the portion of the Project's power poles to be located within the County's Kirschenmann Road right of way, is in conformance with the Comprehensive Plan pursuant to Government Code Section 65402(a); and
10. Certification of the Environmental Impact Report (11EIR-00000-00005) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant effects on the environment are anticipated in the following categories: Visual Resources, Agricultural Resources, Biological Resources, Geological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Transportation and Traffic, and Energy and Public Facilities. Proposed mitigation measures would reduce the environmental effects to less than significant, except for residual effects on Visual Resources, Agricultural Resources, and Land Use, which would remain significant and unavoidable.

The application involves Assessor Parcel Numbers: 149-150-029, 149-150-030, 149-150-031, 149-150-032, 149-140-076, 149-150-039, 149-140-041, 149-330-001, and 149-010-049 in the Cuyama Valley Rural Region, in the First Supervisorial District.

The EIR and all documents referenced therein may be reviewed at the Planning and Development Department office at 123 East Anapamu Street in Santa Barbara. The EIR is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street in Santa Barbara, Cuyama Branch Library, 60 Newsome Street in New Cuyama, the Santa Maria Public Library, at 421 South McClelland Street in Santa Maria, and the Planning & Development Department office at 624 West Foster Road, Suite C in Santa Maria, California.

The EIR can also be viewed at <http://sbcountyplanning.org/energy/projects/CuyamaSolarArray.asp>.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and recommend that the Board of Supervisors conditionally approve Case Nos. 13GPA-00000-00002, 10ORD-00000-00001, 13GPA-00000-00002, 10RZN-00000-00001, 10AGP-00000-00002, 10LLA-00000-00004, 10CUP-00000-00008, and 14GOV-00000-00006 marked "Officially Accepted, County of Santa Barbara July 22, 2014 County Planning Commission Attachments A-N", based upon the project's consistency with the Comprehensive Plan and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for approval of the project specified in Attachment A of this staff report, including CEQA findings; and
2. Recommend that the Board of Supervisors certify the Environmental Impact Report (11EIR-00000-00005; SCH#2011121009) and adopt the mitigation monitoring program contained in the conditions of approval, specified in Attachment B of this staff report.
3. Recommend that the Board of Supervisors approve an amendment to the County's Comprehensive Plan Land Use Element (13GPA-00000-00002), allowing utility-scale solar photovoltaic facilities on up to 600 acres within the Cuyama Valley Rural Region on lands designated Agriculture II (A-II) or Agricultural Commercial (AC) and zoned Agriculture II (AG-II), with a Utility-Scale Solar Photovoltaic Facility Overlay (Resolution included as Attachment F and Board of Supervisors draft Resolution is Attachment 1 to Attachment F);
4. Recommend that the Board of Supervisors approve amendments to the County's Land Use Development Code (10ORD-00000-00001), allowing utility-scale solar photovoltaic facilities on up to 600 acres within the Cuyama Valley Rural Region on lands zoned Agriculture II (AG-II), subject to discretionary approval of a Conditional Use Permit (Resolution included as Attachment G and Board of Supervisors draft Ordinance Amendment is Attachment 1 to Attachment G).
5. Recommend that the Board of Supervisors approve amendments to: a) the Comprehensive Plan Land Use Element, Cuyama Valley Rural Region, Land Use Designation Map (13GPA-00000-00001), by changing the Land Use Designation on specified portions of APN 149-140-076 from Agricultural Commercial (AC) to Agriculture II (A-II); and b) the Santa Barbara County Land Use Element Map Comp-9 by applying the Utility-Scale Solar Photovoltaic Facility Overlay to the 327-acre Project site (Resolution included as Attachment F and Board of Supervisors draft Resolution is Attachment 1 to Attachment F).
6. Recommend that the Board of Supervisors approve a rezone (10RZN-00000-00001) on four parcels (APNs 149-150-029, -030, -031 and -032) from Unlimited Agriculture (U

under Ordinance No. 661) to Agriculture II (AG-II-40) (Resolution included as Attachment G and Board of Supervisors draft Ordinance Amendment is Attachment 1 to Attachment G).

7. Recommend that the Board of Supervisors tentatively cancel Agricultural Preserve Contract (Land Conservation Contract) No. 76-AP-072 (10AGP-00000-00002) (Resolution included as Attachment H and Board of Supervisors draft Resolution is Attachment 1 to Attachment H.)
8. Recommend that the Board of Supervisors approve a Lot Line Adjustment (10LLA-00000-00004) to adjust lines between three lots of 406.12 (APN 149-140-076), 38.71 (APN 149-150-029), and 39.80 (APN 149-150-030) gross acres to reconfigure into three lots of 241.16, 166.83, and 79.51 gross acres, respectively, on property located in the AG-II (and Unlimited Agricultural) Zone District, subject to the conditions included as Attachment C.
9. Recommend that the Board of Supervisors execute a replacement Agricultural Preserve Contract (Land Conservation Contract) on the remaining 1,362 acres of 76-AP-072 (13AGP-00000-00024), (Board of Supervisors draft Resolution is Attachment 2 to Attachment H).
10. Recommend that the Board of Supervisors execute a final Certificate of Cancellation for Agricultural Preserve Contract (Land Conservation Contract) No. 76-AP-072 (10AGP-00000-00002) once all contingencies have been met (Resolution included as Attachment H and Board of Supervisors draft Resolution is Attachment 3 to Attachment H.)
11. Recommend that the Board of Supervisors approve a Conditional Use Permit (10CUP-00000-00008) subject to the conditions included as Attachment B.
12. Determine that the proposed franchise (14GOV-00000-00006) conforms with the County Comprehensive Plan and transmit the conformity report required by Government Code section 65402(a) to Planning & Development and the Board of Supervisors. The memo dated June 16, 2014 (included as Attachment L) and the letter reflecting the Planning Commission's action shall constitute the required report.

Alternatively, refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

This project is being considered by the County Planning Commission for a recommendation to the Board of Supervisors based on the following sections of the County Land Use and Development Code (LUDC):

- 3.1 10LLA-00000-00004** - County Code Chapter 21, Article I, Division 1, Section 21-6(a)(3) states that the Zoning Administrator shall be the decision-maker for Lot Line Adjustments, as defined in State Subdivision Map Act, California Government Code Section 66412(d), of parcels located within the Urban and Inner-Rural Areas as designated by the Santa Barbara County Comprehensive Plan, that result in four or fewer parcels.
- 3.2 10CUP-00000-00008** – LUDC Section 35.80.020, Table 8-1, states the approval of a Conditional Use Permit (CUP) is under the jurisdiction of the Planning Commission. In addition, the telecommunication component of the project (anemometer towers and telecommunication poles) requires a CUP, pursuant to Section 35.44.010, Table 4-16, and is also under the jurisdiction of the Planning Commission.
- 3.3 10AGP-00000-00002** – Uniform Rules for Agricultural Preserves and Farmland Security Zones, Uniform Rule 6, Section 6-1.2.B(1) states applications for an Agricultural Preserve cancellation shall be referred to the County Planning Commission for a recommendation to the Board of Supervisors.
- 3.4 13GPA-00000-00001, 13GPA-00000-00001, 11ORD-00000-00001 and 11RZN-00000-00001** – LUDC Section 35.80.020 states that the Planning Commission reviews Comprehensive Plan Amendments, Development Code Amendments and Rezones and provides a recommendation to the County Board of Supervisors who are the final decision makers of the project.
- 3.5 14GOV-00000-00006** – Santa Barbara County Code, Chapter 28, Section 2-82.1(d) – Public Facilities states that if the Board of Supervisors concludes that the sale and grant of the franchise would be in the best interests of the public, it may grant the franchise.
- 3.6 13AGP-00000-00024** – The Uniform Rules for Agricultural Preserves and Farmland Security Zones are adopted and administered by the Board of Supervisors pursuant to the California Land Conservation Act of 1965. Therefore, the replacement Agriculture Preserve contract is within the sole purview of the Board of Supervisors and is included in the Planning Commission staff report for information purposes. Specifically, approval of the replacement Agriculture Preserve contract is a condition of the tentative cancellation of Agriculture Preserve Contract 76-AP-072.
- 3.7 LUDC Section 35.80.020** – The project is being considered by the County Planning Commission based on Section 35.80.020 of the LUDC, which states that when two or

more discretionary applications are submitted that relate to the same development project and the individual applications are under the separate jurisdiction of more than one review authority, all applications for the project shall be under the jurisdiction of the review authority with the highest jurisdiction. In this case the highest jurisdiction is the Board of Supervisors. When the Board of Supervisors is the review authority for a project, the Commission shall make an advisory recommendation to the Board of Supervisors on each project.

- 3.8 California Public Utilities Commission** – The California Public Utilities Commission (CPUC) has the sole discretionary jurisdiction of the portion of the project that is identified as the “Cuyama Substation Additions” in the EIR. Although the County does not have approval authority over this portion of the project, the County’s EIR included an assessment of the direct and reasonably foreseeable indirect physical inputs to the environment resulting from the additions to the Cuyama’s PG&E substation. The CPUC will consider the impacts associated with the additions to the Cuyama’s PG&E substation identified in the EIR when considering approval of that portion of the project under its jurisdiction.

4.0 ISSUE SUMMARY

While the County’s energy policies encourage development of clean, renewable energy, the Comprehensive Plan (CP) and Land Use Development Code (LUDC) presently include no mechanism for the implementation of these policies in relation to the development of utility-scale solar photovoltaic (PV) facilities in the County. The proposed CP/LUDC Amendments would help realize the County’s renewable energy goals by providing a permit path and Comprehensive Plan consistency to allow for development of utility-scale solar PV facilities. The proposed amendments balance the protection of environmental resources, particularly agricultural and visual resources, against renewable energy production. The EIR identified that the Cuyama Valley Rural Region is appropriate for this type of development because it contains the highest levels of solar insolation in the County able to yield the highest level of energy production with the least amount of resource disturbance. The proposed CP/LUDC Amendments limit agricultural land conversion to 600 acres total, and through application of various Development Standards, help balance the County’s goals of resource protection and development of renewable energy.

There are two major components of the Proposed Project, and the EIR addressed the two components separately and differently.

CP/LUDC Amendments. The Amendments were addressed in the EIR at a programmatic level. This approach allows the County Board of Supervisors to consider the broad implications and impacts associated with allowing the proposed and potential future utility-scale solar photovoltaic facility development within the Rural Area of the Cuyama Valley Rural Region. Development Standards are identified in the EIR programmatic analysis to reduce or eliminate potential impacts that occur as a result of utility-scale solar photovoltaic facility development in the Cuyama Valley Rural Region.

Cuyama Solar Facility. This is the physical development of the 327-acre Cuyama Solar Array site, a 3-mile generation tie-line (Gen Tie-Line) and a 19,600 square-foot Switchyard (for the transmission of the produced electricity). The EIR analyzed the Cuyama Solar Facility at a project level of detail, which focused primarily on the change in the environment that is expected to result from construction and operation of the Cuyama Solar Facility.

In addition to the project-specific conditions of approval, the Cuyama Solar Facility would be required to comply with proposed development standards to be included in the new “Utility-scale Solar Photovoltaic Facilities” section of the LUDC. The Facility would result in the conversion of 327 acres of agricultural land to produce 110,000 MWh of solar PV renewable energy annually, equal to the annual electricity consumption of more than 15,600 average California households. This clean energy production would reduce GHG emissions by 30,000 metric tons of CO₂ annually compared to emissions generated by conventional coal or gas fired operations.

If the CP/LUDC Amendments are approved and the Cuyama Solar Facility is developed, approximately 273 additional acres could be developed with utility-scale solar photovoltaic facilities in the future before the 600-acre limit established in the LUDC is reached. The 600 acre limit reflects the available capacity of the existing transmission facilities in the Cuyama Valley before requiring costly upgrades to the PG&E Cuyama Substation. This places a limit on the impacts resulting from the conversion of agricultural land to non-agricultural uses.

The programmatic environmental impacts of the CP/LUDC Amendments have been mitigated to the extent feasible by implementation of required development standards. The EIR identifies environmental impacts for the CP/LUDC Amendments which cannot be fully mitigated and are therefore considered unavoidable (Class I) to visual and agricultural resources and land use. Additionally, the EIR identifies physical impacts of the Proposed Project which have been mitigated to the extent feasible by implementation of required development standards included in the CP/LUDC Amendments and mitigation measures specific to the Cuyama Solar Facility. These include environmental impacts which cannot be fully mitigated and are therefore considered unavoidable (Class I) to visual and agricultural resources and land use. However,

staff's analysis recommends that the benefits of the CP/LUCD Amendments and the Proposed Project outweigh these significant effects on the environment and therefore a statement of overriding consideration may be adopted.

The Proposed Project benefits include promotion of alternative energy generation and the realization of generating 40 MW annually of clean, renewable energy with the Cuyama Solar Facility. The Proposed Project will support California in meeting its legislated Renewable Energy Portfolio standards for the generation of renewable energy and reduction of greenhouse gas emissions. The CP/LUDC Amendments would allow for approximately 273 additional acres that could be developed with utility-scale solar photovoltaic facilities in the future. Approval of these Amendments includes similar benefits to the Proposed Project of promoting alternative energy generation in support of California's Renewable Energy Portfolio. A more detailed discussion of overriding considerations can be found in Attachment A of this staff report.

With the approval of the CP/LUDC Amendments, the Proposed Project would be consistent with the County's Comprehensive Plan policies, including those associated with protection of agricultural lands (Agricultural Element policies), compatibility with the character of rural areas (Visual Resource policies in the Land Use Element), and protection of valuable scenic resources (Scenic Highway Element). Included in the CP/LUDC Amendments are Development Standards, which require solar facilities that convert prime agricultural land to non-agricultural uses to permanently preserve off-site agricultural land and require a demolition and reclamation plan with financial assurances to ensure projects sites are returned to agriculture use upon the cessation of solar facility use. Development Standards requiring solar facilities to blend more effectively into the natural setting and be located outside the view of scenic highways are also included in the CP/LUDC Amendments.

The Cuyama Solar Facility proposes cancellation of a Williamson Act Contract. APNs 149-140-076 and 149-150-039 are currently farmed under a 1,529-acre Williamson Act Contract (76-AP-072), owned by Bolthouse Properties, LLC. A 167-acre portion of APN 149-140-076 would be used to construct a portion of the Cuyama Solar Facility; all agricultural uses on the 167 acres would cease and be replaced by the Solar Facility. The project therefore proposes cancelling the existing Williamson Act Contract, removing the 167-acre portion (Case No. 10AGP-00000-00002), and concurrent reenrollment of the remaining 1,362 acres into a replacement Williamson Act Contract (Case No. 13AGP-00000-00024).

The Solar Project has the capacity to generate 40 MW of clean electrical energy, which is estimated to support 15,600 average homes and reducing carbon dioxide emissions by 30,000 metric tons annually. The cancellation of the 167 acres from a Williamson Act contract is necessary to realize the benefits from the Cuyama Solar Facility. Development of the Cuyama Solar Facility would support the United States Department of Energy goal of increasing the overall use of solar power to generate electricity and assist California in meeting its legislated Renewable Energy Portfolio standards for the generation of renewable energy in the state

(California utilities are to procure 33 percent of their electricity from renewable sources by 2020, with intermediate targets of 25 percent by end of 2016). The Cuyama Solar Facility would also contribute to achieving local renewable energy goals and address public concerns related to greenhouse gas emissions and climate change, energy security, and fossil fuel dependence.

5.0 PROJECT INFORMATION

5.1 Site Information

CP/LUDC Amendments – Encompasses the Cuyama Valley Rural Region

Table 1. Site Information for the CP/LUDC Amendments	
Comprehensive Plan Designation	Inland, Cuyama Valley Rural Region – Agricultural II (A-II) and Agricultural Commercial (AC)
Ordinance, Zone	Land Use Development Code/Ordinance 661, Agricultural II (AG-II) and Unlimited Agriculture (U)
Site Size	Cuyama Valley Rural Region – 112,335 acreage; maximum 600 acres allowed for utility-scale solar photovoltaic development
Present Use & Development	Agricultural and residential uses
Surrounding Uses/Zone(s)	<i>North:</i> Caliente Mountains, agricultural <i>South:</i> Sierra Madre Mountains <i>East:</i> Los Padres Mountains, agricultural <i>West:</i> Sierra Madre Mountains
Access	Highways 166 and 33 and Kirshenmann Road
Public Services	Water Supply: Cuyama Groundwater Basin Sewage: Cuyama Community Services District & private septic systems Fire: Santa Barbara County Fire Department Station #41 Police Services: Santa Barbara County Sheriff's Department

Cuyama Solar Facility

Table 2. Site Information for the Cuyama Solar Facility	
Comprehensive Plan Designation	149-150-029, 149-150-030, 149-150-031, and 149-150-032 – Agriculture, A-II 149-140-076, 149-150-039, 149-140-041, 149-330-001, and 149-010-049 – Agriculture, Agricultural Commercial (AC)
Ordinance, Zone	149-150-029, 149-150-030, 149-150-031, and 149-150-032

Table 2. Site Information for the Cuyama Solar Facility	
	– Agriculture, Unlimited Agriculture (U) 149-140-076, 149-150-039, 149-140-041, 149-330-001, and 149-010-049 – Agriculture, Agriculture II (AG-II)-100
Site Size	Cuyama Solar Array – 327 acres Gen Tie-Line – 3 miles Switchyard - 0.8 acre
Present Use & Development	All parcels have agricultural row crops, except APN 149-010-036, which contains the existing PG&E Electrical Substation
Surrounding Uses/Zone(s)	<i>North:</i> Agriculture/row crops, AC /AG-II 100 <i>South:</i> Agriculture/open space, AC & A-II /U <i>East:</i> Agriculture/row crops, AC & A-II /AG-II 100 & U <i>West:</i> Agriculture/row crops, AC & A-II/ AG-II 100 & U
Access	Kirshenmann and Foothill Roads
Public Services	Water Supply: offsite private well, approximately 5,000 feet north east of the project site Sewage: n/a Fire: Santa Barbara County Fire Department Station #41 Police Services: Santa Barbara County Sheriff's Department

5.2 Setting

CP/LUDC Amendments

The Cuyama Valley Rural Region (CVRR) is located in rural northeastern Santa Barbara County (refer to Figure 2) and encompasses 112,335 acres (refer to Figure 3).



Figure 2. Vicinity Map

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;

10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;

13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

Page 12

The Cuyama Valley is bounded by the Sierra Madre Mountains to the south and the Caliente Mountains on the north. The Cuyama River flows northwest through the center of the valley. The Cuyama Valley sits at an elevation of approximately 2,000 to 2,500 feet above sea level and is an alluvium-filled synclinal basin. The Valley's inland location lends itself to dramatic seasonal temperature variations with freezing winters and hot, dry summers. Despite these weather conditions and the limited availability of water, the alluvial plain of the Cuyama River successfully produces a number of row crops including carrots, onions and garlic, and field crops including small grains and alfalfa. Crop production in the region relies on irrigation because of low rainfall averages (6 to 8 inches per year), hot summer temperatures, and the sandy soils in the Cuyama Valley. Three towns are within the boundaries of the CVRR: New Cuyama (population 517) and Cuyama (population 57) and Ventucopa (population 100).

Cuyama Solar Facility

The Cuyama Solar Facility site is located 2 miles southeast of the town of Cuyama and approximately 1 mile southwest of the Cuyama River, toward the southern edge of the valley floor (refer to Figure 3). The Solar Facility site is gently sloping, with the prevailing gradient to the north-northeast, toward the Cuyama River. The Cuyama Solar Array site is actively cultivated; the primary crop is carrots, with onions and potatoes as rotational crops.

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

Page 13

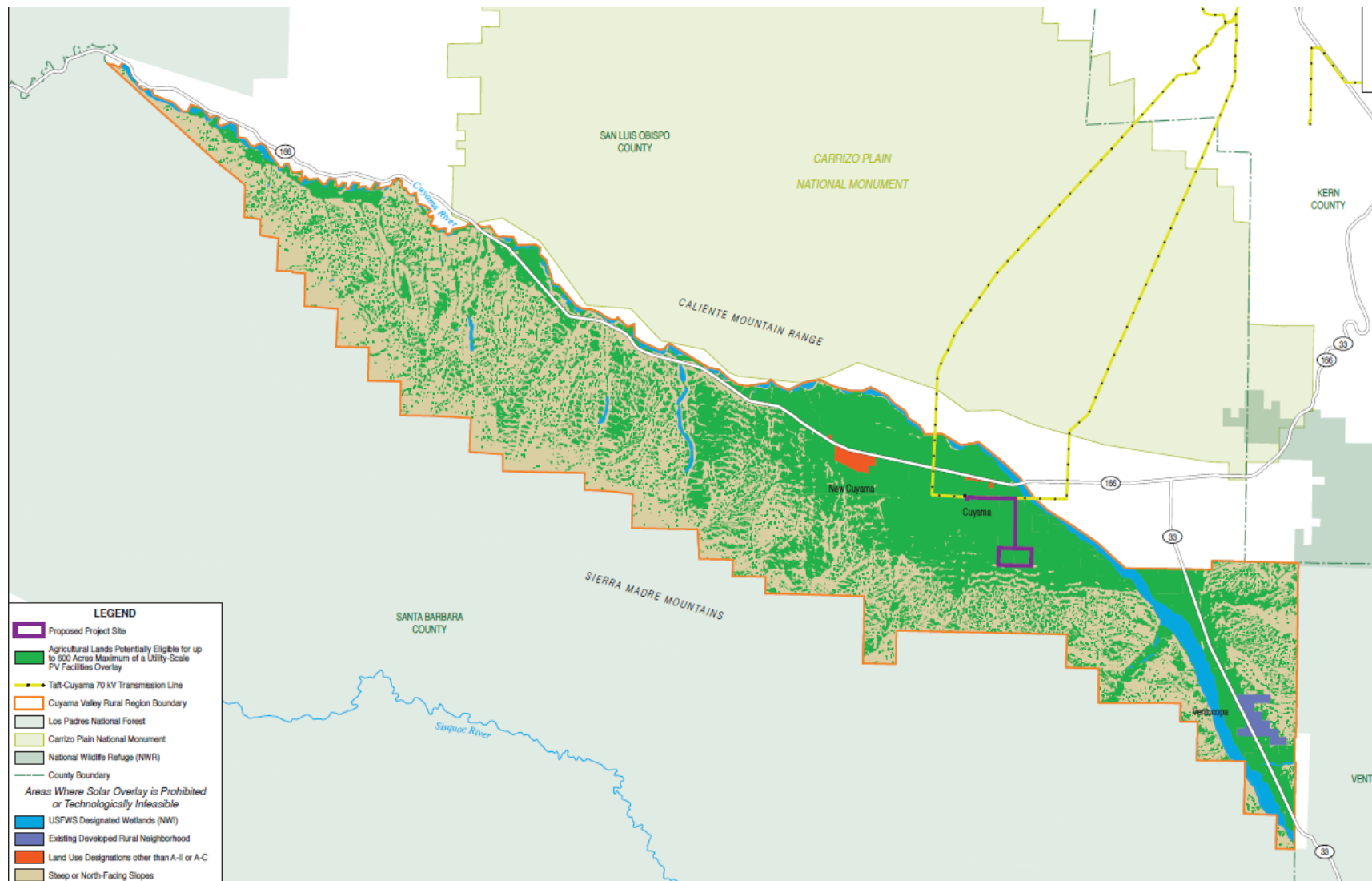


Figure 3. Cuyama Valley Rural Region

5.3 Description

The Proposed Project has three components: (1) regulatory amendments to the Comprehensive Plan and Land Use Development Code (referenced in the EIR as CP/LUDC Amendments), (2) discretionary permit approvals for the Cuyama Solar Facility, and (3) additions to the Pacific Gas and Electric Company (PG&E) Cuyama Substation. Construction and operation of the PG&E substation improvements would be performed by PG&E. Public utilities, such as PG&E, are exempted from the County's permitting requirements, and will not be included in this staff report.¹

CP/LUDC Amendments

The Proposed Project includes amendments to the Comprehensive Plan and Land Use Development Code (CP/LUDC) to allow Utility-Scale Solar Photovoltaic facilities on up to 600 acres of land designated A-II or AC, zoned AG-II, in the Rural Area of the Cuyama Valley Rural Region. Future utility-scale solar photovoltaic facilities would be subject to discretionary approval of a Utility-Scale Solar Photovoltaic Facility Overlay and a Conditional Use Permit (CUP). The County's CP/LUDC presently does not permit Utility-Scale Solar Photovoltaic facilities in the County; therefore, the proposed facilities amendments to the CP/LUDC are required.

Cuyama Solar Facility

The Proposed Project includes construction and operation of the Cuyama Solar Facility: a 40 megawatt (MW) photovoltaic (PV) solar array on approximately 327 acres (referenced as the Solar Array Site); an approximately 3-mile 70-kilovolt (kV) generation tie-line (referenced as the Gen Tie-Line); and an approximately 19,600-sf Switchyard, located near the PG&E Cuyama Substation. These three components together are referenced as the Solar Facility (refer to Figure 4).

¹ The PG&E Cuyama Substation Additions portion was analyzed in the EIR. The CPUC will use the EIR analysis for its permitting of the additions.

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;

10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;

13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

Page 15

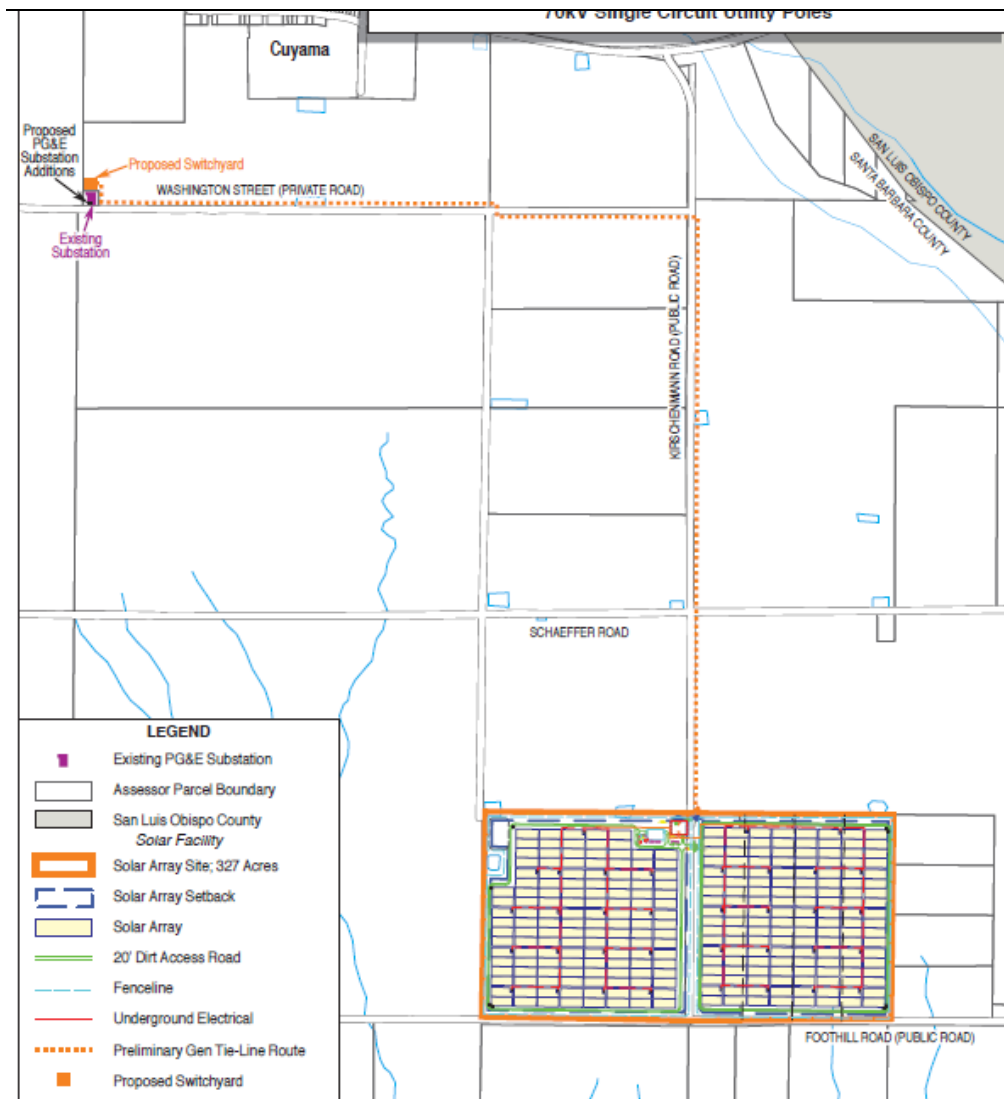


Figure 4 – Cuyama Solar Facility

Solar Array Site

The Solar Array is the 327-acre site that generates energy from the sun. Approximately 600,000 two-foot by 4-foot PV modules would convert sunlight directly into low-voltage direct current. The PV modules would be mounted on 60-foot long steel and aluminum support structures in a horizontal tracking device that follows the sun. The mounted modules would be arranged in north/south rows and powered by a direct current drive motor to track the east/west path of the sun on a single axis throughout the day. The tracking structures would be supported by vertical posts that would be driven up to 6 feet into the ground (refer to Figure 5). The highest point for a horizontal tracker occurs during the early morning and evening hours; at the maximum angle, the

height above the grade is approximately 13 feet. When horizontal, the trackers are approximately 5 feet above grade.

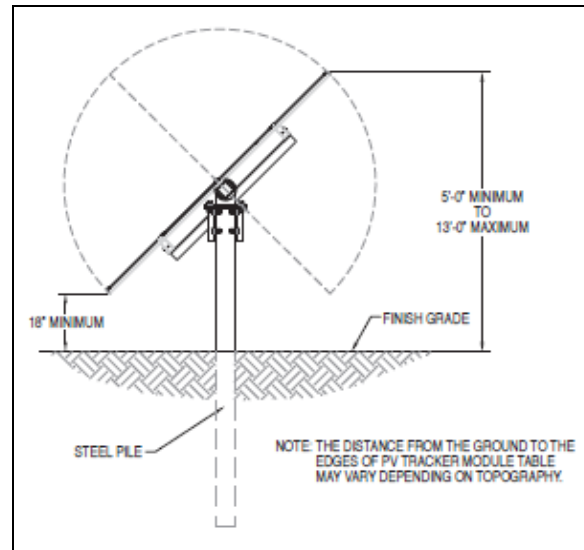


Figure 5 – Solar panel mounted on a tracker

Rows of mounted PV modules combined together create one system called a solar array. Each solar array is approximately seven acres, and the Solar Array site would have approximately 34 solar arrays arranged in a grid pattern. Direct current output from the PV modules in each array would be routed to a Power Conversion Shelter (PCS), one of which is located at each array. Each PCS would be mounted on a concrete pad, covering approximately 420 sf, with a maximum height of 11 feet. Each PCS would be equipped with communication equipment to control operation of the tracker units and detect anomalous conditions wirelessly. The PCS would also be equipped with emergency backup power to rotate the tracker units to their stowed position in the event of high winds.

Electricity from the PCSs would be transferred by underground cables to two PV combining switchgears (PVCs). The PVCs are 33 feet long, 12 feet wide and 11 feet high and would transfer the electricity to the Solar Array's onsite substation via aboveground lines located on 25 45-foot tall wooden poles.

The proposed Solar Array on-site substation (refer to Figure 6) would consist of transformers, switchgear, a static mast with a maximum height of 70 feet, a dead-end structure with a maximum height of 65-feet, and related equipment. The Solar Array on-site substation would occupy an area of approximately 38,700 sf; approximately 2,260 sf of this area would be impervious. Aside from the static mast and dead-end structure, the average height of the equipment in the Solar Array on-site substation would range between 20 and 25 feet. The Solar Array on-site substation would transform the 34.5-kV output to 70 kV for export to the local

transmission system via the proposed Gen Tie-Line. The perimeter of the Solar Array onsite substation would have an approximately 6-foot tall fence made of 2-inch chain link, with three strands of barbed wire running along the top. Located west outside the Solar Array onsite substation would be a 90-foot telecommunications pole supporting one microwave dish up to three feet in diameter.

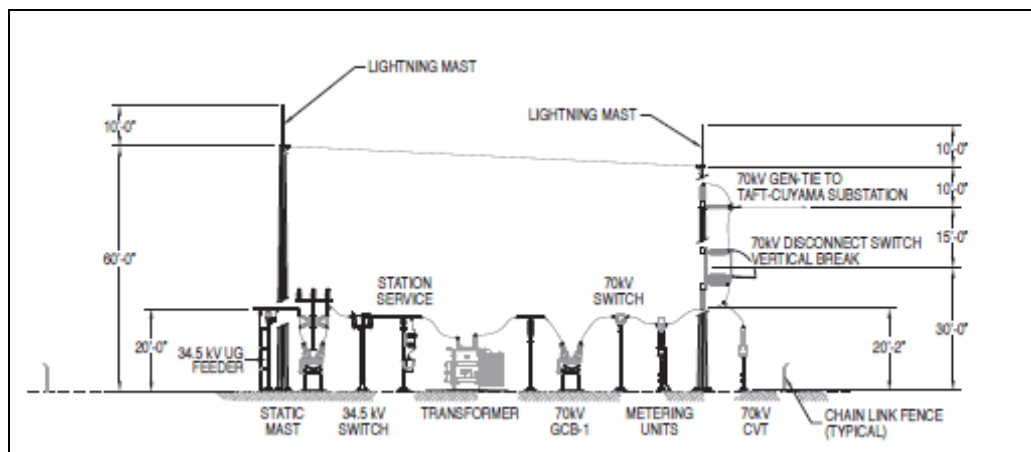


Figure 6 – Cuyama Solar On-site Substation

At each corner of the Solar Array site, two anemometer towers (for a total of eight) up to 20 feet in height would be installed to monitor wind speed and communicate with the PCS in each array. The perimeter of the Solar Array property and construction area would be fenced. The fence would be 2-inch chain link, approximately 6 feet tall, with three strands of barbed wire along the top. The fence would be set back 30 feet from the property lines and would have a 6-inch clearance between the fence's bottom tension cable and the ground, allowing movement of small mammals, such as the San Joaquin kit fox, across the Solar Array site. A 20-foot wide dirt access road would be located within the fenced area and along the perimeter of the Solar Array site. Between each of the arrays, compacted dirt access roads 20 to 22 feet in width would run the length of the Solar Array site and connect with the perimeter dirt access road. Access to the Solar Array site would be through two locked gates installed along Kirschenmann Road. Identification signs for speed limits and safety would be posted along the perimeter roads.

Gen Tie-Line

The first approximately 1.5 miles of the Gen Tie-Line would be constructed from the Solar Array site along the east side of Kirschenmann Road to the intersection at Washington Street. The Gen Tie-Line poles would be approximately 70 to 100 feet in height with the span between poles ranging from approximately 300 to 500 feet and made of galvanized steel or wood (refer to Figure 7).

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;

10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;

13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

Page 18

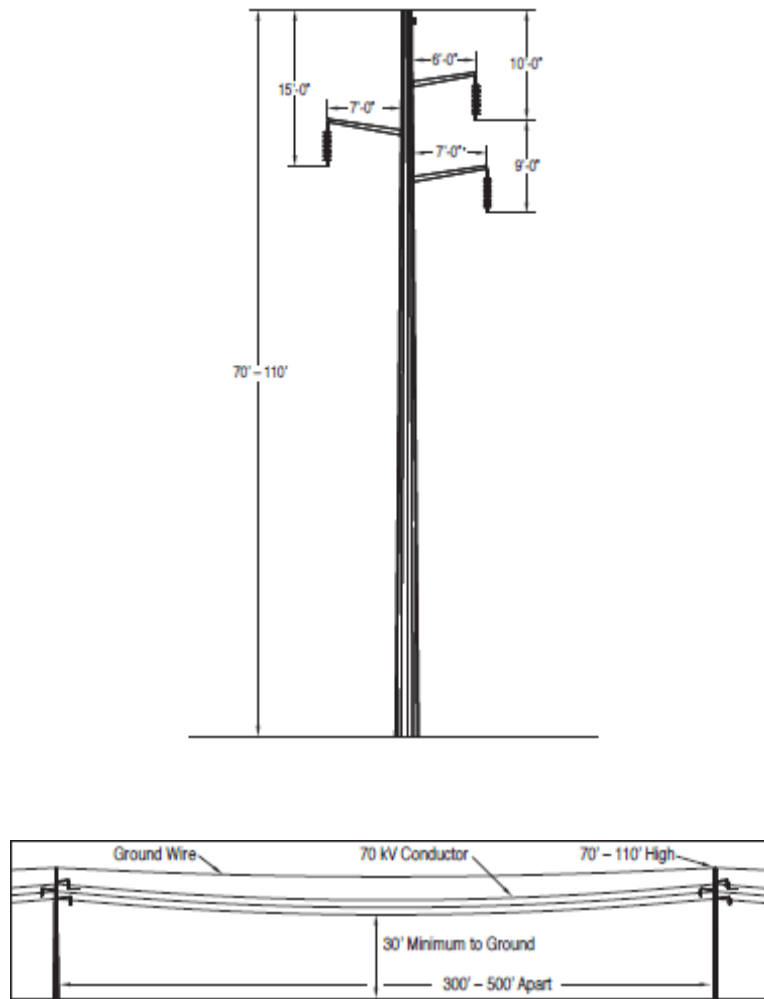


Figure 7: 70kV utility poles

The Gen Tie-Line would then run approximately 1.5 miles west to the PG&E Cuyama Substation, along Washington Street, paralleling the existing PG&E line. The first approximately half mile (six poles) of the Project Gen Tie-Line would be on the south side of Washington Street, south of the existing PG&E transmission line before the line would transition to the north side by crossing Washington Street and crossing under the existing PG&E line. (The existing PG&E line would be raised by approximately 10 feet with new steel poles up to 110 feet tall to meet conductor clearance safety standards.) The Project Gen Tie-Line would then continue the remaining one mile west to the PG&E Cuyama substation on the north side of the existing PG&E line. The Gen Tie-Line would terminate on the north side of PG&E Cuyama Substation at the proposed Switchyard (refer to Figure 4). An easement approximately 80 feet in width (40 feet on each side of the poles) would be secured along the Gen Tie-Line route to provide for

construction and maintenance of the Gen Tie-Line. The easement does not preclude farming operations, except for a 10-foot radius around each pole.

Switchyard

An approximate 19,600-sf Switchyard would be constructed on the north side of the existing 20,275-sf PG&E Cuyama Substation (refer to Figure 4). The Switchyard and PG&E Cuyama Substation would be separated by 80 feet, creating an approximate 11,200-sf area between the two facilities. The Switchyard would contain approximately 625 sf of impervious area. Components within the Switchyard would include approximately two poles with a maximum height of 70 feet, one approximately 400-sf circuit breaker (with a maximum height of 20 feet), and three metering units (with a maximum height of 20 feet), a 225-sf control and metering room (with a maximum height of 11 feet), and one 90-foot tall telecommunications pole on a 26-sf foundation pad. The telecommunication pole would support up to four microwave dishes, each dish approximately 3 feet in diameter and all spaced within 10 feet at the top of the pole. A ground grid up to 1,600 sf in area would be installed approximately two feet below the surface of the Switchyard.

Construction

Construction activities associated with the Solar Facility would require up to 14 consecutive months (11 months for the Solar Array Site and 3 months for the Gen Tie-Line and Switchyard). Construction of the Solar Facility, including Gen Tie-Line with Switchyard would include site preparation, equipment installation, testing, and site cleanup work. Truck deliveries to the site would include a maximum of 728 trips to deliver the PV material, a maximum of 888 trips to deliver the aggregate base for the access roads (if necessary), a maximum of 13 trips to deliver the substation materials, and a maximum of 50 truck trips to deliver the Gen Tie-Line materials.

The anticipated maximum number of onsite employees during construction would be approximately 360 workers. Construction work would generally occur during daylight hours of 7 a.m. to 6 p.m. Monday through Friday, and 7 a.m. to 5 p.m., during the winter months when daylight is reduced (November 1st through March 1st). However, non-daylight work hours or work on Saturdays and holidays may be necessary to make up schedule deficiencies or complete critical construction activities safely. For safety reasons, certain construction tasks, including final electrical terminations, must be performed after dark when no energy is being produced. If unforeseen circumstances arise during other phases of construction that would prevent the Solar Facility from meeting its schedule requirements, extended construction hours could also be applied during those situations and regulated by recommended Conditions of Approval. The Applicant estimates that no more than 15% of work would occur outside the standard construction hours. Construction work proposed outside the standard construction hours would begin at 6 a.m. and end at 10 p.m. Condition SPEC NOI-1: Construction Hours (in Attachment B of the staff report) details the restrictions on construction hours more specifically and will take precedence over the construction hours described above.

The main logistics area during construction would be located in the north-central portion of the Solar Array site, west of Kirschenmann Road on approximately two acres. Two temporary construction field offices, four double-wide temporary subcontractors' trailers, one temporary construction guard house, 300 parking spaces, trash and recycling bins, and space for loading and unloading trucks would be set up to facilitate site preparation and construction of the solar arrays and associated infrastructure.

Conventional grading would be performed throughout the Solar Array site to smooth the grade for no more than a 3% slope in all directions. Grading quantities are estimated at 155,000 cubic yards (cy) of cut and 124,000 cy of fill, which assumes 20% shrinkage of the cut material (approximately 31,000 cy). Import and export of soil is not anticipated.

Construction water would be stored in a temporary pond located on the Solar Array site and adjacent to the existing irrigation reservoir during construction. The temporary pond would be approximately one acre in size and approximately eight feet deep.

The Solar Array would result in a minor amount of temporary impervious surface during the construction period over the approximate 327-acre Solar Array site. The temporary construction staging and phasing area would result in approximately 9,072 sf of temporary impervious surfaces, which is approximately 0.06% of the Solar Facility site (or less than one acre).

Construction of the Solar Array would include the installation of support beams, module rail assemblies, PV modules, anemometer towers, inverters, transformers, and buried electrical cables. PV arrays consist of rows of steel racking, supported by vertical steel posts, spaced approximately 10 feet apart and driven into the ground up to ten feet below grade. The PV modules would then be mounted on an angle to the steel racking. The total square footage of the proposed permanent structures (not including the solar modules) is approximately 18,700 sf.

Site Preparation for the Gen-tie line requires an area of approximately 100 feet by 70 feet around the base of each pole for temporary construction activities, including temporary laydown and pulling of the cable onto the structures. At corner pole locations where the Gen Tie-Line turns in direction, an additional pulling area is required, extending approximately 100 feet beyond the base of pole and the width of 70 feet.

Pole footings would be drilled, poles placed, and the soil backfilled and compacted. Approximately 2.7 cy of soil would be removed for each pole (final geotechnical investigations would determine exact requirements). The soil would be spread on the ground near each transmission pole location.

In some occurrences, such as at the corner or dead end poles, concrete foundations may be required. Raising of each pole would take approximately one to two days, and material

installation and conductor stringing would follow. The total impervious surface for the poles would be approximately 160 sf.

Grading quantities for the Switchyard pad are estimated at 1,500 cy of balanced cut and fill, and 800 cy of imported aggregate base. The Switchyard would have approximately 630 sf of impervious area for foundations for the circuit breaker, metering units, control and metering room, and telecommunication pole.

Operation and Maintenance

Once placed into service, the Solar Array would be operated and monitored remotely but with regular onsite personnel visits for security, maintenance, and system monitoring. No onsite operations and maintenance building is proposed. Preventive maintenance kits and certain critical spares would be stored on site in the Conex storage containers, while all other components would be readily available from an offsite warehouse facility. Portable toilets on trailers would be located near the Conex structures. The trailer may be deployed to maintenance locations, when necessary.

Personnel maintenance visits may include up to five personnel/technicians on a daily basis (Monday through Friday) during normal business hours to conduct routine preventative maintenance, such as equipment inspection and replacement. Routine maintenance and replacement would occur primarily during daylight hours (approximately 75% of the work), although maintenance activities during non-daylight hours would be necessary to complete critical maintenance activities (approximately 25% of the work). For the safety of the workers, nighttime maintenance during non-generation hours would be conducted for specific pieces of electrical equipment (e.g., solar arrays). The non-daylight hours would occur 2 to 6 hours after sunset to de-energize, repair, and re-energize the equipment.

During Solar Array operations, routine rinsing of the PV modules is anticipated to occur up to two times per year. The water for rinsing the modules would be treated for this purpose (e.g., distilled) and therefore would need to be trucked to the site. Other than the rinsing of the modules, the Solar Facility would not use any water during the operational phase. No vegetative landscaping is proposed with the Solar Facility.

The Gen Tie-Line with Switchyard operation and maintenance would be similar to the operations and maintenance practices for other electric lines within the region.

Lighting

Permanent nighttime lighting would be installed for security and maintenance purposes for the Solar Facility and Switchyard. All lighting during the operational phase would be controlled or reduced using fully shielded, down-directed, area-specific lighting and/or reduced lumen intensity, with the exception of aviation warning lights on the telecommunications poles at the Solar Array substation and the Switchyard. Lighting would be present at the main Solar Array access road entrance, PCS enclosures, Conex storage containers, and onsite substation. Temporary portable service lighting would be used occasionally in other portions of the solar array for operations and maintenance activities.

Each PCS Shelter would have a hooded motion sensor light above the door to allow access after hours, if needed. The two Conex storage containers would be lit by pole-mounted, hooded, and shielded downward lighting, up to 20 feet in height.

At the onsite substation and at the Switchyard, service lighting would be provided by floodlights and would be controlled by a manual switch when the substation is attended (for periodic maintenance). One exterior light attached to the control enclosure would remain on during nighttime hours and would be shielded. Floodlighting would be directly aimed and fully shielded to minimize light spillage outside the substation.

Temporary portable service lighting would be provided by floodlights. Floodlighting would be directly aimed to minimize glare and light, fully shielded to prevent light spillage outside the Project fenced area, and turned off after completion of the work. The Applicant states that low pressure sodium or amber light-emitting diode (LED) lighting would be used wherever feasible for floodlights. Metal halide lighting would only be used when necessitated by specific work tasks, would be less than 4500 Kelvin color temperature, and would not be used for dusk-to-dawn lighting.

Solar Facility Demolition and Reclamation

The anticipated life of the Solar Facility is 30 years. At the end of its useful life, the Solar Facility could be repowered by replacing its solar panels, renovated, or otherwise upgraded. The facility may also be decommissioned and removed. The decision to repower or decommission would depend on the energy economics at the time, technological options, and other considerations.

At the end of the Solar Facility's life, the Applicant would be required to submit a detailed demolition and reclamation plan that is appropriate at the time of decommissioning and removal. All structures and equipment at the site would be dismantled and removed, and the land would be restored to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at that time. Suitable reclamation would be determined by environmental review and consistency with land use and other guiding standards in place at the time.

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;

10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;

13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

Page 23

Comprehensive Plan Land Use Element Map Amendment to Apply Utility-Scale Solar Photovoltaic Facility Overlay

The proposed Cuyama Solar Facility approvals include a request to apply a Utility-Scale Solar Photovoltaic Facility Overlay on the 327-acre Solar Array site (refer to Figure 8). The purpose and intent of the Utility-Scale Solar Photovoltaic Facility Overlay is to provide a mechanism for siting Utility-Scale Solar Photovoltaic facilities on land designated Agricultural II (A-II) or Agricultural Commercial (AC), and zoned Agriculture II (AG-II) in the Rural Area of the Cuyama Valley Rural Region, and is intended to ensure that the facilities are sited to reduce impacts to the maximum extent feasible consistent with the goals and policies of the Comprehensive Plan.

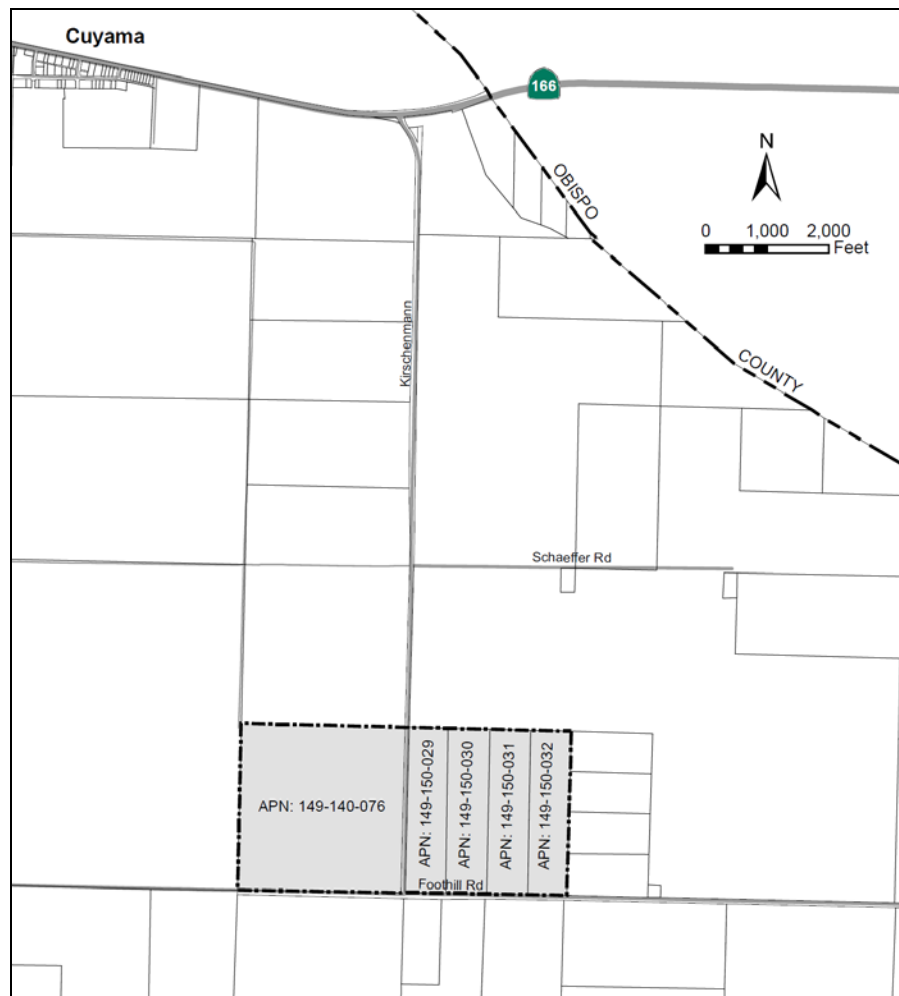


Figure 8: Utility-Scale Solar Photovoltaic Facility Overlay

Comprehensive Plan Land Use Designation Amendment

Currently, APN 149-140-076 has a land use designation AC and is part of a Williamson Act contract (refer to Figure 9). The southernmost 167 acres on APN 149-140-076 would be part of the Cuyama Solar Facility (refer to Figure 9), and therefore, would need a land use designation amendment from AC to A-II. The AC designation applies only to those parcels that are either subject to a Williamson Act contract, or otherwise would be eligible for a Williamson Act contract. The conversion of 167 acres from APN 149-140-076 to a non-agricultural use precludes this parcel from retaining the AC designation as it would no longer be eligible for a Williamson Act contract.

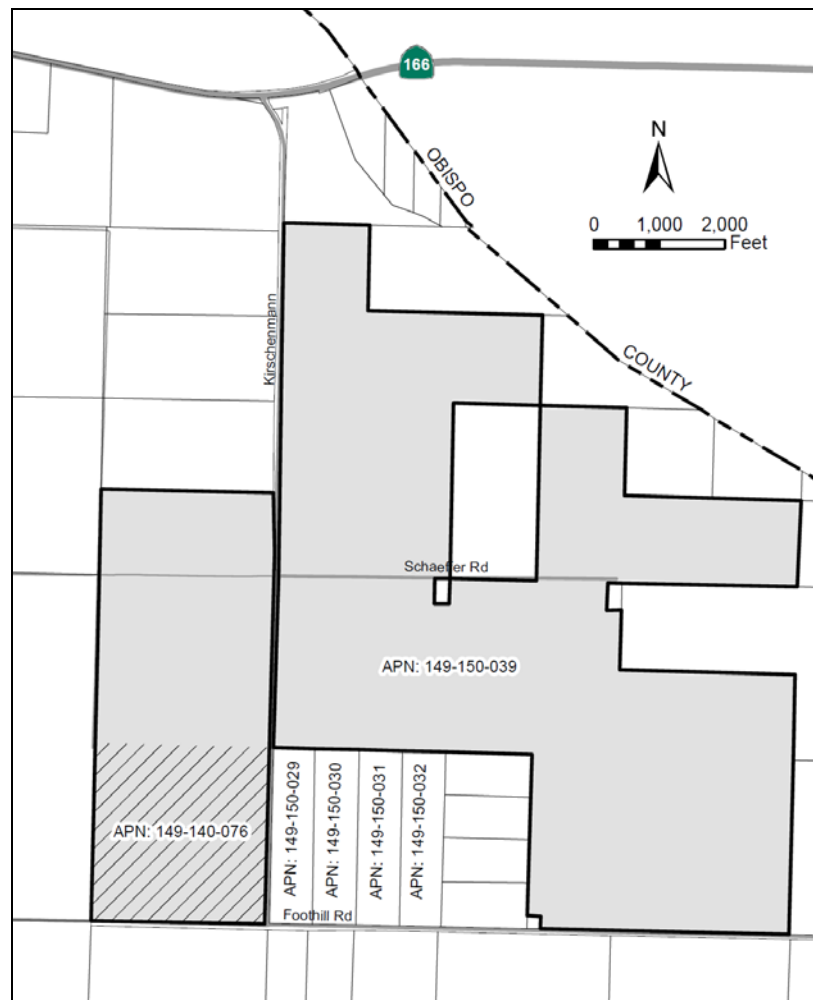


Figure 9. Williamson Act Contract Cancellation/Replacement Contract

Consistency Rezone

Four of the Cuyama Solar Facility parcels are zoned Unlimited Agriculture (U) under the antiquated Ordinance No. 661. The County requires properties zoned under Ordinance No. 661 to be rezoned to the modern LUDC designation when property owners apply for discretionary permits. As such, APNs 149-150-029, 149-150-030, 149-150-031, and 149-150-032 would require consistency rezoning, from U (under Ordinance No. 661) to AG-II-40 (under the current LUDC) (refer to Figure 8 for the APNs).

Williamson Act Partial Contract Cancellation

The proposed Cuyama Solar Facility would require removal of approximately 167 acres of land from within a 1,529-acre Agricultural Preserve/Williamson Act Contract (76-AP-072) by partial cancellation of the existing contract. The owner of the 1,529 acre property is seeking concurrent approval of a replacement Williamson Act contract on the 1,362 acre balance of the property (refer to Figure 9).

Lot Line Adjustment

A Lot Line Adjustment (LLA) involving three of the Solar Array site parcels is proposed. The LLA would create legal parcel boundaries that would align with the Solar Array site boundary, except for the existing irrigation pond on APN 149-140-076, which is on the parcel but would not be in the Solar Array site. This would facilitate the land sale of the Solar Array site from Bolthouse Properties, LLC, to Cuyama Solar, pursuant to the Option to a Purchase Agreement. The LLA allows the land needed for the solar site to be excluded from the replacement Williamson Act contract and developed as part of the Project.

The LLA involves APNs 149-140-076 (Existing Parcel 1, refer to Figure 10), 149-150-029 (Existing Parcel 2, refer to Figure 10), and 149- 150-030 (Existing Parcel 3, refer to Figure 10). The lot line between Existing Parcels 1 and 2 (would be adjusted to an east-west alignment (refer to Figure 10). The lot line between Existing Parcels 2 and 3 would be adjusted westward across Kirschenmann Road to the previous location of the lot line adjusted between Proposed Parcels 1 and 2. The three existing parcels of 406.12 gross acres (Parcel 1), 38.71 gross acres (Parcel 2), and 39.80 gross acres (Parcel 3) would be adjusted into three parcels of 241.16 gross acres (Proposed Parcel 1), 166.83 gross acres (Proposed Parcel 2), and 79.51 gross acres (Proposed Parcel 3).

Conditional Use Permit

The proposed CP/LUDC Amendments will include a requirement for approval of a Conditional Use Permit (CUP) for the construction and operation of the Cuyama Solar Facility, including Solar Array, Gen Tie-Line and Switchyard.

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

Page 26

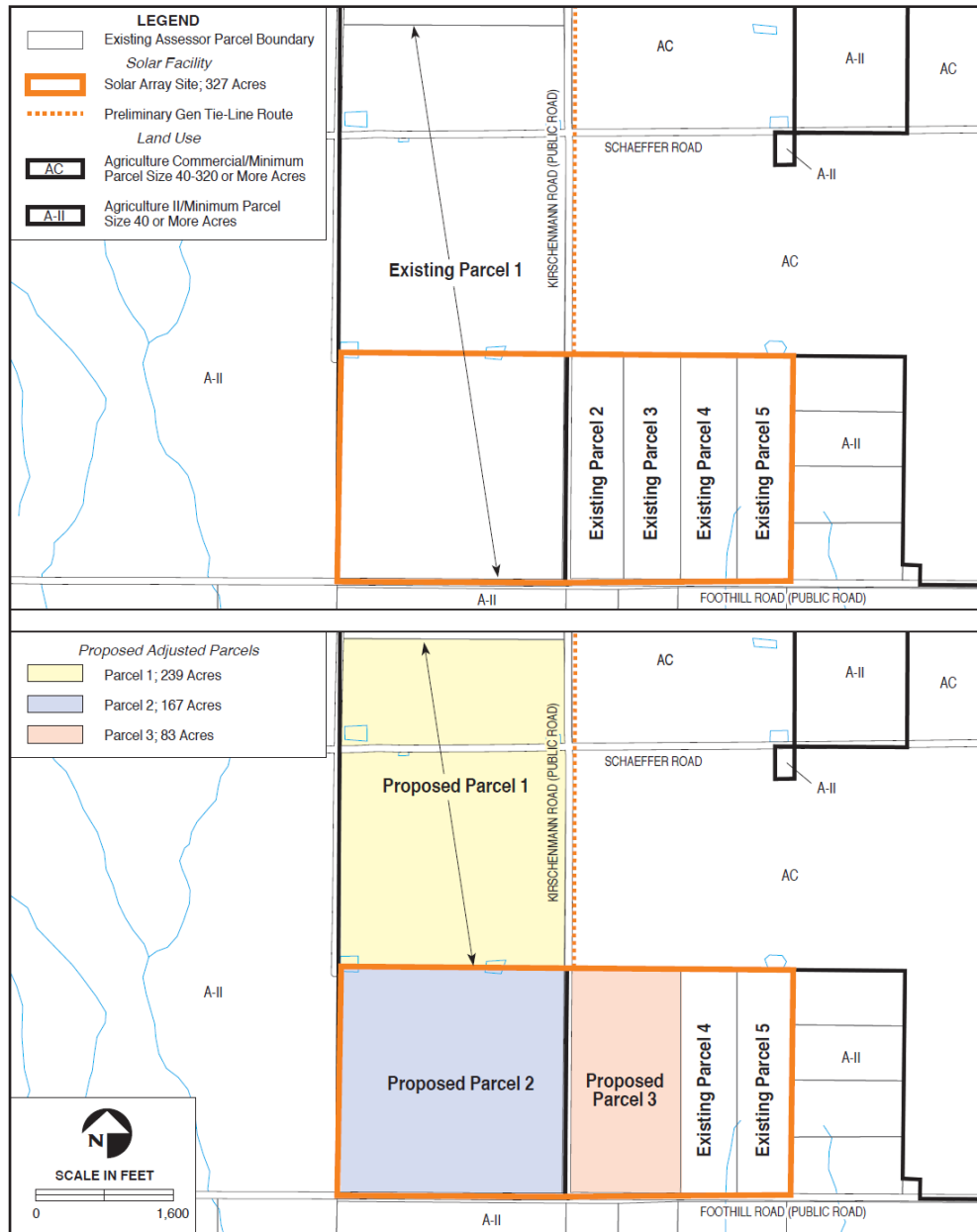


Figure 10. Existing vs. Proposed Lot Line Adjustment

The Cuyama Solar Facility would require primary and secondary forms of communication from the Solar Array site to the Switchyard, which qualifies as commercial telecommunication facilities, requiring a CUP. The primary form of communication would be optical fiber (optical ground-wire) that would run concentric with the ground wire strung on the Gen Tie-Line poles. There are two options for PG&E's required secondary form of communication: microwave and buried fiber. The microwave option would utilize two 90-foot tall telecommunication poles, one located next to the Solar Array onsite substation and one located in the Switchyard. The poles

would host up to four dish antennas, approximately three feet in diameter. The buried fiber option would utilize optical cable buried at a minimum depth of approximately 30 inches and would follow the same path as the Gen Tie-Line route. Both options were analyzed in the proposed final EIR. The applicant will determine which option to include prior to Zoning Clearance.

In addition, the Cuyama Solar Array includes construction and operation of 8 anemometer towers on site to monitor wind speed and communicate with the tracker units. Although the towers do not transmit offsite, they nonetheless qualify as commercial telecommunications facilities.

Franchise Agreement

The portion of the Gen Tie-Line within the County road ROW along Kirschenmann Road requires County Board of Supervisors approval of a franchise agreement. The franchise agreement, similar to a lease, would identify the terms between the County and the franchise, including identification of infrastructure, description of installation and maintenance of infrastructure, and payment to County for use of the ROW. Franchise agreements are typically required for private facilities within County ROW.

5.4 Background Information

California's Renewable Portfolio Standard (RPS) requires California's investor-owned electric utilities to obtain a prescribed portion of their electricity supply from renewable sources. Senate Bill X1-2 established RPS targets for California that require all retail sellers of electricity to procure energy from renewable energy resources equal to an average of 20% of retail sales for the period of January 1, 2011, to December 31, 2013; 25% by December 31, 2016; and 33% by December 31, 2020. The Proposed Project would allow for the development of utility-scale solar photovoltaic facilities and help the State meet its renewable energy goals.

Prior to submittal of a project application, the applicant requested a Planner Consult (Case No. 09CNS-00000-00050), and Planning & Development staff brought the Cuyama Solar Project before the Planning Commission for Conceptual Review on November 18, 2009. The hearing was held to inform the Commission early on in the process and to allow stakeholders, agencies, and the public to provide early input. The applicant submitted a formal application for the Cuyama Solar Project on March 30, 2010.

On April 12, 2011, the Santa Barbara County Board of Supervisors adopted two resolutions initiating amendments to the LUDC to allow development of both small (5 MW or less) and large (exceeding 5 MW) utility-scale, solar photovoltaic facilities on agricultural properties zoned AG-II in the Inland Area of the County, subject to a Conditional Use Permit. Since the impacts were similar for both small and large utility-scale solar photovoltaic facilities, the

proposed amendments do not distinguish on size of a facility. The proposed amendments to the Comprehensive Plan were later included in the project's formal application to provide consistency between the Comprehensive Plan and the Land Use Development Code. The recommended CP/LUDC Amendments limit the development of utility-scale photovoltaic facilities to the Cuyama Valley Rural Region because the Cuyama Valley is the most suitable area with the highest solar insolation in the County and limit the potential for larger scale agricultural conversion.

The CP/LUDC Amendments apply to 111,118 acres of agricultural land (designated either A-II or AC and zoned AG-II) in the Cuyama Valley Rural Region. However, the capacity of the existing electrical transmission system in the Cuyama Valley area is limited. To identify the available capacity of the Cuyama Valley's existing transmission system, the County commissioned a Cuyama Valley Grid Capacity Analysis (Appendix O of the EIR).² The study determined that there is a maximum of approximately 75 MW of capacity to accommodate new electrical generation in the area on the existing transmission facilities before requiring costly upgrades to the Substation (upgrades that could be in the range of several tens of millions of dollars). Using a reasonable average of 8 acres of land required to produce one MW, it was determined that a maximum of approximately 600 acres of land could be developed for utility-scale solar projects to produce 75 MW of energy before triggering significant, costly transmission upgrades. The 600-acre limit for utility-scale solar photovoltaic facilities is included in the CP/LUDC Amendments to both reflect this capacity and as a means to limit agricultural conversion, as noted above. The CP/LUDC Amendments limit the potential for large-scale agricultural conversions for utility-scale solar photovoltaic facilities to 600 acres maximum.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

An Environmental Impact Report has been prepared for this project to evaluate potentially significant impacts under CEQA and to identify mitigation measures to reduce impacts and alternatives to the proposed project that would avoid or substantially lessen significant impacts. A public scoping hearing for the EIR was held on December 14, 2011. The Draft EIR was circulated for a 45-day public comment period from January 28, 2014 to March 13, 2014. A public hearing was held in Cuyama on March 5, 2014 to receive oral comments on the adequacy of the Draft EIR. The Proposed Final Environmental Impact Report provides a full discussion of all environmental issues, including the existing setting, potential project impacts, and required mitigation to reduce these identified impacts for both the CP/LUDC Amendments and the physical solar facility project. Written comments were received on the Draft EIR, along with oral

² *Cuyama Valley Grid Capacity Analysis for Santa Barbara County's Comprehensive Plan and Land Use Development Code Amendments and Cuyama Solar Facility Environmental Impact Report*, finalized September 25, 2013.

comments at the environmental public hearing. These letters and oral comments are included in Appendix A: Response to Comments, of the Proposed Final EIR. The Executive Summary Tables of the Final EIR provide a complete summary of the impacts of the project and suggested mitigation measures (Appendix C). A summary of the key environmental impacts (and associated mitigation measures) discussed in the EIR is provided below.

The EIR contains separate analysis of the two major project components. It analyzes the Comprehensive Plan and Land Use Development Code (CP/LUDC Amendments) at a programmatic level so that public and the Board of Supervisors could understand the broad environmental consequences associated with up to 600 acres of agricultural lands in the Cuyama Valley Rural Region developed with utility-scale solar photovoltaic facilities, and it analyzes the Cuyama Solar Facility at a Project-Specific level.

6.1.1 Significant and Unmitigable Impacts/Mitigation

The EIR identifies 15 significant and unavoidable cumulative (Class I) environmental impacts resulting from project implementation in the areas of Visual Resources, Agricultural Resources, and Land Use. Six of the 15 Class I significant impacts are associated with the regulatory amendments to the Comprehensive Plan and Land Use Development Code (CP/LUDC Amendments), which could allow up to 600 acres of agricultural land in the Cuyama Valley Rural Region to be developed with utility-scale solar photovoltaic facilities. Nine of the 15 Class I impacts are associated with the proposed physical development of the Cuyama Solar Facility. Those significant impacts and their associated mitigation are summarized below.

Visual Resources

CP/LUDC Amendments

The EIR concludes that the regulatory amendments to the Comprehensive Plan and Land Use Development Code would result in four significant and unmitigable impacts (Class I) with respect to visual resources. There are significant scenic views within and nearby the Cuyama Valley Rural Region (Sierra Madre and Caliente mountain ranges and Highways 166 and 33) that could be impaired by the conversion of up to 600 acres of utility-scale solar photovoltaic development. The regulatory amendments could introduce development that impacts the visual character of the existing surrounding area. In addition, the regulatory amendments could increase night lighting and daytime glare from possible future utility-scale solar photovoltaic development.

The EIR identified four Development Standards that future solar photovoltaic facilities would need to comply with, which are locating future facilities away from a designated or eligibly designated scenic highway, reducing night lighting, reducing daytime glare, and incorporating aesthetic design treatments to help blend the facilities more effectively into the setting.

Compliance with these Development Standards would reduce impacts to visual resources but not to a less than significant level.

Cuyama Solar Facility

The EIR concludes that the Cuyama Solar Facility would result in six significant and unmitigable impacts (Class I) with respect to visual resources. The visual contrast of the proposed Solar Array (327-acre site) would adversely alter the panoramic views from scenic vistas located in the Sierra Madres and Caliente mountain ranges. The Solar Array would also adversely change the visual character of the Project area, would cause significant impacts from nighttime lighting, and significant impacts from daytime glare. Additionally, the Gen Tie-Line and Switchyard portion of the project would adversely impact views from the Cuyama Joint Unified School and Highway 166 and significantly impact the visual character of the area.

The EIR identified three mitigation measures to reduce impacts of the Cuyama Solar Facility. SPEC-AV-1 requires incorporation of aesthetic design treatments, if determined appropriate by the North Board of Architectural Review, to help blend the facility more effectively into the setting. SPEC-AV-2 reduces night lighting by requiring construction and operational lighting to be low intensity, low glare, minimum height, and hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. SPEC-AV-3 reduces daytime glare by requiring solar panels and facility hardware to minimize glare and spectral highlighting. Implementation of these mitigation measures would reduce visual impacts but not to a less than significant level.

Agricultural Resources

CP/LUDC Amendments

The EIR concludes that the regulatory amendments to the Comprehensive Plan and Land Use Development Code would result in one significant and unmitigable impact (Class I) with respect to agricultural resources. The regulatory amendments could convert up to 600 acres of prime agricultural land to non-agricultural use or impair agricultural land productivity (whether prime or non-prime).

The EIR identified two Development Standards that future solar photovoltaic facilities would need to comply with to reduce impacts to agricultural resources. The first Development Standard requires future utility-scale solar developments to permanently preserve off-site agricultural land at a ratio of 1:1 through one of four methods, which include: 1) funding and purchase of agricultural conservation easements; 2) purchase of credits from an established agricultural farmland mitigation bank; 3) contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; or 4) participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above, as determined by the County. The second Development Standard requires submittal of a Demolition and Reclamation Plan and financial assurance to require the use of the land be

returned to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time a utility-scale solar facility ceases operation. Compliance with these Development Standards would reduce impacts to agricultural resources but not to a less than significant level.

Cuyama Solar Facility

The EIR concludes that development of the Cuyama Solar Facility would result in one significant and unmitigable impact (Class I) with respect to agricultural resources. The project would convert approximately 327 acres of agriculturally designated land (approximately 250 acres of Prime Farmland and 75 acres of Farmland of Statewide Importance) to non-agricultural uses. The EIR identified three mitigation measures that the Cuyama Solar Facility would need to comply with for this significant and unmitigable impact, which are similar to the Development Standards described above. SPEC-AG-1 requires permanent preservation of off-site agricultural land at a ratio of 1:1 through one of four methods, which include: 1) funding and purchase of agricultural conservation easements; 2) purchase of credits from an established agricultural farmland mitigation bank; 3) contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; or 4) participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above, as determined by the County. SPEC-AG-2 and SPEC-AG-3 require submittal of a Demolition and Reclamation Plan (SPEC-AG-2) and financial assurance (SPEC-AG-3) to require the use of the land be returned to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time a utility-scale solar facility ceases operation. Implementation of these mitigation measures would reduce agricultural impacts but not to a less than significant level.

Land Use

CP/LUDC Amendments

The EIR concludes that the regulatory amendments to the Comprehensive Plan and Land Use Development Code would result in one significant and unmitigable impact (Class I) with respect to land use compatibility. This impact coincides with the agricultural impact of the potential to convert up to 600 acres of agricultural lands to non-agricultural uses, and the Development Standards described above in the Agricultural Resources section would help reduce the impact but not to a less than significant level.

Cuyama Solar Facility

The EIR concludes that the Cuyama Solar Facility would result in two significant and unmitigable impacts (Class I) with respect to land use compatibility. One impact coincides with the agricultural impact of converting 327 acres of agricultural lands to non-agricultural uses; the second impact relates to the visual impacts associated with the Gen Tie-Line and Switchyard.

The mitigation measures described above in both the Visual Resources and Agricultural Resources sections would help reduce the impacts but not to less than significant levels.

6.1.2 Cumulative Impacts

The EIR assessed the incremental impacts of the Proposed Project with other reasonably foreseeable projects that could be developed in the future for each issue area. Chapter 4.0 of the EIR describes the potential industrial, commercial, residential and other development projects anticipated in the project area.

CP/LUDC Amendments

The EIR concludes that the regulatory amendments to the Comprehensive Plan and Land Use Development Code could result in cumulative Class I impacts in Visual and Agricultural resources. With the combined effects of up to 600 acres of utility-scale solar photovoltaic facilities and the cumulative projects in the area, a cumulatively significant and unavoidable impact related to change in visual character and scenic quality could occur. In addition, a cumulatively significant and unavoidable impact related to conversion of agricultural land to non-agricultural uses could occur.

The EIR identified one cumulative beneficial (Class IV) impact from the combined effect of the cumulative projects to reduce the County's collective GHG emissions. The cumulative projects seek to improve environmental conditions; specifically, the Energy and Climate Action Plan is expected to reduce the County's collective GHG emissions. The combined effect of these cumulative projects represents a cumulatively beneficial impact to GHG emissions.

Cuyama Solar Facility

The EIR concludes that the Cuyama Solar Facility could result in one cumulative Class I impact to Agricultural resources by converting agricultural land to non-agricultural uses.

6.1.3 EIR Alternatives

Eighteen alternatives to the Proposed Project are analyzed in Chapter 5 of the Final EIR. Five of the alternatives were for the CP/LUDC Amendments and the remaining 13 were for the Cuyama Solar Facility.

Summary of the CP/LUDC Amendments EIR Alternatives

The EIR identifies potentially significant and unavoidable impacts to aesthetic and visual resources and agricultural resources (and associated Land Use impacts) after mitigation (i.e., development

standards) as a result of the CP/LUDC Amendments. Therefore, five alternatives were selected and analyzed to reduce these impacts on the environment and achieve most of the project objectives.

Alternative 1: No Project

Under this alternative to the CP/LUDC Amendments, the County would not approve the proposed CP/LUDC Amendments to allow utility-scale solar PV power-generating facilities on properties located in the A-II/AC designated and AG-II zoning district of the Cuyama Valley Rural Region.

Potential impacts from the proposed and possible future utility-scale solar photovoltaic facilities to agricultural resources, visual resources, water quality, biological resources, and others would be avoided by not allowing conversion of agricultural land to non-agricultural uses. Conversely, this alternative would not result in the beneficial impact of promoting the production of utility-scale clean renewable energy sources within the County, potentially resulting in greater GHG emissions impacts from traditional gas- or coal-fired power plants that may need to be developed to generate the necessary power. In addition, the alternative would not result in the beneficial impacts of decreasing use of groundwater for agricultural activities in an over-drafted water basin.

Alternative 2: Resource-based Development Standards including Exclusion of Lands Under Williamson Act Contracts and Lands with Prime Soils

This alternative to the CP/LUDC Amendments would be identical to the proposed CP/LUDC Amendments, with its current limitations and identified development standards, except this Alternative would further restrict utility-scale solar PV facilities from current Williamson Act contracted lands and areas that contain prime soils. This alternative would reduce environmental impacts associated with the adoption of the CP/LUDC Amendments, except for Visual resources. While many significant impacts to agricultural resources may be avoided, this alternative could limit future solar facility development so severely by making it very difficult to find land that meets all the standards and is otherwise technically feasible to support a solar facility (see Figure 11).

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

Page 34

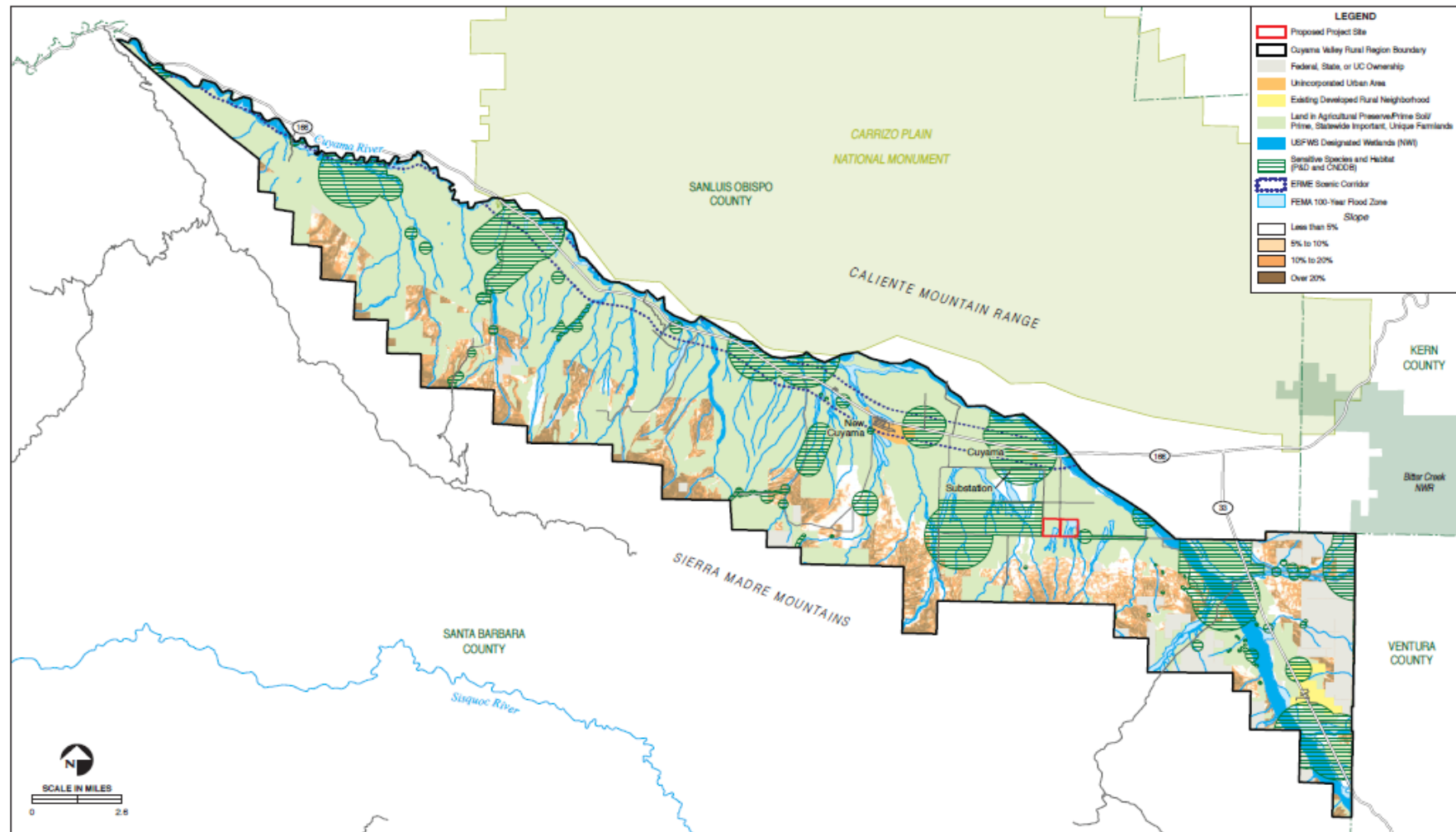


Figure 11. Environmental and Land Use Constraints in the Cuyama Valley Rural Region Associated with Alternative 2

Alternative 3: Utility-Scale Solar Facilities on Parcels Zoned AG-I

This alternative would allow utility-scale solar PV facilities on properties located in the AG-I zoning district of the Cuyama Valley Rural Region rather than in the AG-II zoning district, as is proposed for the CP/LUDC Amendments. The AG-I zoning includes residential ranchettes, hobby farms, vineyards, and wineries, and is often a transitional zone between more intensive agriculture uses and residential land uses. AG-I zoned areas are typically located closer to developed and populated areas. Therefore, the direct and cumulative impacts from locating utility-scale solar facilities near developed areas would likely be greater, including construction emissions, noise, traffic, and visual impacts.

Alternative 4: Solar Facilities on Non-Agriculturally Zoned Parcels

This alternative would limit utility-scale solar PV facilities to commercial, industrial, and/or Special Purpose zones instead of agriculture zoning districts in the Cuyama Valley Rural Region. These areas are located more closely to populated urban areas. Therefore, the direct and cumulative impacts from locating more utility-scale solar facilities near populated urban areas would likely be greater, including construction emissions, noise, traffic, and visual impacts.

Alternative 5: Solar Facilities on Parcels Zoned AG-II, Countywide Excluding the Coastal Zone

This alternative to the CP/LUDC Amendments would allow utility-scale solar photovoltaic project sites on properties County-wide on all AG-II zoned parcels outside of the coastal zone and subject to Alternative 2 development criteria and/or standards that serve to programmatically mitigate resource impacts. This alternative would not be restricted to the Cuyama Valley Rural Region and would restrict eligibility to lands that are not contracted under the Williamson Act and do not contain prime soils. Potentially more individual solar projects could be developed on agricultural lands throughout the inland rural regions of the County. Such facilities could result in extensive land use compatibility issues (e.g. Right-to-Farm concerns with existing productive agricultural operations onsite and offsite, urban-rural issues as some sites may be located closer to developed and populated areas, impact upon scenic qualities of winery routes, closer visibility to scenic recreational regions, etc.). Direct and cumulative impacts from locating more utility-scale solar facilities would be extensively greater for most resource areas under this program alternative.

Environmentally Superior Alternative for the CP/LUDC Amendments

Per the CEQA Guidelines, Section 15126.6, the purpose of evaluating alternatives to the proposed project is to evaluate the comparative merits of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project objectives but would avoid or substantially lessen any of the significant effects of the proposed project. The primary objective of the CP/LUDC Amendments is to provide a permit pathway for the

development of Utility-Scale Solar Photovoltaic facilities in the Rural Area of the Cuyama Valley Rural Region. The amendments support the State's mandates for the reduction of greenhouse gas emissions and the County's goals and policies to encourage the use of alternative energy and the development of related businesses in Santa Barbara County.

When all of the alternatives are considered, Alternative 1, the no project alternative is considered to be the environmentally superior alternative. Pursuant to Section 15126.6(e), if the analysis concludes that the No Project Alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative from the other alternatives. Among the remaining alternatives, Alternative 2, the Resource-based development standards, would reduce environmental impacts associated with most environmental resources, including eliminating significant and unavoidable impacts to agricultural resources by restricting development from occurring on parcels with prime soils or under Williamson Act Contracts. As seen in Figure 11, very few parcels, if any, appear to be feasible and viable for consideration of a 327-acre solar facility when considering these limitations. (Alternative 12 is a not under a contract but unavailable for purchase or lease.) While most protective of resources, this alternative may preclude projects from occurring that for important technical, legal or other reasons may be limited to certain sites so encumbered. In fact, such a restrictive measure on agriculture would preclude the Proposed Project from consideration.

When balancing the protective measures of Alternative 2 against the County's objective to allow for utility-scale solar photovoltaic facilities, it becomes apparent that the Proposed CP/LUDC Amendments, including all resource-protective Development Standards absent the restrictions on prime soil and Williamson Act contracted land has beneficial aspects. Future applications under the proposed Amendments would need to be consistent with all CUP requirements, the development standards set forth in the new Utility-Scale Solar Photovoltaic Facility ordinance section, and all applicable Comprehensive Plan policies. In summary, the proposed Amendments will require applications for utility-scale solar PV projects to undergo a rigorous, project-specific ordinance, policy and CEQA analysis. For these reasons, the proposed Amendments are identified as the Environmentally Superior Alternative and are both feasible and meet the project objectives.

Summary of the Cuyama Solar Facility EIR Alternatives

The EIR identifies significant and unavoidable impacts to both visual resources and agricultural resources after mitigation as a result of the Solar Facility. Therefore, the following 13 alternatives attempt to reduce these impacts on the environment and achieve most of the project objectives.

An initial screening of Alternatives sites was also conducted to help determine if there was suitable proximate non-contracted Williamson Act land. Although not a significant impact, cancellation of a Williamson Act contract needs to comply with specific findings (see Attachment A). One of the findings is Government Code Section 51282(a)(2)(c)(2), which reads "There is no proximate non-

contracted land which is both available and suitable for the use which it is proposed the land be put..." In identifying Alternative sites, several were identified to see if the project could avoid affecting Williamson Act contracted land.

The Applicant conducted an initial property search to identify potentially feasible sites within an approximately 3.5 mile radius of the PG&E Cuyama Substation that would meet the project objectives in terms of parcel sizes and configuration, topography, proximity to the Substation, availability of existing infrastructure, and environmental constraints (refer to Appendix E of EIR). Additionally, availability of the land for sale or lease for the development of the Solar Facility was taken into consideration.

For the Alternative sites analysis in the EIR, the County extended the search to a 10-mile radius of the PG&E Cuyama Substation, including sites within San Luis Obispo County (refer to Figure 12). For a majority of the properties within the 10-mile radius area, potential alternate sites were limited because areas have slopes that are incompatible with solar facility development, have drainage issues that make development problematic, contain prime soils, and/or may contain sensitive native habitat and species.

Alternative 6: No Project

This alternative would result in the continued use of the site for agricultural cultivation (typically carrots with rotational crops that include onions and potatoes) with water supplied from an off-site well located approximately 5,000 feet northeast of the site, or other agricultural activities may occur as allowed under the LUDC. The development of a solar PV generating facility and related infrastructure would not occur under this alternative on the Project site.

This alternative would avoid all adverse environmental impacts, including the significant and unavoidable aesthetic and visual resource and agricultural resource impacts associated with the Proposed Solar Facility. Conversely, this alternative would not result in beneficial impacts, including the production of utility-scale renewable energy sources within the County, offset or displacement of GHGs from operation of the proposed Solar Facility, and reduced water usage in an overdrafted water basin.

Alternative 7: Reduced Solar Facility

This alternative would include the development of an approximately 20-MW solar PV generating facility on approximately 160 acres of the site that lies east of Kirschenmann Road. The remaining 167 acres of the 327-gross-acre Project site would not be developed and would remain under a Williamson Act contract (as part of a larger 1,529 acres under contract) for cultivation.

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

Page 38

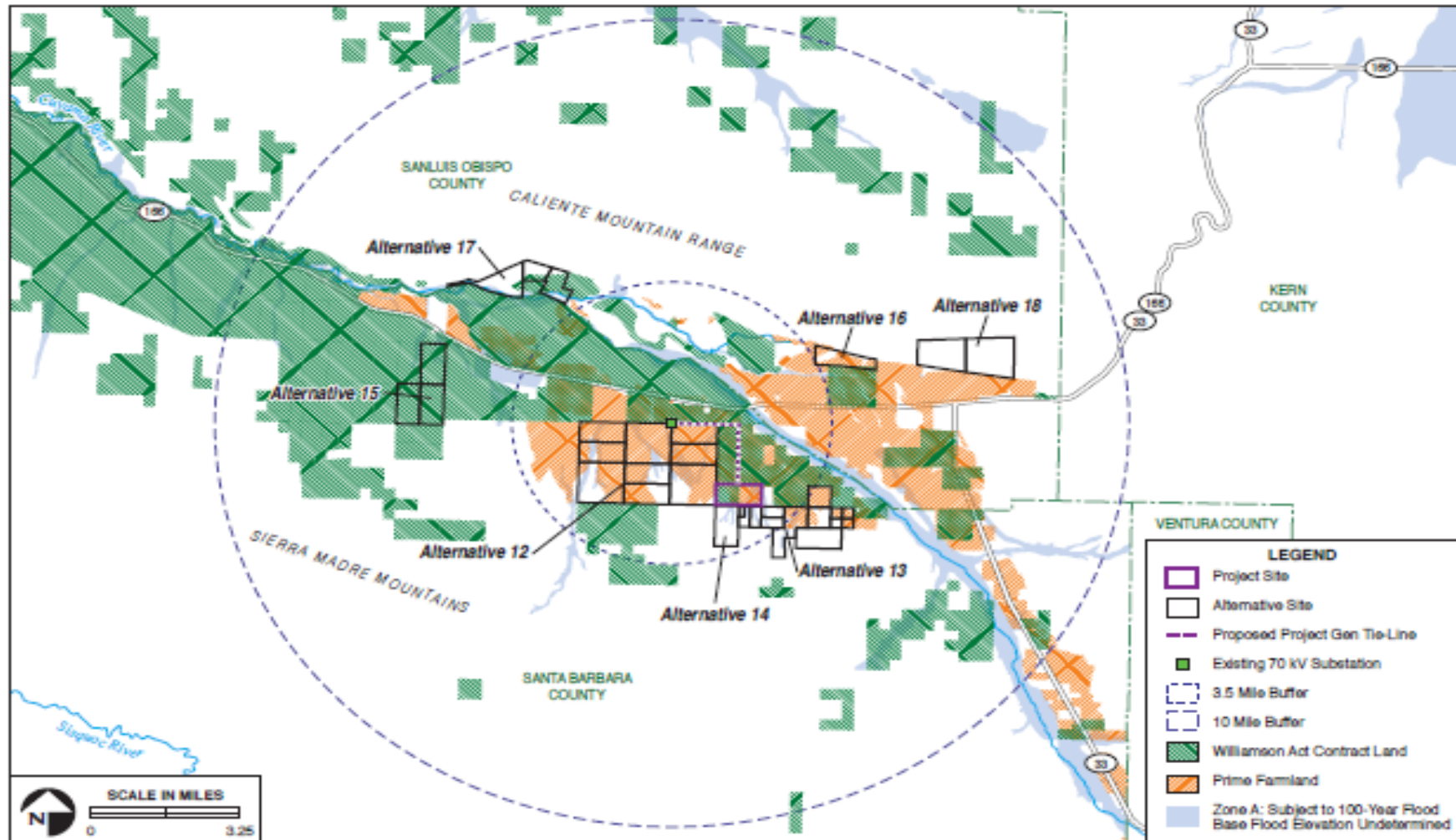


Figure 12. Alternative Sites for the Proposed Cuyama Solar Facility

This Alternative has similar impacts associated with the proposed Solar Facility; however, the impacts would be less severe since less land would be used. However, this alternative would not realize the same GHG emissions reductions or provide the same level of energy supply benefits as the Proposed Solar Facility nor the beneficial impacts to the overdrafted groundwater basin. While CEQA requires adoption of any mitigation or alternative that reduced significant impacts, such mitigation is considered infeasible if it does not meet reasonable project objectives. Because the reduced size project does not meet the applicant's project objective of building a 327 acre 40 MW solar facility, this alternative is infeasible.

Alternative 8: Alternative Solar Photovoltaic Technology

This alternative evaluates a solar PV alternative that applies a different technology, and considers whether the proposed PV technology offered by the Applicant is the most efficient in terms of land coverage. A comparison of other solar PV projects proposed in Kern County revealed that utility-scale solar facilities require between 4.7 and 13.3 acres per MW with an average of approximately 8.0 acres per MW. The Cuyama Solar Facility would require approximately 8.2 acres per MW, which is within the range of similar facilities located in the southern San Joaquin Valley. The Applicant utilizes a known and proven proprietary PV module technology. Other PV technologies may propose to provide a lower acreage per MW, but most solar projects that claim greater efficiency than the Applicant's proprietary technology have not been developed or in operation yet. Therefore, considerations of alternative solar PV technologies are not expected to yield significantly more efficient use of land for the generation of solar electricity and would not be as reliable as the technology proposed by the Applicant. This alternative does not meet the applicant's project objective of building a solar project using First Solar photovoltaic modules. Therefore, it is infeasible.

Alternative 9: Alternative Solar Non-Photovoltaic Technologies

This alternative would involve development of a different type of solar technology that excludes PV solar, such as parabolic trough, stirling dish, distributed tower, and/or linear Fresnel technologies. Such technologies involve reflecting the sun's rays to a concentration point, or use of a solar thermal energy collector, that involve elevating the temperature of a heat transfer fluid (such as oil) to heat steam in order to run a standard turbine generator. These alternative technologies offer similar energy generation rates per acre of land area used as conventional solar PV power-generating facilities. However, these types of alternative technologies tend to develop on larger sites to achieve these efficiencies. This alternative could result in greater ground disturbance, biological resources, and, in some cases greater impacts to aesthetics (such as solar towers), noise and water use (solar thermal technologies require use of steam to turn turbines). Therefore, it does not clearly show a reduction in Class I impacts. Additionally, this alternative does not meet the applicant's project objective of building a solar project using First Solar photovoltaic modules. Therefore, it is infeasible.

Alternative 10: Alternative Configuration

This alternative would entail a different configuration of the solar PV panels at the Solar Facility site to reduce the size or area of impacts, such as reducing the space between the PV panels to reduce the amount of land needed. The design of the Cuyama Solar Facility accounts for the slope of the ground in relation to the angle of the panels throughout the day to absorb the maximum amount of the sun's rays. There is a gap of approximately 6 feet between the back of one row and the front of the next, just enough room to allow construction and maintenance access with a small-sized vehicle. However, spacing the PV panels closer together would result in panels shading each other, thereby reducing the efficiency of the proposed project. This would interfere with the applicant's project objective of building a 40 MW solar facility. Therefore, this alternative is infeasible.

Alternative 11: SB618 Solar Use Easement and Enrollment of Non-contracted Agricultural Parcel into a Williamson Act Replacement Contract

This alternative would provide a replacement contract to enroll non-contracted agricultural parcels into Agricultural Preserve Contract 76-AP-72. However, rather than cancellation of a portion of this Williamson Act contract on the 167-acre parcel, the contract would be rescinded from this parcel in accordance with SB 618 and concurrently enrolled into a Solar Use Easement, which would require that the land be used for solar PV facilities for a term no less than 20 years. Under this alternative impacts would be the same as the proposed Solar Facility. This alternative would be applicable only to parcels that are non-prime agricultural soils or lands with circumstances that limit the use of the parcel for agricultural activities. Because the project site contains prime soils and is currently under agricultural operations, the option to enroll the parcel into a Solar Use Easement would not be possible.

Alternative 12: Alternative Site (Joaquin Family Trust Sites)

Under this alternative, the proposed 40-MW solar PV generating facility would be developed on an alternative site within the Cuyama Valley. Although the administrative process of canceling a Williamson Act contract is not considered a significant impact, the primary purpose of this alternative is to attempt to avoid the cancellation of the Williamson Act contract on approximately 167 acres of the Project site to avoid the resultant physical impacts to agriculture. This alternative would comprise an approximately 320-acre portion of an area known as the Joaquin Family Trust that lies just south and southwest of the Cuyama Substation, and northwest of the proposed Solar Array site (refer to Figure 12). The Joaquin Family Trust is a portion of an assemblage of parcels that exceeds 6,000 acres, which is owned by the Joaquin Family Trust, and is made up of multiple co-owners (56 in total). The Joaquin Family Trust parcels are located on both non-prime and prime farmland, zoned AG-II. This alternative could result in greater impacts to visual resources due to its proximity to SR-166, an eligible scenic highway, biological resources due to the sensitive habitat, and geology/soils and hazards due to the existing oil and gas production activities on the site. Furthermore, W.M. Bolthouse Farms has invested substantial resources in an effort to improve the property for agricultural use and has

communicated its intent to continue farming operations on it. Therefore, this site is not feasible due to its unavailability for purchase or lease.

Alternative 13: Alternative Site (Southeast Sites)

Under this alternative, the proposed 40-MW solar PV generating facility would be developed on an alternative site located to the southeast of the Solar Facility site within the Cuyama Valley (refer to Figure 12). Although the administrative process of canceling a Williamson Act contract is not considered a significant impact, the primary purpose of this alternative is to attempt to avoid the cancellation of the Williamson Act contract on approximately 167 acres of the Project site to avoid the resultant physical impacts to agriculture. The solar facility under this alternative would be similar in scale and capacity to the Proposed Solar Facility, and would require about 320 acres within the Southeast Alternate Sites area. The length of the associated gen tie-line could range from about 4 miles to over 5 miles. Some of the parcels are designated prime farmland. While this alternative would avoid the cancellation of a Williamson Act Contract, significant and unavoidable aesthetic and visual resource and agricultural resource impacts would remain. Additionally, this alternative could result in greater impacts to biological resources, hydrology and water quality due to the presence of wetlands, sensitive habitat, and flood hazards on this site.

Alternative 14: Alternative Site (South of Proposed Cuyama Solar Facility)

Under this alternative, a 40-MW solar PV power-generating facility would be developed on an alternate site within the Cuyama Valley and south of the proposed Solar Facility site (refer to Figure 12). Although the administrative process of canceling a Williamson Act contract is not considered a significant impact, the primary purpose of this alternative is to attempt to avoid the cancellation of the Williamson Act contract on approximately 167 acres of the Project site to avoid the resultant physical impacts to agriculture. The solar facility on this alternative site would be similar in scale and capacity to the Proposed Solar Facility. Additionally, this alternative would require a longer gen tie-line than the Proposed Solar Facility's Gen Tie-Line. This alternative site contains prime agricultural soils and has significant slopes (between 5% and 20% across the site). A substantial amount of grading would be required for development of the solar panels. Such grading would increase impacts related to aesthetics, air quality, noise, and hydrology and water quality. Additionally, the land contains undisturbed vegetation and scattered shrubs, which has a higher probability of rare wildlife and plant species and valuable foraging habitat for raptors.

Alternative 15: Alternative Site (Near Perkins Road)

Under this alternative, a 40-MW solar PV power-generating facility would be developed on an alternate site within the Cuyama Valley (refer to Figure 12). The primary purpose of this alternative is to attempt to avoid locating the facility on prime soils. The Near Perkins Road Site is an assemblage of assessor's parcels that total approximately 1,300 acres that lie to the west of the existing PG&E Cuyama Substation. This alternative would be similar to the Proposed Solar Facility and would require about 320 acres; however, the length of the associated gen tie-line could range from 4 miles to over 6 miles long, depending on where the facility was located on the 1,300 acres. Similar to the Proposed Solar Facility, these alternate sites are located within Williamson Act contract land. The majority of this site is also designated as Sensitive Species & Habitat and has a higher probability of rare wildlife and plant species and valuable foraging habitat for raptors, potentially resulting in greater biological impacts compared to the Proposed Solar Facility.

Alternative 16: Alternative Site (SLO Middle Site)

Under this alternative, the proposed 40-MW solar PV generating facility would be developed on an alternative site within the San Luis Obispo County portion of the Cuyama Valley (refer to Figure 12). The site lies approximately 1 mile northeast of SR-166 at the base of the Carrizo Plains National Monument in San Luis Obispo County. This alternative's solar facility would be slightly smaller in scale and capacity to the Proposed Solar Facility, but an associated generation tie-line would be approximately two miles longer than the Proposed Project's Gen Tie-Line, and would cross SR-166 as well as the Cuyama River. A portion of this parcel is located on Williamson Act contracted land. The parcel has multiple soil classifications ranging from non-prime to prime farmland. The parcel has a kit fox designation. This alternative would likely result in greater environmental impacts compared to the Proposed Cuyama Solar Facility related to visual resources from the gen tie-line crossing an eligible scenic highway and County-designated scenic corridor, and biological resources due to potential impacts to kit fox.

Alternative 17: Alternative Site (SLO Western Site)

Under this alternative, the proposed 40-MW solar PV generating facility would be developed on an approximately 320-acre site within the San Luis Obispo County portion of the Cuyama Valley (refer to Figure 12). The primary purpose of this alternative is to attempt to avoid locating the facility on prime soils. Similar to the Proposed Solar Facility, this alternative site is also located on Williamson Act contracted land. The property has a kit fox designation. This alternative would likely result in greater environmental impacts compared to the Proposed Cuyama Solar Facility related to visual resources from the gen tie-line crossing a scenic highway, and biological resources due to potential impacts to kit fox and close proximity to the Cuyama River.

Alternative 18: Alternative Site (SLO Eastern Site)

Under this alternative, the proposed 40-MW solar PV generating facility would be developed on an approximately 320-acre site within the San Luis Obispo County portion of the Cuyama Valley (refer to Figure 12). The primary purpose of this alternative is to attempt to avoid locating the facility on prime soils. Although the administrative process of canceling a Williamson Act contract is not considered a significant impact, the primary purpose of this alternative is to attempt to avoid the cancellation of the Williamson Act contract on approximately 167 acres of the Project site to avoid the resultant physical impacts to agriculture. The project facilities under this alternative would be similar to the Proposed Solar Facility. The parcels are not located on Williamson Act contracted land. Both prime and non-prime farmland exist onsite. The site contains kit fox designation. This alternative would likely result in greater environmental impacts compared to the Proposed Solar Facility related to visual resources from the gen tie-line crossing a scenic highway and biological resources due to potential impacts to kit fox.

Environmentally Superior Alternative for the Cuyama Solar Facility

Per the CEQA Guidelines, Section 15126.6, the purpose of evaluating alternatives to the proposed project is to evaluate the comparative merits of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project objectives but would avoid or substantially lessen any of the significant effects of the proposed project. The basic objectives of the proposed project are to: 1) Establish a solar PV power-generating facility sized at 40 MW in order to fulfill the guaranteed energy delivery schedule required under the Applicant's Power Purchase Agreement with PG&E; 2) Locate the Solar Array in the rural part of northeastern Santa Barbara County, on property that was available for purchase and in proximity to the available interconnection to the existing electrical distribution infrastructure; 3) Minimize environmental effects; and 4) Use technology that is available, proven, efficient, easily maintained, recyclable, and environmentally sound.

Alternative 6, the No-Project Alternative, does not meet any of the Project's objectives. This No Project Alternative would avoid all adverse environmental impacts associated with the Proposed Solar Facility. However, the benefit of producing approximately 110,000 megawatt-hours (MWh) of electricity annually³ (equal to the annual electricity consumption of more than 15,600 average California households)⁴ would not be fully realized.

Section 15126.6(e)(2) of the State CEQA Guidelines states that if the no-project alternative is found to be environmentally superior, "the EIR shall also identify an environmentally superior alternative among the other alternatives." While Alternative 12 would result in a reduction in impacts to agriculture, this alternative would result in increased impacts to biological resources,

³ Data from the National Solar Radiation Database (NSRDB) and data collected from an onsite meteorological station managed by the Applicant suggest that the Solar Facility could produce 110,000 megawatt-hours (MWh) of electricity annually.

⁴ Homes powered is based on 587-kWh/month average residential household electricity consumption in California (U.S. Energy Information Administration 2010).

geology and soils, and hazards. Alternative 7, the Reduced Solar Facility, would result in the greatest reduction of overall impacts, particularly to agricultural resources, but it would not result in the same GHG emissions reductions by offsetting other non-renewable power generation sources or provide the same level of energy supply benefits as the Proposed Solar Facility.

When balancing the relative benefit of preserving the 167 acres of farmland against the loss of half of the designed power generation of the Proposed Solar Facility, less County progress toward meeting AB 32 mandates and County renewable energy goals, and all other environmental factors being similar, the Proposed Solar Facility is identified as the Environmentally Superior Alternative.

6.1.4 Public Input

The Draft EIR was circulated to the public for 45 days from January 28, 2014 to March 13, 2014. A public hearing was held in Cuyama on March 5, 2014 to receive oral comments on the adequacy of the Draft EIR. Written comments on the Draft EIR were received from the following individuals and agencies:

1. Pacific Gas and Electric Company
2. Richard Fanning, Attorney at Law, representing Jason Vosburgh, dba Vosburgh Airfield
3. Department of Conservation, Division of Land Resource Protection
4. Department of Conservation, Division of Oil, Gas and Geothermal Resources
5. Grower Shipper Association
6. Browntein Hyatt Farber Schreck, representing Bolthouse Properties (owners of site)
7. Community Environmental Council
8. U.S. Department of Interior, Fish and Wildlife Service
9. Santa Barbara Audubon Society, Inc.
10. First Solar (applicant)
11. Central Coast Regional Water Quality Control Board
12. State of California, Department of Fish and Wildlife
13. Santa Barbara County, Air Pollution Control District
14. Lozeau Drury, on behalf of Laborers International Union of North America, Local Union 89, and its members living in SBC

In addition, three individuals gave oral comments at the environmental public hearing. The Proposed Final EIR contains the letters and oral comments received in Appendix A (Response to Comments), and the EIR was updated pursuant to those comments, where appropriate.

6.2 Comprehensive Plan Consistency

CP/LUDC Amendments

The CP/LUDC Amendments would allow for the development of utility-scale solar photovoltaic (PV) facilities to be a conditionally permitted use on a maximum of 600 acres of land designated A-II or AC and zoned AG-II in the Rural Area of the Cuyama Valley Rural Region.

Table 4.
CP/LUDC Amendments Consistency with Santa Barbara County
Comprehensive Plan Policies

Policy Requirement	Discussion
AESTHETICS AND VISUAL RESOURCES	
<p><i>Land Use Element, Visual Resource Policy 2:</i> In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</p>	<p>Consistent: Technical requirements of Utility-Scale Solar Photovoltaic Facilities include large areas of land to install rows of solar panels (approximately 8 acres of land is needed to produce 1 megawatt of electricity). Other structures required include power conversion equipment, photovoltaic power switchgears, onsite substations, transmission lines and power poles. All of these facilities and equipment are necessary features of utility-scale photovoltaic systems.</p> <p>Future utility-scale solar PV facilities would be required to comply with four Development Standards to be added in the LUDC to help the facilities blend in the with the Cuyama Valley's cultivated and ranch land environment. .</p> <p>Development Standard AV-1 addresses siting utility-scale solar facilities outside of views of scenic highways to reduce visual resource impacts. Development Standards AV-2 – AV-4 would require aesthetic design treatments and low lighting and glare for utility-scale solar PV facilities to help blend the facilities more effectively into the setting. The County recognizes that technical requirements of solar PV projects often dictate that development components could be highly visible (e.g., 100-foot tall transmission and telecommunication towers, and other solar components). The County has previously viewed the importance of renewable energy production policies and mandates to support a</p>

Policy Requirement	Discussion
	finding of policy consistency for renewable energy projects. With approval of the Comprehensive Plan amendments, future utility-scale solar PV facilities would be consistent with this policy.
<p><i>Scenic Highway Element:</i> The County seeks to attain the following goals through the adoption and implementation of the Scenic Highway Element:</p> <ul style="list-style-type: none"> a) To enhance and preserve the valuable scenic resources located along roadways within the County, b) To consider every proposed new highway or major realignment as an opportunity to maintain the scenic quality of the County by evaluating them for scenic highway eligibility, c) To help maintain the economic contribution of tourism to the County, d) To accommodate State planning law. <p>The Scenic Highway Element contains preservation measures for eligible scenic routes. Such measures include the application of the Design Control Overlay District to require design review of structures or other development, additional grading and landscaping regulations, and control of outdoor signage.</p>	<p>Consistent: The Cuyama Valley Rural Region contains two highways identified as eligible scenic highways, State Route (SR) 33 and SR-166. An eligible highway may become an official State Scenic Highway when a plan of preservation is implemented by the County for individual routes.</p> <p>Future utility-scale solar PV facilities would need to comply with Development Standards AV-1 through AV-4, which address avoidance of scenic highways, aesthetic design treatments, low-intensity lighting, and minimization of glare. Implementation of Development Standards AV-1 – AV-4 would ensure consistency with the Scenic Highway Element. The County has previously viewed the importance of renewable energy production policies and mandates to support a finding of policy consistency for renewable energy projects.</p> <p>With approval of the Comprehensive Plan amendments, future utility-scale solar photovoltaic facility development would be consistent with this scenic highway goals.</p>
AGRICULTURAL RESOURCES	
<p><i>Agricultural Element, Goal I:</i> Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow (taking into account environmental impacts), expansion and intensification shall be supported</p> <p><i>Agricultural Element, Policy II.D:</i> Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.</p> <p><i>Land Use Element, Regional Goal, Agriculture:</i> In the rural areas, cultivated agriculture shall be preserved and, where conditions allow, expansion</p>	<p>Consistent: The Cuyama Valley Rural Region consists predominantly of cultivated lands and ranchlands.</p> <p>Future utility-scale solar PV facilities would need to comply with two Development Standards that protect agriculture. Development Standard AG-1 requires any future utility-scale solar project that converts prime agricultural land to non-agricultural use or impairs agricultural land productivity to permanently preserve off-site agricultural land at a ratio of 1:1 for net acreage before conversion, through one of the following methods: 1) funding and purchase of agricultural conservation easements; 2) purchase of credits from an established agricultural farmland mitigation bank; 3) contribution of agricultural land</p>

Policy Requirement	Discussion
<p>and intensification should be supported. Lands with both prime and non-prime soils shall be reserved for agricultural uses.</p> <p><i>Agricultural Element, Policy III.A:</i> Expansion of urban development into active agricultural areas outside of urban limits is to be discouraged, as long as infill development is available.</p>	<p>or equivalent funding to an organization that provides for the preservation of farmland; 4) participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above, as determined by the County. Development Standard AG-2 requires a demolition and reclamation plan for utility-scale solar PV projects, including financial assurances to ensure project sites are returned to agricultural use upon the cessation of facility use or a use compatible with the zoning and policies in place at that time.</p> <p>The purpose and intent of the proposed CP/LUDC Amendments is to provide a permit path and Comprehensive Plan consistency to allow for development of utility-scale solar photovoltaic (PV) facilities, balanced with protection of agricultural resources. The Cuyama Valley Rural Region is the most appropriate area for this type of development for two reasons: 1) this area contains one of the highest levels of solar insolation in the County; and 2) this area has an overdrafted groundwater basin. Cultivated agriculture in this area typically uses a significant amount of groundwater whereas, utility-scale solar PV facilities use little to no groundwater during operations.</p> <p>The proposed CP/LUDC Amendments limit agricultural land conversion to 600 acres total, and through application of the various Development Standards, the CP/LUDC Amendments would be consistent with these agricultural goals, and policies.</p>

Policy Requirement	Discussion
<p><i>Agricultural Element, Policy I.A:</i> The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses.</p> <p><i>Agricultural Element, Policy I.E:</i> The County shall recognize that the generation of noise, smoke, odor and dust is a natural consequence of the normal agricultural practices provided that agriculturalists exercise reasonable measures to minimize such effects.</p> <p><i>Agricultural Element, Goal III:</i> Where it is necessary for agricultural lands to be converted to other uses, this use shall not interfere with remaining agricultural operations.</p>	<p>Consistent: Operation of solar facilities would be compatible and would not interfere with adjacent productive agricultural operations for a number of reasons. Solar facilities do not result in generation of noise, smoke, odor and dust during operation. In addition, the solar facilities can tolerate dust, pesticides, and herbicides from nearby agricultural operations since no sensitive receptors reside at the facilities and the solar panels are still effective even with a film of residue on the panels. Solar facilities do not use groundwater during operations and therefore do not compete or deplete the already overdrafted groundwater basin.</p> <p>Suspended production on up to 600 acres of agricultural lands for the promotion of alternative energy production is a compatible use within the A-II and AC land use designations. Therefore, adoption of the CP/LUDC Amendments would be consistent with the applicable goal, policies, and ordinance.</p>
BIOLOGICAL RESOURCES	
<p><i>Land Use Element, HWPP 2:</i> All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p> <p><i>Land Use Element, HWPP 7:</i> Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p>	<p>Consistent: The proposed CP/LUDC Amendments would allow for the development of utility-scale solar PV projects on up to 600 acres of land designated A-II or AC and zoned AG-II in the Rural Area of the Cuyama Valley Rural Region.</p> <p>With approval of the proposed Comprehensive Plan amendments, future utility-scale solar photovoltaic facility development would be consistent with these policies. Implementation of Development Standard BIO-1 requires future utility-scale solar facilities to avoid sensitive biological resources. Therefore, the proposed CP/LUDC Amendments are consistent with this policy.</p>

Policy Requirement	Discussion
CULTURAL RESOURCES	
<i>Land Use Element, Historical and Archaeological Sites Policies, Policy 1:</i> All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.	Consistent: Implementation of standard County procedures, including Condition CulRes-09, Stop Work at Encounter , in the event that prehistoric or historic resources are discovered during project construction (i.e., work would be stopped immediately or redirected until a County qualified archeologist and Native American representative are retained by the applicants to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines). Therefore, the proposed CP/LUDC Amendments are consistent with this policy.
GEOLOGY AND SOILS	
<p><i>Land Use Element, HWPP 1:</i> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p> <p><i>Land Use Element, HWPP 2:</i> All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	Consistent: With approval of the proposed Comprehensive Plan amendments, future utility-scale solar photovoltaic facility development would be consistent with these Hillside and Watershed Protection Policies. The California Building Code would require incorporation of design measures to minimize any geological hazards. The County's conditions of approval require a geological study, soils engineering study, and erosion and sediment control plan to minimize cut and fill quantities and grading operations (Standard Conditions Geo-01a, Geo-01b, Geo-02, and WatConv-07).). Furthermore, implementation of Development Standards GEO-1 thru GEO-3 require avoidance of sites with significant geologic hazards and slopes exceeding 20% grade and alteration of lands in order to reduce erosion. Therefore, the proposed CP/LUDC Amendments are consistent with this policy.
HYDROLOGY AND WATER QUALITY	
<p><i>Land Use Element, HWPP 4:</i> Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained through the development process to remove sediment from runoff waters. All sediment shall be retained on site unless removed to an appropriate dumping location.</p> <p><i>Land Use Element, HWPP 5:</i> Temporary vegetation, seeding, mulching, or other suitable</p>	Consistent: The proposed CP/LUDC Amendments include Development Standard GEO-3 , which would require all solar facilities to incorporate erosion and sedimentation control Best Management Practices (BMPs) during construction activities, such as avoidance of grading during the rainy season, installation of sediment basins, use of straw bales or bundles, and other measures. Additionally, such BMPs would be included in a Storm Water Pollution Prevention Plan (SWPPP) required by the Regional Water Quality Control Board and enforced as part of

Policy Requirement	Discussion
<p>stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate nonnative plants, or with accepted landscaping practices.</p> <p><i>Land Use Element, HWWP 6:</i> Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p> <p><i>Land Use Element, HWWP 7:</i> Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p>	<p>the County's Grading Permit.</p> <p>Once operational, solar facilities would need to comply with regulations requiring compliance with standard NPDES requirements including development of a long-term SWPPP, BMPs, and discharge monitoring. Therefore, adoption of CP/LUDC Amendments, including Development Standard GEO-3 would be consistent with applicable erosion and water quality policies.</p>
<p>NOISE</p> <p><i>Noise Element, Recommended Policy 1:</i> In the planning of land-use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</p>	<p>Consistent: With the proposed CP/LUDC Amendments, future utility-scale facilities could be developed on up to 600 acres of agricultural land in the Cuyama Valley. Human activity is limited in this area; therefore, noise levels are typically limited. However, noise levels are occasionally elevated due to nearby traffic and agricultural machinery and practices. The proposed CP/LUDC Amendments include Development Standard NOI-1, which requires new or modified facilities shall be designed, located, and constructed to avoid significant noise levels to residences or other sensitive receptors during construction and operation.</p> <p>With incorporation of Development Standard NOI-1, long-term operation of a solar facility would not result in noise generation in excess of the 65 dB Day-Night Average Sound Level; therefore, the proposed CP/LUDC Amendments would be consistent with this policy.</p>
ENERGY AND PUBLIC SERVICES	

Policy Requirement	Discussion
<p><i>Land Use Element, LUDP 4:</i> Prior to the issuance of a development permit, the County shall make the finding...that adequate public or private services...are available to serve the proposed development.</p>	<p>Consistent: Future solar sites would be served by the County of Santa Barbara's Fire and Sheriff departments. If proposed, a manned facility would require few employees and would not generate significant wastewater flows and would most likely either be served by on-site septic systems or portable restroom facilities given their remote locations. Future solar facilities would be required to comply with County Code Section 17-23, Construction and Demolition Waste, which requires recycling of 50% of all construction waste. Development Standard EPF-1 requires minimizing solid waste and implementing recycling efforts. Therefore, CP/LUDC Amendments are consistent with this policy.</p>
<p><i>Energy Element, Goal 5:</i> Alternative Energy: Encourage the use of alternative energy for environmental and economic benefits, and encourage opportunities for businesses that develop or market alternative energy technologies.</p> <p><i>Energy Element, Policy 5.2:</i> Alternative Energy Technologies: The County shall encourage the use of alternative energy technology in appropriate new and existing development.</p> <p><i>Energy Element Policy 5.13:</i> Alternative Energy Technology Businesses: Among broader county-wide efforts to attract businesses, the County shall initiate planning efforts to pursue desired businesses that develop or market alternative energy technologies.</p> <p><i>Energy Element Public Service Policy 5.13.2:</i> The County shall pursue companies that develop or market alternative energy technology to establish operations locally.</p>	<p>Consistent: The County's Comprehensive Plan (CP) and Land Use Development Code (LUDC) presently do not allow for the development of utility-scale solar photovoltaic (PV) facilities in the County. The purpose and intent of the proposed CP/LUDC Amendments is to provide a permit path and CP consistency to allow for this type of alternative energy development.</p> <p>The Cuyama Valley Rural Region is the most appropriate area for this type of development because it contains one of the highest levels of solar insolation in the County. The proposed CP/LUDC Amendments limit agricultural land conversion to 600 acres total, and the suspended agricultural production on such lands for the purpose of developing alternative energy, balances the County's goals, and policies.</p> <p>Therefore, the CP/LUDC Amendments would be consistent with these policies, which encourage the use and development of alternative energy.</p>

Cuyama Solar Facility

The Solar Facility includes development of a Solar Array on 327 acres, a Gen Tie-Line that runs 3 miles from the Solar Array to the PG&E Cuyama substation, and a 19,600 square foot Switchyard north of the PG&E Cuyama substation.

Table 5.
Cuyama Solar Facility Consistency with Santa Barbara County Comprehensive Plan Policies

Policy Requirement	Discussion
AESTHETICS AND VISUAL RESOURCES	
<i>Land Use Element, Visual Resource Policy 2:</i> In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.	<p>Consistent: The Solar Array site would convert 327 acres of irrigated cropland to a utility-scale solar photovoltaic facility, introducing a considerable source of infrastructure and industrial features. Utility-scale photovoltaic equipment includes acres of solar panels, and other structures such as, power conversion equipment, photovoltaic power switchgears, and an onsite substation to transform the output. A proposed 3-mile Gen Tie-Line would run north along Kirshenmann Road and west along Washington Street with 70- to 100- foot tall galvanized steel or wood poles.</p> <p>Mitigation Measures SPEC AV-1 through AV-3 would require aesthetic design treatments, board architectural review, low intensity lighting, and low-glare materials provide compatibility of the Solar Facility with the existing agricultural landscape. The main structures in the Solar Array site average between 5-25 feet; however, there are a number of Gen Tie-Line and telecommunication poles (associated with the entire Solar Facility project) that would range from 45-100 feet.</p> <p>Technical requirements of solar PV projects often dictate that development components could be highly visible (e.g., 100-foot tall transmission and telecommunication towers, and other solar components).</p> <p>With approval of the Mitigation Measures SPEC AV-1 through AV-3, the Cuyama Solar Facility would be consistent with this visual resource policy.</p>

Policy Requirement	Discussion
<p><i>Land Use Element, Visual Resource Policy 5:</i> Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where cost of undergrounding would be so high as to deny service.</p>	<p>Consistent: The Solar Facility would require the development of a 70-kilovolt (kV) above-ground Gen Tie-Line to transmit the energy produced by the Solar Array to the PG&E Cuyama substation. The lines are proposed to be strung on new 70 to 100-foot tall poles, similar to the existing lines consistent with PG&E standards for transmission lines. The cost to underground the Gen Tie-Line is prohibitive due to the 3-mile length of the line and the depth it would need to be to not interfere with agricultural operations. The project would therefore be consistent with this policy.</p>
<p><i>Scenic Highway Element:</i> This Element contains preservation measures for eligible scenic routes. Such measures include the application of the Design Control Overlay District to require design review of structures or other development, additional grading and landscaping regulations, and control of outdoor signage.</p>	<p>Consistent: The California Department of Transportation has designated SR-166 and SR-33 as eligible scenic highways in the County. Eligible highways may become an official State Scenic Highway when a plan of preservation is implemented by the County for this route. The two highways are identified in the General Plan Open Space Element as travel corridors of high scenic value.</p> <p>The Cuyama Solar Array site is 1.9 miles from Highway 166 and with its relative low profile is not readily discernible from such a distance. The Gen Tie-Line and Switchyard are approximately 0.4 miles from Highway 166, with the Switchyard appearing as an extension of the existing PG&E Cuyama Substation. Mitigation Measures SPEC AV-1 through AV-3 would require aesthetic design treatments, architectural board review, low intensity lighting, and low-glare materials to help reduce contrasting views from Highway 166. The County has previously viewed the importance of renewable energy production policies and mandates to support a finding of policy consistency for renewable energy projects.</p>
AGRICULTURAL RESOURCES	
<p><i>Agricultural Element, Goal 1:</i> Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow</p>	<p>Consistent: The Solar Array Site would require conversion of 327 acres of agricultural land, including approximately 250 acres of Prime Farmland and 75 acres of Farmland of Statewide</p>

Policy Requirement	Discussion
<p>(taking into account environmental impacts), expansion and intensification shall be supported.</p> <p><i>Agricultural Element, Policy II.D:</i> Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.</p> <p><i>Land Use Element, Regional Goal, Agriculture:</i> In the rural areas, cultivated agriculture shall be preserved and, where conditions allow, expansion and intensification should be supported. Lands with both prime and non-prime soils shall be reserved for agricultural uses.</p> <p><i>Agricultural Element, Policy III.A:</i> Expansion of urban development into active agricultural areas outside of urban limits is to be discouraged, as long as infill development is available.</p>	<p>Importance, to a non-agricultural use.</p> <p>Construction and development of the Project's Gen Tie-Line would not result in significant removal of prime soils from agricultural use along the 3-mile corridor because agricultural activities can still occur along the Gen Tie-Line, except within a 10-foot radius along each power pole.</p> <p>The Project's Switchyard would be constructed on 19,600 square feet immediately north of the existing PG&E Cuyama Substation. This land is currently under Williamson Act contract and is within the Bolthouse Farms agricultural operations.</p> <p>Mitigation measures have been identified for the Solar Facility project to ensure the preservation of agricultural lands to the maximum extent feasible. Mitigation Measure SPEC-AG-1 requires permanent preservation of off-site agricultural land at a ratio of 1:1 for net acreage before conversion, through one of the following methods: 1) funding and purchase of agricultural conservation easements; 2) purchase of credits from an established agricultural farmland mitigation bank; 3) contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; 4) participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above, as determined by the County. Mitigation Measures SPEC-AG-2 and SPEC-AG-3 require submittal of a Demolition and Reclamation Plan and financial assurances to allow use of the land to return to agriculture upon the cessation of project activities. The suspended agricultural production on these 327 acres to allow for solar PV renewable energy, along with the application of Mitigation Measures SPEC-AG-1 through SPEC AG-3, render the Solar Facility consistent with these agricultural goals and policies.</p>

Policy Requirement	Discussion
<p><i>Agricultural Element, Policy I.A:</i> The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses.</p> <p><i>Agricultural Element, Policy I.E:</i> The County shall recognize that the generation of noise, smoke, odor and dust is a natural consequence of the normal agricultural practices provided that agriculturalists exercise reasonable measures to minimize such effects.</p> <p><i>Agricultural Element, Goal III:</i> Where it is necessary for agricultural lands to be converted to other uses, this use shall not interfere with remaining agricultural operations.</p>	<p>Consistent: The Solar Facility would be located at the southern margin of the larger Bolthouse agricultural operation and Project implementation would not compromise the integrity or quality of adjacent agricultural operations by introducing a non-compatible use. The Gen Tie-Line footprint would not result in the removal of a significant amount of prime soils from agricultural use or conflict with adjacent agricultural uses. Construction and use of the Switchyard would also not include any interference with adjacent agricultural operations.</p> <p>During project construction, three mitigation measures would be applied to ensure the Facility would not interfere with adjacent agriculture. Standard Mitigation Measure AG-05 requires that owners of the Solar Facility be aware that the surrounding agricultural operations have a right to farm. Standard Mitigation Measures WatConv-07 and Air-01 require preparation of erosion controls and dust suppression.</p> <p>Operation of the Cuyama Solar Facility would be compatible and would not interfere with adjacent productive agricultural operations. The Solar Facility would not result in generation of noise, smoke, odor and dust during operation. The Solar Facility would not include landscaping, and a weed abatement program would be implemented so invasive species are not introduced to adjacent agricultural lands. In addition, the Cuyama Solar Facility would tolerate dust, pesticides, and herbicides from nearby agricultural operations since no sensitive receptors would reside at the Facility and the solar panels are still effective even with a film of residue on the panels. The Cuyama Solar Facility would not use groundwater during operations and therefore does not compete or deplete the over-drafted groundwater basin.</p> <p>The suspended agricultural production on 327 acres of agriculture lands for the purpose of reduction of GHG emissions and promotion of alternative energy</p>

Policy Requirement	Discussion
	production is a compatible use within the A-II and AC land use designations. Therefore, the Cuyama Solar Facility is consistent with the applicable goal, policies, and ordinance.
<p><i>Agricultural Element, Policy I.D:</i> The use of the Williamson Act (Agricultural Preserve Program) shall be strongly encouraged and supported. The County shall also explore and support other agricultural land protection programs.</p>	<p>Consistent: The proposed Solar Array would require the partial cancellation of Williamson Act Contract No. 76-AP-072, for the 167-acre Redlands field portion of the Project site. The Gen Tie-Line and Switchyard would be energy production structures, compatible with surrounding agricultural operations on Williamson Act contracted lands. The Cuyama Solar Facility also includes a replacement Williamson Act contract covering 1,362 acres. Mitigation Measure SPEC-AG-1 requires permanently preserving off-site agricultural land, and Mitigation Measures SPEC-AG-2 and SPEC-AG-3 require submittal of a Demolition and Reclamation Plan and financial assurances to allow the use of the land to return to agricultural uses or in place at that time. The Agricultural Preserve Advisory Committee reviewed the project and found it and the petition for partial contract cancellation in compliance with the Williamson Act and Uniform Rules. The Solar Facility would be consistent with this agricultural policy.</p>
BIOLOGICAL RESOURCES	
<p><i>Land Use Element, HWPP 2:</i> All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p>Consistent: Development of the Solar Array site would result in the conversion of approximately 327 acres of actively cultivated cropland to an industrial use. Because the land is actively cultivated and contains no native vegetation, it provides little habitat value.</p> <p>The Solar Facility site does not contain any native vegetation or unique or rare plant communities. No native tree specimens occur on the Project site. However, through analysis of the Solar Facility, three mitigation measures would be applied to reduce these impacts: SPEC-BIO-1 would require project fencing to allow for animal passage; SPEC-BIO-2 would require pre-construction nesting bird</p>

Policy Requirement	Discussion
	<p>surveys; and SPEC-BIO-3 would prevent the facility from attracting California Condors. Therefore, the proposed Solar Facility would be consistent with this policy.</p> <p>The Gen Tie-Line would be constructed along Kirschenmann Road and Washington Street. The footprint created by the Gen Tie-Line poles would not require substantial grading or topographic alteration and would not disturb native vegetation.</p> <p>The Switchyard would be located immediately north of the existing PG&E Cuyama Substation. No substantial grading or topographic alteration would occur as a result of the Switchyard construction and would not disturb native vegetation.</p> <p>The Project site is located in the southern margin of cultivated Cuyama Valley farmland, adjacent to substantial area of open space of higher habitat value. No part of the Solar Facility development would fragment this contiguous rural, unlit area and associated habitat values.</p>
CULTURAL RESOURCES	
<p><i>Land Use Element, Historical and Archaeological Sites Policies, Policy 1:</i> All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.</p>	<p>Consistent: A Phase I Cultural Resources Survey performed for the Solar Facility site determined that the potential to encounter unknown but potentially significant subsurface prehistoric remains is considered unlikely.</p> <p>During construction, the applicant must comply with standard County procedures, including Condition CulRes-09, Stop Work at Encounter, which protect cultural resources in the event that prehistoric or historic resources are discovered during project construction (i.e., work would be stopped immediately or redirected until a County qualified archeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines). Therefore, the Cuyama Solar Facility is consistent with this policy.</p>

Policy Requirement	Discussion
GEOLOGY AND SOILS	
<p><i>Land Use Element, HWPP 1:</i> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p> <p><i>Land Use Element, HWPP 2:</i> All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p>Consistent: For the Solar Array site, grading quantities are estimated at 155,000 cubic yards (cy) of cut and 124,000 cy of fill, which assumes 20% shrinkage of the cut material (approximately 31,000 cy). Conventional grading, with compaction of fill materials are estimated to result in a balanced amount of cut and fill with no export required. After grading, the slope and elevation of the Solar Array site would not substantially change compared to existing conditions. Grading quantities are required to smooth the grade across the site and ensure that structural tolerances of the solar panels and power poles are met. There are no significant landforms or trees present on the site.</p> <p>The Gen Tie-Line would be constructed along Kirschenmann Road and Washington Street. The footprint required by the Gen Tie-line would not result in the removal of prime soils from agricultural use, require substantial grading or topographic alteration, and would not disturb native vegetation. Similarly, the Switchyard would not require a substantial amount of grading or topographical alteration and would not disturb native vegetation. The Switchyard would be located adjacent to the PG&E Cuyama Substation.</p> <p>Two mitigation measures that would be applied to minimize cut and fill and reduce erosion include Mitigation Measure SPEC-GEO-1, which would require technical grading and drainage plans, and Standard Mitigation Measure WatConv-07, which requires preparation of erosion controls. The Solar Facility would therefore be consistent with these policies.</p>
HYDROLOGY AND WATER QUALITY	
<p><i>Land Use Element, HWPP 4:</i> Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained through the development process to</p>	<p>Consistent: The proposed Solar Facility, including the Solar Array, Gen Tie-Line and Switchyard, would be subject to erosion and sedimentation control BMPs during construction, including avoidance of grading during rainy season,</p>

Policy Requirement	Discussion
<p>remove sediment from runoff waters. All sediment shall be retained on site unless removed to an appropriate dumping location.</p> <p><i>Land Use Element, HWWP 5:</i> Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate nonnative plants, or with accepted landscaping practices.</p> <p><i>Land Use Element, HWWP 6:</i> Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p> <p><i>Land Use Element, HWWP 7:</i> Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p>	<p>installation of sediment basins, use of straw bales or bundles, and other measures that would be included in a SWPPP required by the RWQCB and enforced as part of the County's Grading Permit. Standard Mitigation Measures WatConv-01 and WatConv-07 would ensure these BMPs be applied. Development of an erosion and sediment control plan to minimize erosion during construction activities would provide site-specific measures to reduce the occurrence of soil movement during precipitation events and minimize sediment and polluted runoff from entering nearby tributaries and water bodies.</p> <p>Once operational, the Solar Facility would comply with regulations requiring development of a long-term SWQMP, BMPs, and discharge monitoring. Standard Mitigation Measure NPDES-23 would ensure storm water quality measures would be applied.</p> <p>Therefore, the proposed Solar Facility would be consistent with applicable erosion and water quality policies.</p>
NOISE	
<p><i>Noise Element, Recommended Policy 1:</i> In the planning of land-use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</p>	<p>Consistent: Long-term operation of the Cuyama Solar Facility would not result in noise generation in excess of the 65 dB Day-Night Average Sound Level. Noise levels would be elevated some times during construction. Six mitigation measures were identified that would be applied to reduce construction noise impacts: Standard Mitigation Measure NOISE-04 would shield equipment; Standard Mitigation Measure NOISE-05 and SPEC-NOI-4 would require adjacent property owners to receive a construction schedule and advanced notice of construction phases; SPEC-NOI-1 would limit construction hours; SPEC-NOI-</p>

Policy Requirement	Discussion
	<p>2 would require noise barriers; and SPEC-NOI-3 would require noise-reducing features on equipment.</p> <p>Therefore, the Cuyama Solar Facility would be consistent with this policy.</p>
ENERGY AND PUBLIC SERVICES	
<p><i>Land Use Element, LUDP 4:</i> Prior to the issuance of a development permit, the County shall make the finding...that adequate public or private services...are available to serve the proposed development.</p>	<p>Consistent: The proposed Solar Facility would not have a significant impact on existing police protection, health care services, or schools, and existing service levels would be sufficient to serve the Solar Facility. The Solar Facility would not generate solid waste in excess of County thresholds or cause the need for new or altered sewer system facilities. Water utilized for cleaning of the solar panels would be hauled in via truck, as needed. In addition, four mitigation measures would be applied to the project: Standard Mitigation Measures SolidW-02 and SolidW-03 would ensure recycling of construction waste; and Standard Mitigation Measures WatConv-07 and NPDES-23 would ensure erosion controls and storm water quality measures would be applied. Therefore, the Solar Facility would be consistent with this policy.</p>
<p><i>Energy Element, Policy 5.2: Alternative Energy Technologies:</i> The County shall encourage the use of alternative energy technology in appropriate new and existing development.</p> <p><i>Energy Element Policy 5.13: Alternative Energy Technology Businesses:</i> Among broader county-wide efforts to attract businesses, the County shall initiate planning efforts to pursue desired businesses that develop or market alternative energy technologies.</p> <p><i>Energy Element Public Service Policy 5.13.2:</i> The County shall pursue companies that develop or market alternative energy technology to establish operations locally.</p>	<p>Consistent: The Energy Element encourages the use of alternative or renewable energy. The Cuyama Solar Facility is a utility-scale renewable energy facility. The Cuyama Valley Rural Region is appropriate for this type of development because it contains one of the highest levels of solar insolation in the County. The suspended agricultural production on 327 acres of agriculture lands for the purpose of developing alternative energy to produce 110,000 MWh and reduce 30,000 metric tons of CO₂ annually balances the County's goals, policies, and regulations.</p> <p>The proposed Solar Facility would therefore be consistent with these policies.</p>

6.3 Zoning: Land Use and Development Code Compliance

The subject parcels are zoned AG-II-100 (APNs 149-140-076, 149-140-041, 149-150-039, 149-330-001, and 149-010-049) under the Land Use Development Code (LUDC) and zoned U (149-140-029, 149-150-030, 149-150-031, and 149-150-032) under Ordinance No. 661. The County requires properties zoned under Ordinance No. 661 to be rezoned to the modern LUDC designation when property owners apply for discretionary permits. Therefore, the applicant is requesting to change the zoning from the four parcels zoned U to AG-II-40.

6.3.1 Compliance with Land Use and Development Code Requirements

Proposed Section 35.59, Utility-Scale Solar Photovoltaic Facility – Currently, utility-scale solar photovoltaic facilities are not allowed in the AG-II Zone District. The Proposed Project includes amendments to the LUDC to allow for this type of development in the inland area of the County of Santa Barbara (see Ordinance Amendment in Attachment G). A new section in the LUDC – Section 35.59: Utility-Scale Solar Photovoltaic Facility, would specify that this type of development would be limited to no more than 600 acres on AG-II zoned land in the Cuyama Valley Rural Region. New utility-scale solar photovoltaic facilities would need approval of a Conditional Use Permit, compliance with the Development Standards of the new section, and application of a Utility-scale Solar Photovoltaic Overlay as designated on the Comprehensive Plan maps. With this new section, the Cuyama Solar Facility would be in compliance with all applicable requirements of the LUDC.

Section 35.44.010, Telecommunication Facilities – Components of the Cuyama Solar Facility qualify as commercial telecommunications facilities. The eight anemometer towers on site would monitor wind speed and communicate with the tracker units. Project site data, protection, and metering information would be communicated from the Cuyama Solar Array site to the Switchyard. The primary form of communication would be optical fiber (optical ground-wire) that would run concentric with the ground wire strung on the Gen Tie-Line poles. The secondary form of communication includes two options: microwave and buried fiber. The microwave option would utilize two 90-foot tall telecommunication poles, one located next to the Solar Array onsite substation and one located in the Switchyard. The poles would host up to four dish antennas, approximately three feet in diameter. The buried fiber option that would utilize optical cable buried at a minimum depth of approximately 30 inches and would follow the same path as the Gen Tie-Line route. The applicant will determine which option during preparation of the final engineering plans, and Planning & Development Department staff will know prior to zoning clearance of the project. The Cuyama Solar Facility is consistent with the development standards identified in Section 35.44.010.D (see below).

REQUIREMENT	DISCUSSION
<i>Tier 4 Requirements</i>	

REQUIREMENT	DISCUSSION
<p><i>Standards for Tier 4 projects, facilities that are not allowed in compliance with Tier 1 through Tier 3. Wireless telecommunication facilities that may not be permitted in compliance with Subsections C.1 through C.3 above may be allowed provided the height of the antenna and associated antenna support structures shall not exceed 75 feet in the Coastal Zone, and 100 feet in Inland areas.</i></p>	<p>Consistent. The tallest components of the Cuyama Solar facility's telecommunication equipment would be the two telecommunication towers at 90 feet, supporting four dish antennas, approximately three feet in diameter. Therefore the project is consistent with this requirement.</p>
<p>Section 35.44.010.D.1 Development Standards</p>	
<p><i>Standard 1.a. The facility shall comply with the setback requirements of the zone in which the facility is located except as follows:</i></p> <p><i>(1) Antennas may be located within the setback area without approval of a modification in compliance with Subsection 35.82.060.I or Subsection 35.82.080.H (Conditions, restrictions, and modifications) provided they are installed on an existing, operational, public utility pole, or similar existing support structure.</i></p> <p><i>(2) Underground equipment (e.g., equipment cabinet) may be located within the setback area and rights-of-way provided that no portion of the facility shall obstruct existing or proposed sidewalks, trails, and vehicular ingress or egress.</i></p> <p><i>(3) A modification to the setback is granted in compliance with Subsection 35.82.060.I Conditions, restrictions, and modifications), or Section 35.82.080.H (Conditions, restrictions, and modifications).</i></p>	<p>Consistent. The AG-II zone district requires a 50 foot front setback from road center and 20 foot setback from edge of right of way. The anemometer towers and telecommunication poles would meet these requirements. Therefore, the project complies with the setback requirements for the AG-II zone district.</p> <p>Project site data, protection, and metering information would be communicated from the Cuyama Solar Array site to the Switchyard. The primary form of this communication would be optical fiber (optical ground-wire) that would run concentric with the ground wire strung on the Gen Tie-Line poles. The secondary form communication of the project site data, protection, and metering information includes a buried fiber option that would utilize optical cable buried at a minimum depth of approximately 30 inches and would follow the same path as the Gen Tie-Line route. No existing or proposed sidewalks, trails or vehicular ingress and egress would be obstructed. Therefore, the proposed project is consistent with this development standard.</p>
<p><i>Standard 1.b. In the Inland area antennas and associated antenna support structures (e.g., lattice towers, monopoles) are limited to 100 feet in height and shall comply with the height limits specified in Subsection C. (Processing) above.</i></p>	<p>Consistent. The anemometer towers included in the project are 20 feet tall and the telecommunication poles, which support four dish antennas, approximately three feet in diameter, are 90 feet tall. Therefore the facility would comply with the 100 ft. requirement, as well as the height</p>

REQUIREMENT	DISCUSSION
<p><i>(1) Antennas used in connection with wireless communication facilities may exceed 100 feet in height provided:</i></p> <p><i>(a) The antenna is mounted on or within an existing structure and the highest point of the antenna does not protrude above the highest point of the structure, including parapet walls and architectural façades, that the antenna is mounted on; or,</i></p> <p><i>(b) The antenna is mounted on an existing, operational public utility pole or similar support structure (e.g., street light standard), as determined by the Director provided the highest point of the antenna does not exceed the height of the existing utility pole or similar support structure that it is mounted on.</i></p>	<p>requirement in Subsection C “Processing,” of the Commercial Telecommunications Facilities requirements (LUDC 35.44.010).</p>
<p>Standard 1.c. <i>In the Coastal Zone antennas and associated antenna support structures (e.g., lattice tower, monopole) are limited to 50 feet in height and shall comply with the height limits specified in Subsection C. (Processing) above...</i></p>	<p>Not Applicable. The project is not in the Coastal Zone.</p>
<p>Standard 1.d. <i>The general public is excluded from the facility by fencing or other barriers that prevent access to the antenna, associated antenna support structure, and equipment shelter.</i></p>	<p>Consistent. The project includes 6-foot tall fences with three strands of barbed wire on top that surround the entire Cuyama Solar Array site, the onsite substation, and the Switchyard site. Locked gates and signs will be posted to keep the general public from accessing these facilities. Therefore, the project is consistent with this standard.</p>
<p>Standard 1.e. <i>Facilities proposed to be installed in or on a structure or site that has been designated by the County as a historical landmark shall be reviewed and approved by the Historical Landmark Advisory Commission, or the Board on appeal.</i></p>	<p>Consistent. The project is not located in or on a designated historical landmark. Therefore, the project is consistent with this standard.</p>
<p>Standard 1.f. <i>The facility shall comply at all times with all Federal Communication Commission rules, regulations, and standards.</i></p>	<p>Consistent. The applicant engineer submitted a letter, dated July 10, 2014, stating that the Project’s telecommunication components shall be operated</p>

REQUIREMENT	DISCUSSION
	<p>within the frequency range allowed by the Federal Communications Commission (FCC). The applicant shall submit a Radio Frequency Study, by Hammett & Edison, Inc., demonstrating that the Project would be in compliance with FCC's rules, regulations, and standards prior to the July 22, 2014 Planning Commission hearing.</p>
<p>Standard 1.g. <i>The facility shall be served by roads and parking areas consistent with the following requirements:</i></p> <p>(1) <i>New access roads or improvements to existing access roads shall be limited to the minimum required to comply with County regulations concerning roadway standards and regulations.</i></p> <p>(2) <i>Existing parking areas shall be used whenever possible, and new parking areas shall not exceed 350 square feet in area.</i></p> <p>(3) <i>Newly constructed roads or parking areas shall, whenever feasible, be shared with subsequent telecommunication facilities or other allowed uses.</i></p>	<p>Consistent. New 20-foot wide access roads would be constructed within the Cuyama Solar Array site and would be used for maintenance and operational activities associated with the Solar Facility. Maintenance on the telecommunication equipment can use these proposed roads; no new roads would be required for the telecommunication equipment. A new parking area for the Cuyama Solar Array site would be shared for the telecommunication facilities and the photovoltaic solar facility operations. No new parking lot is required for the telecommunication equipment. A new parking area at the Switchyard would be shared for the telecommunication equipment and the operation of the Switchyard equipment. No additional parking lot is required for the telecommunication equipment. Therefore, the proposed project is consistent with this development standard.</p>
<p>Standard 1.h. <i>The facility shall be unlit except for the following:</i></p> <p>(1) <i>A manually operated light or light controlled by motion-detector that includes a timer located above the equipment structure door that shall be kept off except when personnel are present at night.</i></p> <p>(2) <i>Where an antenna support structure is required to be lighted, the lighting shall be shielded or directed to the greatest extent possible so as to minimize the amount of light that falls onto nearby residences.</i></p>	<p>Consistent. Aviation warning lights would be the only lights on the telecommunication poles because they are 90 feet tall. Aviation lights cannot be shielded or directed; however, aviation lights do not emit light that falls onto nearby residences, as traditional lights do.</p> <p>The anemometer towers and other telecommunication equipment would otherwise not be lit. Therefore the project is consistent with this development standard.</p>

REQUIREMENT	DISCUSSION
Standard 1.i. <i>The facility shall not be located within the safety zone of an airport unless the airport operator indicates that it will not adversely affect the operation of the airport.</i>	Consistent. The facility is not located within an airport safety zone.
Standard 1.j. <i>The visible surfaces of support facilities (e.g., vaults, equipment rooms, utilities, equipment enclosures) shall be finished in non-reflective materials.</i>	Consistent. The Cuyama Solar Facility's anemometer towers, telecommunication poles, and dish antennas will be finished in nonreflective materials and paints that are intended to blend in with the surrounding landscape to the extent feasible. The North Board of Architectural Review will approve the paint colors for the facility prior to issuance of a zoning clearance. Therefore, the project is consistent with this development standard.
Standard 1.k. <i>Structures, poles, towers, antenna supports, antennas, and other components of each telecommunication site shall be initially painted and repainted as necessary with a non-reflective paint. The lessee shall not oppose the repainting of their equipment in the future by another lessee if an alternate color is deemed more appropriate by a review authority in approving a subsequent permit for development.</i>	Consistent. As discussed above, the facility components would be painted to blend with surrounding area and be maintained appropriately. Paint colors will be approved by the North Board of Architectural Review prior to issuance of a zoning clearance. Therefore, the project is consistent with this development standard.
<p>Standard 1.l. <i>The facility shall be constructed so as to maintain and enhance existing vegetation, without increasing the risk of fire hazards, through the implementation of the following measures:</i></p> <p><i>(1) Existing trees and other vegetation that screens the facility and associated access roads, power lines and telephone lines that are not required to be removed in order to construct the facility or to achieve fire safety clearances, shall be protected from damage during the construction period and for the life of the project.</i></p> <p><i>(2) Underground lines shall be routed to avoid damage to tree root systems to the maximum extent feasible.</i></p>	Consistent. The proposed project does not include any landscaping because of its unique location in the middle of active agricultural operations. However, the North Board of Architectural Review requested that the applicant consider some treatment of the project entrance, which may be in the form of minimal drought-tolerant landscaping (e.g., cactus) that does not need irrigation. Specific plant species will be reviewed and approved by the North Board of Architectural Review prior to issuance of Zoning Clearance.

REQUIREMENT	DISCUSSION
<p><i>(3) Additional trees and other native or adapted vegetation shall be planted and maintained in the vicinity of the project site, and associated access roads, power lines, and telephone lines, under the following situations:</i></p> <p><i>(a) The vegetation is required to screen the improvements from public viewing areas.</i></p> <p><i>(b) The facility or related improvements are likely to become significantly more visible from public viewing areas over time due to the age, health, or density of the existing vegetation. Required landscape plans shall be comprised of appropriate species and should be prepared by a botanist, licensed landscape contractor, or licensed landscape architect unless the project is located within the Coastal Zone in which case a botanist, licensed landscape contractor or licensed landscape architect shall prepare the landscape plan. A performance security shall be required to guarantee the installation and maintenance of new plantings.</i></p> <p><i>(4) Existing trees or significant vegetation used to screen the facility that die in the future shall be replaced with native trees and vegetation of a comparable size, species, and density. The facility may be required to be repainted during the time required for the newly planted vegetation to mature and provide adequate screening.</i></p> <p><i>(5) The vegetation that exists when the project is initially approved that is required to provide screening for the facility shall not be altered in a manner that would increase the visibility of the facility and associated access roads, power lines, and telephone lines, except:</i></p> <p><i>(a) Where the alteration is specifically allowed by the approved project; or</i></p> <p><i>(b) Where necessary to avoid signal interference to and from the approved facility.</i></p> <p><i>Any alteration of the vegetation shall be done</i></p>	

REQUIREMENT	DISCUSSION
<p><i>under the direction of a licensed arborist.</i></p> <p><i>(6) In the Coastal Zone, vegetation proposed and/or required to be planted in association with a commercial telecommunications facility shall consist of non-invasive plant species only.</i></p>	
<p>Section 35.44.010.D.2 Development Standards</p>	
<p>Standard 2.a. <i>The primary power source shall be electricity provided by a public utility. Backup generators shall only be operated during power outages and for testing and maintenance purposes. New utility line extension longer than 50 feet installed primarily to serve the facility shall be located underground unless an overhead line would not be visible from a public viewing area. New underground utilities shall contain additional capacity (e.g., multiple conduits) for additional power lines and telephone lines if the site is determined to be suitable for collocation.</i></p>	<p>Consistent. The purpose of the Cuyama Solar Facility is to generate electrical power to distribute to PG&E, a public utility company. Power generated from the project would power its own infrastructure. Generators during operations would not be used. Cables associated with the anemometer towers would be buried. The primary form of communication for project data, protection and metering information between the Solar Array site and the Switchyard would be optical fiber (optical ground-wire) that would run concentric with the ground wire strung on the Gen Tie-Line, which is above ground. The Gen Tie-Line is not feasible for the applicant to install underground. The secondary form of communication option with the buried fiber instead of the telecommunication poles would utilize optical cable buried at a minimum depth of approximately 30 inches and would follow the same path as the Cuyama Solar Facility's Gen Tie-Line route.</p>
<p>Standard 2.b. <i>In the Inland area, disturbed areas associated with the development of a facility shall not occur within the boundaries of an environmentally sensitive habitat area. See Subsection D.3.e below regarding allowance for disturbance within environmentally sensitive habitat areas located within the Coastal Zone.</i></p>	<p>Consistent. The project would not be located within any designated Environmentally Sensitive Habitat areas. Therefore, the project is consistent with this requirement.</p>
<p>Standard 2.c. <i>Collocation on an existing support structure shall be required for facilities allowed in compliance with Subsection C.2 through Subsection C.4.of this Section, unless:</i></p>	<p>Consistent. The telecommunication equipment associated with this project is for the Cuyama Solar Facility purposes only. The Cuyama Solar Facility would require primary and secondary forms of communication from the Solar Array site to the</p>

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001;
13GPA-00000-00001; 10RZN-00000-00001; 10AGP-00000-
00002; 10LLA-00000-00004; 13AGP-00000-00024; 10CUP-
00000-00008; 14GOV-00000-00006

July 22, 2014

Page 68

REQUIREMENT	DISCUSSION
<p>(1) <i>The applicant can demonstrate that reasonable efforts, acceptable to the review authority, have been made to locate the antenna on an existing support structure and these efforts have been unsuccessful; or</i></p> <p>(2) <i>Collocation cannot be achieved because there are not existing facilities in the vicinity of the proposed facility; or</i></p> <p>(3) <i>The review authority determines that collocation of the proposed facility would result in greater visual impacts than if a new support structure were proposed.</i> <i>Proposed facilities shall be assessed as potential collocation facilities or sites to promote facility and site sharing so as to minimize the overall visual impact. Sites determined by the Department to be appropriate as collocated facilities or sites shall be designed in a way that antenna support structures and other associated features (e.g. parking areas, access roads, utilities, equipment buildings) may be shared by site users. Criteria used to determine suitability for collocation include the visibility of the existing site, potential for exacerbating the visual impact of the existing site, availability of necessary utilities (power and telephone), existing vegetative screening, availability of more visually suitable sites that meet the radiofrequency needs in the surrounding area, and cumulative radiofrequency emission studies showing compliance with radiofrequency standards established by the Federal Communications Commission. Additional requirements regarding collocation are located in Subsection E.3 (Collocation) below.</i></p>	<p>Switchyard, which qualifies as commercial telecommunication facilities. The eight anemometer towers on site would monitor wind speed and communicate with the solar panel tracker units. Although the anemometer towers do not transmit offsite, they nonetheless qualify as commercial telecommunications facilities. Since the telecommunication equipment's purpose is for communication between the Solar Array site and the Switchyard only, existing telecommunication support structures are not feasible. In addition, the closest existing support facility to co-locate, if it was appropriate, is approximately 6 miles to the west of the project site. Therefore, the proposed project is in conformance with this development standard.</p>
<p>Standard 2.d. <i>Support facilities (e.g., vaults, equipment rooms, utilities, equipment enclosures) shall be located underground, if feasible, if they would otherwise be visible from public viewing areas (e.g., public road, trails, recreational</i></p>	<p>Consistent. Support facilities for the telecommunication portion of the project are minimal and would be co-located with the equipment and facilities associated with the Project Switchyard and Project onsite substation.</p>

REQUIREMENT	DISCUSSION
<p>areas).</p> <p><i>Per Section 35.44.010(D)(2), exemptions from this development standard may be granted if “the review authority finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance either will not increase the visibility of the facility or decrease public safety, or it is required due to technical considerations that if the exemption were not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility, or it would avoid or reduce the potential for environmental impacts.”</i></p>	<p>Therefore, this project is consistent with this standard.</p>
<p>Standard 2.e. <i>In the Coastal Zone, disturbed areas associated with the development of a facility shall be prohibited on prime agricultural soils. An exemption may be approved only upon a showing of sufficient evidence that there is no other feasible location in the area or other alternative facility configuration that would avoid or minimize impacts to prime soils.</i></p>	<p>Not Applicable. The proposed project is not within the Coastal Zone.</p>
<p>Standard 2.f. <i>In the Coastal Zone, facilities shall be prohibited in areas that are located between the sea and the seaward side of the right-of-way of the first through public road parallel to the sea, unless a location on the seaward side would result in less visible impact. An exemption may be approved only upon showing of sufficient evidence that there is no other feasible location in the area or other alternative facility configuration that would avoid or minimize visual impacts.</i></p>	<p>Not Applicable. The proposed project is not within the Coastal Zone.</p>
<p>Section 35.44.010.D.3 Development Standards</p>	
<p>Standard 3.a. <i>A facility shall not be located so as to silhouette against the sky if substantially visible from a state-designated scenic highway or roadway located within a scenic corridor as designated on the Comprehensive Plan maps.</i></p>	<p>Consistent. Highway 166 is not designated as a scenic highway but as an <i>eligible</i> scenic highway. None of the project’s equipment is located within the viewing corridor of this eligible scenic highway. The telecommunication equipment located at the Solar Array site (anemometer towers</p>

REQUIREMENT	DISCUSSION
	and telecommunication pole) would not be substantially visible from this highway since it would be located 1.9 miles away. The telecommunication pole that would be located in the Project's Switchyard site would be located near PG&E's existing Cuyama substation, which includes a number of tall power poles and associated substation equipment. Therefore, this project is consistent with this standard.
Standard 3.b. <i>A facility shall not be installed on an exposed ridgeline unless it blends with the surrounding existing natural or manmade environment in a manner that ensures that it will not be substantially visible from public viewing areas (e.g., public road, trails, recreation areas) or is collocated in a multiple user facility.</i>	Consistent. The proposed facility is not proposed to be located on an exposed ridgeline. Therefore, this project is consistent with this standard.
Standard 3.c. <i>A facility that is substantially visible from a public viewing area shall not be installed closer than two miles from another substantially visible facility unless it is an existing collocated facility situated on a multiple user site.</i>	Consistent. One telecommunication pole included with the project may be substantially visible from a public viewing area. However, the telecommunication equipment associated with this project is for the Cuyama Solar Facility purposes only and is required to be located near the PG&E Cuyama Substation. In addition, the closest existing collection support facility is over 2 miles away. Therefore, the project is consistent with this standard.
Standard 3.d. <i>Telecommunication facilities that are substantially visible from public viewing areas shall be sited below the ridgeline, depressed or located behind earth berms in order to minimize their profile and minimize any intrusion into the skyline. In addition, where feasible, and where visual impacts would be reduced, the facility shall be designed to look like the natural or manmade environment (e.g., designed to look like a tree, rock outcropping, or streetlight) or designed to integrate into the natural environment (e.g., imbedded in a hillside). These facilities shall be compatible with the existing surrounding environment.</i>	Consistent. One telecommunication pole included with the project may be substantially visible from public viewing areas. No project improvements would be located on a ridgeline. The project's telecommunication pole and dish antennas will be finished in nonreflective materials and paints that are intended to blend in with the surrounding landscape to the extent feasible. The North Board of Architectural Review will approve the paint colors for the facility prior to issuance of a zoning clearance. Therefore, the project is consistent with this development standard.

REQUIREMENT	DISCUSSION
<p><i>Standard 3.e. In the Coastal Zone, disturbed areas associated with the development of a facility shall not occur within the boundaries or buffer of an environmentally sensitive habitat area. An exemption may be approved only upon showing of sufficient evidence that there is no other feasible location in the area or other alternative facility configuration that would avoid impacts to environmentally sensitive habitat areas. If an exemption is approved with regard to this standard, the County shall require the applicant to fully mitigate impacts to environmentally sensitive habitat consistent with the provisions of the certified Local Coastal Program. Associated landscaping in or adjacent to environmentally sensitive habitat areas shall be limited to locally native plant species appropriate to the habitat type and endemic to the watershed. Invasive, non-indigenous plant species that tend to supplant native species shall be prohibited.</i></p>	<p>Not Applicable. The proposed project is not located within the Coastal Zone or in an environmentally sensitive habitat area.</p>

6.3.2 Lot Line Adjustment

The proposed Lot Line Adjustment complies with all applicable requirements of Chapter 21 and Section 35.30.110 of the LUDC, including that the project involves four or fewer parcels, does not result in converting any parcels that are currently conforming as to parcel size into non-conforming lots, does not increase the subdivision potential of any lot, and does not increase the number of developable lots. See the Lot Line Adjustment Findings in Attachment A for more discussion.

6.4 Subdivision/Development Review Committee

The Proposed Project was presented to the Subdivision/Development Review Committee on April 15, 2010 and on October 21, 2010 (with an amended project description). Many of the departments represented on the committee provided comments, and their condition letters, which reflect the most recent plans, are incorporated as part of the conditions of approval for the project (Attachments B and C).

6.5 Design Review

The proposed project received Conceptual Review by the North Board of Architectural Review (NBAR) on March 21, 2014. At this meeting, the NBAR made the following comments:

- Provide photos of building colors and location of existing PG&E facility at the next meeting.
- Consider providing some treatment of the project entrance on Kirschenmann Road.
- The micro-wave towers and dish need to be painted.
- The fence should be galvanized only, with no paint.
- Landscaping on the perimeter of the site would draw undue attention to the site and impose an unnecessary burden on the applicant.
- The tower and fencing create an industrial feeling; the panels and cabinets do not. The NBAR is unable to identify options for addressing this issue.

Following approval by the Board of Supervisors, the project would return to the NBAR for preliminary and final review and approval prior to issuance of zoning clearance for the project.

6.6 Agricultural Preserve Advisory Committee

The project was reviewed by the Agricultural Preserve Advisory Committee (APAC) on October 2, 2009 and on February 7, 2014. APAC found (in a vote of 3-0) the project to be consistent with the County's Uniform Rules. Based on the Draft EIR, information from the applicant and the solar company, APAC found that the project:

- Meet the criteria for Uniform Rules 6-1.2 1a, which states cancellation is consistent with the purposes of the Williamson Act, and 6-1.2 1b, which states cancellation is in the public interest.
- Has substantial public interest and is not likely to result in the removal of adjacent land from agriculture.
- Follow the sequence of Board of Supervisor approval recommended by Planning & Development staff, regarding sequencing for recordation of the certificate of tentative cancellation, lot line adjustment, and replacement contract.

A memorandum to the Board of Supervisors from APAC, dated May 13, 2014, summarizes their comments and is included as Attachment K of this staff report.

6.7 Contract Cancellation

The Cuyama Solar Facility proposes cancellation of a Williamson Act Contract. APNs 149-140-076 and 149-150-039 are currently farmed under a 1,529-acre Williamson Act Contract (76-AP-072), owned by Bolthouse Properties, LLC. A 167-acre portion of APN 149-140-076 would be used to construct a portion of the Cuyama Solar Facility; all agricultural uses on the 167 acres would cease and be replaced by the Solar Facility. The project therefore requires cancellation of the existing Williamson Act Contract, removal of the 167-acre portion (Case No. 10AGP-00000-00002), and concurrent enrollment of the remaining 1,362 acres into a replacement Williamson Act Contract (Case No. 13AGP-00000-00024).

The Solar Project has the capacity to generate 40 MW of clean electrical energy, which is estimated to support 15,600 average homes and reducing carbon dioxide emissions by 30,000 metric tons annually. The cancellation of the 167 acres from a Williamson Act contract is necessary to realize the benefits from the Cuyama Solar Facility. Development of the Cuyama Solar Facility would support the United States Department of Energy goal of increasing the overall use of solar power to generate electricity and assist California in meeting its legislated Renewable Energy Portfolio standards for the generation of renewable energy in the state (California utilities are to procure 33 percent of their electricity from renewable sources by 2020, with intermediate targets of 25 percent by end of 2016). The Cuyama Solar Facility would also contribute to achieving local renewable energy goals and address public concerns related to greenhouse gas emissions and climate change, energy security, and fossil fuel dependence.

6.8 Department of Conservation

The Board of Supervisors may grant approval for cancellation of a Williamson Act contract if certain findings are made. The cancellation process includes an opportunity for the State Department of Conservation (DOC) to comment on the proposed cancellation. The DOC provided a letter, dated May 22, 2013, that comments on the applicant's petition for cancellation and applicant's proposed findings for cancellation (see Attachment I).

Upon landowner compliance with all Board of Supervisors imposed cancellation conditions and contingencies (e.g., enrollment in a replacement contract) and payment of cancellation fees, the Board of Supervisors may grant final approval of the cancellation. Upon cancellation, the 167 acres would no longer be subject to a Williamson Act contract. However, the remaining 1,362 acres would continue to be subject to the Williamson Act through the concurrent replacement contract.

7.0 APPEALS PROCEDURE

Comprehensive Plan amendments, Ordinance and Zoning Map Amendments recommended for approval or denial, along with accompanying discretionary development, are automatically forwarded to the Board of Supervisors for final action, therefore, no appeal is required.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval (CUP) with attached Departmental letters
- C. Conditions of Approval (LLA) with attached Departmental letters
- D. EIR Summary Table
- E. NBAR Comments
- F. Resolution for General Plan Amendments
- G. Resolution for Land Use Development Code Amendments
- H. Resolution for Williamson Act Cancellation
- I. Department of Conservation letter
- J. Certificate of Valuation
- K. APAC Letter
- L. 65402(a) Conformity Memorandum for Franchise
- M. APN Sheets
- N. Site Plan

The EIR can also be viewed at

<http://sbcountyplanning.org/energy/projects/CuyamaSolarArray.asp>.

ATTACHMENT A: FINDINGS

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND CEQA GUIDELINES SECTIONS 15090 AND 15091

1.0 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (11EIR-00000-00005) was presented to the Santa Barbara Board of Supervisors, and all voting members of the Board of Supervisors have reviewed and considered the information contained in the Final EIR (11EIR-00000-00005) and its appendices prior to approving the project. In addition, all voting members of the Planning Commission have reviewed and considered testimony and additional information presented at or prior to public hearing on July 22, 2014. The Final EIR reflects the independent judgment and analysis of the Board of Supervisors and is adequate for this proposal.

1.1 FULL DISCLOSURE

The Board of Supervisors finds and certifies that the Final EIR (11EIR-00000-00005) constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Board of Supervisors further finds and certifies that the Final EIR has been completed in compliance with CEQA.

1.2 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101.

1.3 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE

The Final EIR for the Proposed Project identifies environmental impacts which cannot be fully mitigated and are therefore considered unavoidable (Class I). Those impacted resources are: Aesthetics and Visual Resources, Agricultural Resources, and Land Use. To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of these Class I impacts identified by the Final EIR (11EIR-00000-00005), feasible mitigation have been required in, or incorporated into, the project, which are intended to substantially lessen the significant environmental effect but not to less than a significant level.

The Proposed Project has two components: the Comprehensive Plan/Land Use Development Code Amendments (CP/LUDC), which would allow for utility-scale solar photovoltaic facilities on 600 acres of agricultural land in the Cuyama Valley Rural Region, and the physical development and operation of the Cuyama Solar Facility. The discussion of impacts for each issue area below is broken out by each project component. Mitigation (Developments Standards for the CP/LUDC Amendments and Project-specific mitigation measures for the Cuyama Solar Facility) are discussed below:

Aesthetics and Visual Resources

CP/LUDC Amendments.

The EIR identified significant impacts from future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments related to scenic vistas and recreational resources (Impact AV-1), visual character (Impact AV-2), increased night lighting (Impact AV-3), and increased daytime glare (Impact AV-4). The EIR recommends four development standards (Development Standards AV-1, AV-2, AV-3, and AV-4), which are described below.

Impacts to scenic vistas and recreational resources (Impact AV-1) is reduced by requiring utility-scale solar photovoltaic facilities to be located to avoid significant visual impacts to designated or eligible designated scenic highways to the extent feasible (Development Standard AV-1). No other feasible mitigation is known which would further reduce this impact. Due to the potential for scenic vistas to be interrupted with industrial-type elements, the impact of the CP/LUDC Amendments would not be fully mitigated and would remain significant and unavoidable.

Impacts to visual character (Impact AV-2) is reduced by requiring utility-scale solar photovoltaic facilities to apply aesthetic design treatments and maintain all structures to minimize the impact on the existing visual character and quality (Development Standard AV-2). No other feasible mitigation is known which would further reduce the impact. Depending on the location and size of a future solar facility allowed under the CP/LUDC Amendments, the impact of the CP/LUDC Amendments to visual character would remain potentially significant.

Impacts to night lighting (Impact AV-3) is reduced by requiring that all construction and operational lighting associated with utility-scale solar photovoltaic facilities shall be minimized to the maximum extent feasible and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots (Development Standard AV-3). No other feasible mitigation is known which would further reduce the impact. Due to the residual lighting impacts resulting from the adoption of the CP/LUDC Amendments, impacts to night lighting would not be fully mitigated and would remain significant and unavoidable.

Impacts to daytime glare (Impact AV-4) are reduced by requiring solar panels and hardware to be designed to minimize glare and spectral highlighting (Development Standard AV-4). No other feasible mitigation is known which would further reduce the impact. Due to residual daytime glare impacts from solar projects that would result from adoption of the CP/LUDC amendments, impacts to daytime glare would not be fully mitigated and would remain significant and unavoidable.

Cuyama Solar Facility.

The EIR identified significant impacts from the Cuyama Solar Facility related to scenic vistas and recreational resources. (Impact AV-5 and Impact AV-10), visual character (Impact AV-7 and Impact AV-11), increased night lighting (Impact AV-8), and increased daytime glare (Impact AV-9). The EIR recommends three mitigation measures (SPEC-AV-1, SPEC-AV-2, and SPEC-AV-3), which are described below.

Impacts to scenic vistas and recreational resources (Impact AV-5 and Impact AV-10) are reduced by the following Special Mitigation Measures: (1) SPEC-AV-1 requires aesthetic design treatments

to be applied to and maintained for all structures to minimize the impact on the existing visual character and quality, where needed; (2) SPEC-AV-2 requires that all construction and operational lighting shall be minimized to the maximum extent feasible and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots; and (3) SPEC-AV-3 requires that solar panels and hardware shall be designed to minimize glare and spectral highlighting. No other feasible measures are known which would further reduce these impacts. Due to the potential for the Solar Array to substantially alter the character of scenic vistas as viewed from nearby residential neighborhoods and recreational resources in the surrounding region, and due to the strongly contrasting height and character of the Gen-Tie Line poles and Switchyard, these impacts would not be fully mitigated and would remain significant and unavoidable.

Impacts to visual character (Impact AV-7 and Impact AV-11) are reduced by Special Mitigation Measures SPEC-AV-1 and SPEC-AV-3, both described above. No other feasible mitigation measures are known which would further reduce the impact. Due to the strong visual contrast with the existing rural character of the area introduced by the Solar Array, Gen Tie-Line, and Switchyard, their impacts to visual character would remain significant and unavoidable.

Impacts to night lighting (Impact AV-8) is reduced by requiring that the construction and operational lighting associated with the Solar Facility be minimized to the maximum extent feasible and be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots, consistent with OSHA and other applicable safety standards that have requirements for minimum lighting (Special Mitigation Measure SPEC-AV-2). No other feasible mitigation measures are known which would further reduce the impact. Due to the residual lighting impacts resulting from the additional security night lighting and aviation warning lights resulting from the Solar Facility, which would be visible when compared to the surrounding areas, impacts to night lighting would not be fully mitigated and would remain significant and unavoidable.

Impacts to daytime glare (Impact AV-9) are reduced by requiring the Solar Facility's solar panels and hardware to be designed to minimize glare and spectral highlighting (Special Mitigation Measure SPEC-AV-3). No other feasible mitigation measures are known which would further reduce the impact. Due to residual daytime glare impacts from the increased source of glare from the Solar Facility, impacts to daytime glare would not be fully mitigated and would remain significant and unavoidable.

Findings: The Board of Supervisors finds that feasible Development Standards and mitigations measures have been identified in the EIR and adopted into the Proposed Project, which lessen the significant environmental effects identified in the EIR to the maximum extent feasible; however, even with mitigation measures, impacts to aesthetics and visual resources would remain significant and unavoidable. Therefore, the Board of Supervisors finds the Proposed Project's residual impacts to aesthetic and visual resources are acceptable due to the overriding considerations that support approval of the Proposed Project discussed in the Statement of Overriding Considerations.

Agricultural Resources

CP/LUDC Amendments. The EIR identified a significant impact from the CP/LUDC Amendments related to conversion of agricultural land (Impact AG-1). The EIR recommends two development standards (Development Standards AG-1 and AG-2), which are described below.

Impacts related to conversion of agricultural land to non agricultural uses due to future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments are reduced by: (1) Development Standard AG-1 requires permanent preservation of off-site agricultural land at a ratio of 1:1 for net acreage before conversion of prime agricultural land for solar facilities; (2) Development Standard AG-2 requires preparation of a Demolition and Reclamation Plan and financial assurances necessary to guarantee removal of the facility and allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time of removal. No other feasible mitigation is known which would further reduce the impact. Due to the potential conversion of up to 600 acres of prime agricultural land to non-agricultural use and related reduction of agricultural land productivity attributed to the CP/LUDC amendment, this impact would not be fully mitigated and would remain significant and unavoidable.

Cuyama Solar Facility. The EIR identified a significant impact from the Cuyama Solar Facility related to conversion of agricultural land (Impact AG-2 and Impact AG-3). Beyond the standard mitigation measures included in the EIR (AG-05, Air-01, and WatConv-7), the EIR identified three mitigation measures (SPEC-AG-1, SPEC-AG-2, SPEC-AG-3).

Impacts related to conversion of agricultural land to non agricultural uses from the Solar Facility are reduced by : (1) requiring the applicant to mitigate the loss of agricultural land at a ratio of 1:1 for net acreage before conversion, and requiring a Demolition and Reclamation Plan to allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time, upon abandonment of project operations, along with financial assurance for demolition and reclamation (special mitigation measures SPEC-AG-1, SPEC-AG-2, and SPEC-AG-3). Standard Mitigation Measure AG-05 requires the owner/applicant to record a buyer notification on a separate sheet, Standard Mitigation Measure Air-09 would require the owner/applicant to comply with dust control components at all times, and Standard Mitigation Measure WatConv-7 would require the owner/applicant to submit proof of exemption or a copy of a Notice of Intent (NOI) and provide a copy of the required SWPPP to Planning and Development. No other feasible mitigation measures are known which would further reduce the impact. Due to conversion of 327 acres of prime agricultural lands on the Solar Array site from present agricultural use to a non-agricultural use, this impact would not be fully mitigated and would remain significant and unavoidable.

Findings: The Board of Supervisors finds that feasible mitigations measures have been identified in the EIR and adopted into the Proposed Project which lessen the significant environmental effects identified in the EIR to the maximum extent feasible; however, even with mitigation measures, impacts to agricultural resources would remain significant and unavoidable. Therefore, the Board of Supervisors finds the Proposed Project's residual impacts to agricultural resources are acceptable due to the overriding considerations that support approval of the Proposed Project discussed in the Statement of Overriding Considerations.

Land Use and Planning

CP/LUDC Amendments.

The EIR identified a significant impact related to incompatible development and/or use with surrounding land uses attributed to future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments (Impact LU-1). No other feasible mitigation is known that would further

reduce these impacts. Because future utility-scale solar development would result in the conversion of agricultural lands to non-agricultural uses, Impact LU-1 would not be fully mitigated and would remain significant and unavoidable. The EIR recommends nine Development Standards (AV-1, AV-2, AV-3, AV-4, GEO-3, HAZ-1, HAZ-2, NOI-1, and TT-1) to mitigate impacts to land use and planning attributed to the CP/LUDC Amendments. These development standards are the same as described in their relative sections and are incorporated by reference.

Cuyama Solar Facility.

The EIR identified significant impacts related to incompatible development and/or use with surrounding land uses from the Solar Array (Impact LU-3) and Gen Tie-Line (Impact LU-5). No other feasible mitigation measures are known that would further reduce these impacts. Due to the conversion of 327 acres of agricultural lands to non-agricultural use associated with the Solar Array site, Impact LU-3 would not be fully mitigated and would remain significant and unavoidable. Due to the significant visual impact of the Gen Tie-Line and Switchyard, Impact LU-5 would not be fully mitigated and would remain significant and unavoidable. The EIR recommends seven Mitigation Measures (Special Mitigation Measures SPEC-AV-1, SPEC-AV-2, SPEC-AV-3, SPEC-AG-1, and SPEC-AG-2, and Standard Mitigation Measure AG-05) to mitigate impacts to land use and planning from the Solar Facility, and two Special Mitigation Measures (SPEC-AV-1, SPEC-AV-2) to mitigate impacts to land use and planning from the Gen Tie-Line. These mitigation measures are the same as described in their respective sections and are incorporated by reference.

Findings: The Board of Supervisors finds that feasible mitigations measures have been identified in the EIR and adopted into the Proposed Project, which lessen the significant environmental effects identified in the EIR to the maximum extent feasible; however, even with mitigation measures, impacts to land use and planning would remain significant and unavoidable. Therefore, the Board of Supervisors finds the Proposed Project's residual impacts to land use and planning are acceptable due to the overriding considerations that support approval of the Proposed Project discussed in the Statement of Overriding Considerations.

1.4 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL

The Final EIR (11EIR-00000-00005) identified several subject areas for which the Proposed Project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the Final EIR (11EIR-00000-00005), feasible changes or alterations have been required of, or incorporated into, the Project to avoid or substantially lessen the significant environmental effect to a less than significant level, as discussed below:

Agricultural Resources

CP/LUDC Amendments. No Class II impacts identified.

Cuyama Solar Facility. The EIR identified potentially significant but mitigable impacts related to conversion of off-site prime agricultural land to a non-agricultural use and/or impairment of agricultural land productivity associated with the Solar Facility (Impact AG-3) and conversion of prime agricultural land associated with the Gen Tie-Line and Switchyard (Impact AG-4). In

addition to the Standard Mitigation Measures included in the EIR (AG-05, Air-01, and WatConv-7), the EIR identified Special Mitigation Measures SPEC-AG-1, SPEC-AG-2, and SPEC-AG-3 to mitigate impacts resulting from conversion of prime agricultural land. The mitigation measures are the same as those described for Class I impacts to agricultural resources described above.

Findings: The Board of Supervisors finds that Standard Mitigation Measures AG-05, Air-01, and WatConv-7, and Special Mitigation Measures SPEC-AG-1, SPEC-AG-2, and SPEC-AG-3 would reduce impacts to a less than significant.

Biological Resources

CP/LUDC Amendments. The EIR identified potentially significant but mitigable impacts from future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments to unique, rare, or threatened plant species and natural communities (Impact BIO-1); to unique, rare, threatened, or endangered wildlife species and/or to habitat that supports these species (Impact BIO-2); to migratory species or patterns (Impact BIO-3); to healthy native specimen trees (Impact BIO-4); to the introduction or spread of non-native vegetation (Impact BIO-5); and to water quality, which may result in indirect impacts to unique, rare, threatened, or endangered wildlife species (Impact BIO-6). Impact BIO-1 is mitigated by Development Standard BIO-1, which requires sensitive biological resources to be avoided during project design. Impact BIO-2 is mitigated by Development Standard BIO-1 and Development Standard BIO-3, which the latter requires compliance with most current Avian Power Line Interaction Committee Guidelines for Overhead Power Line Spacing, Construction, and Work Procedures. Impacts BIO-3 and BIO-4 are mitigated by Development Standard BIO-1. Impact BIO-5 is mitigated by Development Standard BIO-2. Impact BIO-6 is mitigated by Development Standard GEO-3, which reduces erosion.

Cuyama Solar Facility. The EIR identified potentially significant but mitigable impacts from the Solar Facility to the kit fox (Impact BIO-9), horned larks (Impact BIO-10), nesting behavior of ground-dwelling birds (Impact BIO-11), the California condor (Impact BIO-12), and bird, especially raptor collisions (Impact BIO-13). Impact BIO-9 is mitigated by Special Mitigation Measure SPEC-BIO-1, which requires proper fencing for animal passage. Impacts BIO-10 and BIO-11 are mitigated by Special Mitigation Measure SPEC-BIO-2, which requires preconstruction nesting bird surveys. Impact BIO-12 is mitigated by Special Mitigation Measure SPEC-BIO-3, which reduces attraction of California condors to the Project facility. Impact BIO-13 is mitigated by Special Mitigation Measure SPEC-BIO-4, which requires compliance with the most current Avian power Line Interaction Committee Guidelines for Overhead Power Line Spacing, Construction, and Work Procedures.

Findings: The Board of Supervisors finds that Development Standards BIO-1, BIO-2, BIO-3, and GEO-3, and Special Mitigation Measures SPEC-BIO-1, SPEC-BIO-2, SPEC-BIO-3, and SPEC-BIO-4 mitigate or avoid the potentially significant effects on biological resources to a less than significant level.

Geology and Soils

CP/LUDC Amendments. The EIR identified potentially significant but mitigable impacts associated with future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments related to exposure to unstable earth conditions (Impact GEO-1), extensive grading (Impact GEO-2), and erosion of soils (Impact GEO-3). Impact GEO-1 is mitigated by

Development Standard GEO-1, which requires geologic hazards to be avoided during project design. Impact GEO-2 is mitigated by Development Standard GEO-2, which requires avoidance of siting projects on steep slopes and minimizes steep cuts. Impact GEO-3 is mitigated by Development Standard GEO-3, which requires minimization of erosion.

Cuyama Solar Facility. The EIR identified potentially significant but mitigable impacts from the Solar Facility related to exposure to unstable earth conditions (Impacts GEO-4 and GEO-7), extensive grading on the Solar Array site (Impact GEO-5), erosion of soils on or off the Solar Array site (Impact GEO-6). Impacts GEO-4 and GEO-5 are mitigated by Special Mitigation Measure SPEC-GEO-1, which requires implementation of geotechnical design recommendations. Impacts GEO-6 and GEO-7 are mitigated by Standard Mitigation Measure WatConv-07, which requires the Owner/Applicant to submit proof of exemption or a copy of a Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.

Findings: The Board of Supervisors finds that Development Standards GEO-1, GEO-2, GEO-3, and Special Mitigation Measure SPEC-GEO-1, and Standard Mitigation Measure WatConv-07 mitigate or avoid the potentially significant effects on geological resources to a less than significant level.

Hazards

CP/LUDC Amendments. The EIR identified potentially significant but mitigable impacts with future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments related to potential increase in fire hazards (Impact HAZ-1) and prior use, storage, or discharge of hazardous materials (Impact HAZ-2). Impact HAZ-1 is mitigated by Development Standard HAZ-1, which requires a Fire Prevention and Protection Plan. Impact HAZ-2 is mitigated by Development Standard HAZ-2, which requires avoidance and remediation of contaminated sites.

Cuyama Solar Facility. The EIR identified potentially significant but mitigable impacts from the Solar Facility related to prior use, storage, or discharge of hazardous materials on the Solar Array Site (Impact HAZ-6) and from use, storage, or discharge of hazardous materials on the Solar Array Site (Impact HAZ-7). Impact HAZ-6 is mitigated by Special Mitigation Measure SPEC-HAZ-1, which prepares for hazardous contingencies. Impact HAZ-7 is mitigated by Standard Mitigation Measure NPDES-23, which requires a Storm Water Quality Management Plan (SWQMP).

Findings: The Board of Supervisors finds that Development Standards HAZ-1 and HAZ-2, Special Mitigation Measure SPEC-HAZ-1 and Standard Mitigation Measure NPDES-23 mitigate or avoid the potentially significant effects associated with hazards to a less than significant level.

Hydrology and Water Quality

CP/LUDC Amendments. The EIR identified potentially significant but mitigable impacts associated with future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments to water quality in drainage facilities and surface waters from construction (Impact HWQ-1), impacts to water quality in drainage facilities and surface waters from operations (Impact HWQ-2), and impacts from increased flooding (HWQ-3). Impacts HWQ-1, HWQ-2, and HWQ-3 are mitigated by Development Standard GEO-3, which reduces erosion by implementing stormwater best management practices.

Cuyama Solar Facility. The EIR identified potentially significant but mitigable impacts from the Solar Facility impacts to water quality in drainages and surface waters from construction (HWQ-5), to water quality in drainages and surface waters from operation (HWQ-6), and impacts from increased flooding (HWQ-7). Impacts HWQ-5 and HWQ-6 are mitigated by Standard Mitigation Measures WatConv-01, which contains sediment and contamination, and WatConv-07, which requires the Owner/Applicant to submit and implement a Storm Water Quality Management Plan (SWQMP).

Findings: The Board of Supervisors finds that Development Standard GEO-3, Standard Mitigation Measures WatConv-01, and WatConv-07 mitigate or avoid the potentially significant effects associated with hydrology and water quality impacts to a less than significant level.

Noise

CP/LUDC Amendments. The EIR identified potentially significant but mitigable impacts associated with future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments to long-term operational noise (Impact NOI-1) and short-term construction noise (Impact NOI-2). Impacts NOI-1 and NOI-2 are mitigated by Development Standard NOI-1, which requires that new or modified facilities be designed, located, and constructed to avoid any significant adverse noise impacts to residents or sensitive receptors.

Cuyama Solar Facility. The EIR identified potentially significant but mitigable impacts from the construction of the Solar Facility (Impact NOI-7), and the construction of the Gen Tie-Line and Switchyard (Impact NOI-8). Impact NOI-7 is mitigated by Standard Mitigation Measures Noise-04, which requires equipment shielding during construction, and Noise-05, which limits construction routes, and Special Mitigation Measures SPEC-NOI-1, which limits construction hours, SPEC-NOI-2, which reduces noise from construction at the Solar Array Site, SPEC-NOI-3, which implements noise-reducing features and practices, and SPEC-NOI-4, which requires the Owner/Applicant to provide advance notice of construction. Impact NOI-8 is mitigated by Standard Mitigation Measure Noise-05 and Special Mitigation Measures SPEC-NOI-1, SPEC-NOI-3, and SPEC-NOI-4.

Findings: The Board of Supervisors finds that Development Standard NOI-1, Standard Mitigation Measures Noise-04 and Noise-05, and Special Mitigation Measures SPEC-NOI-1, SPEC-NOI-2, SPEC-NOI-3, and SPEC-NOI-4 mitigate or avoid the potentially significant Project effects associated with noise impacts to a less than significant level.

Transportation and Traffic

CP/LUDC Amendments. The EIR identified potentially significant but mitigable impacts with future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments to traffic congestion (Impact TT-1) and traffic hazards to motor vehicles, bicyclists, or pedestrians (Impact TT-2). Impacts TT-1 and TT-2 are mitigated by Development Standard TT-1, which minimizes construction traffic hazards by requiring a Traffic Control Plan where applicable.

Cuyama Solar Facility. The EIR identified potentially significant but mitigable impacts to traffic hazards for motor vehicles, cyclists, or pedestrians from the Solar Array (Impact TT-6) and to roadway degradation (Impact TT-7). Impact TT-6 is mitigated by Special Mitigation Measure SPEC-TT-1, which requires specifications for a Traffic Control Plan during construction of the

Solar Array. Impact TT-7 is mitigated by Special Mitigation Measure SPEC-TT-2, which requires the Owner/Applicant to prepare a Roadway Pre-Construction Conditions Report.

Findings: The Board of Supervisors finds that Development Standard TT-1, Special Mitigation Measures SPEC-TT-1 and SPEC-TT-2 mitigate or avoid the potentially significant effects on transportation and traffic to a less than significant level.

Energy and Public Facilities

CP/LUDC Amendments. The EIR identified potentially significant but mitigable impacts from future utility-scale solar photovoltaic facilities by the CP/LUDC Amendments to solid waste disposal services and landfill capacity (Impact EPF-3) and to stormwater drainage facilities (EPF-5). Impact EPF-3 is mitigated by Development Standard EPF-1, which requires a recycling plan for utility-scale solar facilities. Impact EPF-5 is mitigated by Development Standard GEO-3, which requires erosion reduction measures.

Cuyama Solar Facility. The EIR identified potentially significant but mitigable impacts from the Solar Array to solid waste disposal services and landfill capacity (Impact EPF-8) and to stormwater drainage facilities (EPF-9). Impact EPF-8 is mitigated by Standard Mitigation Measure SolidW-02, which requires recycling of demolition and excess construction materials. Impact EPF-9 is mitigated by Standard Mitigation Measure WatConv-07, which requires the Owner/Applicant to submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.

Findings: The Board of Supervisors finds that Development Standards EPF-1 and GEO-3 and Standard Mitigation Measures SolidW-02 and WatConv-07 mitigate or avoid the potentially significant effects on Energy and Public Facilities to a less than significant level.

Less than Significant (Class III) and Beneficial (Class IV) Impacts

CP/LUDC Amendments. The EIR identified beneficial impacts from future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments to: (1) greenhouse gas emissions (Impact AQ-2), resulting from generation of clean energy that displaces demand for fossil-fuel based energy sources; (2) energy demand and supplies for renewable energy production (Impact EPF-1); and (3) hydrology and water quality (Impact HWQ-4), resulting from reduction of groundwater use compared to existing agricultural production. All other impacts were determined to be less than significant and do not require mitigation.

Cuyama Solar Facility. The EIR identified beneficial impacts from the Solar Facility to: (1) greenhouse gas emissions (Impact AQ-6), resulting from generation of clean energy that displaces demand for fossil-fuel based energy sources; (2) energy demand and supplies for renewable energy production (Impact EPF-6); and hydrology and water quality (Impact HWQ-8) resulting from reduction of groundwater use compared to existing agricultural production. All other impacts were determined to be less than significant and do not require mitigation.

Findings: The Board of Supervisors finds that the CP/LUDC Amendments and Solar Facility result in beneficial impacts to greenhouse gas emissions, hydrology and water quality, and energy demand and supplies. The Solar facility will help meet regional energy needs in an efficient,

sustainable, and environmentally sound manner, supporting the United States Department of Energy goal of increasing the overall use of solar power to generate electricity and assisting California in meeting its legislated Renewable Energy Portfolio standards for the generation of renewable energy in the state. Additionally, the Solar Facility and CP/LUDC Amendment will reduce groundwater use due to conversion of land used for agricultural production to land used for utility-scale solar photovoltaic facilities. Lastly, the solar facility and CP/LUDC amendment will offset the need for additional electricity generated from fossil fuels.

1.5 MITIGATION OF CERTAIN IMPACTS IS WITHIN THE RESPONSIBILITY AND JURISDICTION OF ANOTHER PUBLIC AGENCY

The Board of Supervisors finds that changes or alterations associated with the PG&E Substation are within the responsibility and jurisdiction of the California Public Utilities Commission (CPUC) and not the County. No mitigations are proposed for this project component. However, if mitigation is required, such changes can and should be adopted by the CPUC.

1.6 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE

1.6.1 CP/LUDC Amendments

The Final EIR (11EIR-00000-00005) prepared for the project presented the following Comprehensive Plan and Land Use Development Code (CP/LUDC) objective. This objective is provided below as reference for discussion related to the project alternatives deemed infeasible.

The CP/LUDC Amendments objective is to provide a permit pathway for the development of utility-scale solar photovoltaic facilities in the Rural Area of the Cuyama Valley Rural Region. As noted in Section 2.4.1 of the Final EIR incorporated herein by reference, the amendments support the State's mandates for the reduction of greenhouse gas emissions and the County's goals and policies to encourage the use of alternative energy and the development of related businesses in Santa Barbara County. The CP/LUDC amendments would conditionally allow utility-scale solar photovoltaic facilities on no more than 600 acres in the Cuyama Valley Rural Region.

The Final EIR evaluated a No Project Alternative as well as reduced size and more restrictive alternates as methods of reducing or eliminating potentially significant environmental impacts associated with the CP/LUDC Amendments. The Board of Supervisors finds that the proposed project is preferred or alternatives are infeasible for the reasons stated:

Alternative 1—CP/LUDC Amendments: No-Project Alternative

Under the No-Project Alternative for the CP/LUDC Amendments (Alternative 1), the County would not approve the proposed CP/LUDC Amendments; therefore, the County would not revise the CP and LUDC to allow permitting of utility-scale solar PV power-generating facilities on properties located on lands designated Agriculture II (A-II) and/or Agriculture-Commercial (AC) and zoned Agricultural II (AG-II) within the Cuyama Valley Rural Region, subject to discretionary approval of a CUP and other related approvals, including CEQA analysis and compliance. Since the County's LUDC does not currently allow for utility-scale solar photovoltaic facilities within any of its current zoning districts, the No-Project Alternative would in effect eliminate the proposed regulatory mechanism to allow for the development of utility-scale solar facilities within the County.

Alternative 1 would not result in new environmental impacts; potential impacts to agricultural resources, visual resources, water quality, biological resources, and others would be avoided by not allowing conversion of agricultural land to non-agricultural uses.

Conversely, this alternative would not result in the beneficial impact of promoting the production of utility-scale, clean, renewable energy sources within the County. The No-Project Alternative would potentially result in greater GHG emissions impacts than the proposed Amendments because the potential offset or displacement of GHGs from operation of solar photovoltaic facilities, compared with traditional gas- or coal-fired power plants, would not be realized. In addition, the No-Project Alternative would not result in the beneficial impacts of decreasing water demand from the overdrafted Cuyama Valley Groundwater Basin because existing agricultural practices that consume groundwater would continue onsite.

Alternative 1 would not meet the basic objective of the CD/LUDC Amendment, which is to provide a permit pathway for the development of utility-scale solar photovoltaic facilities in the Rural Area of the Cuyama Valley Rural Region. Therefore, the Board of Supervisors finds that the Proposed Project is preferable to the No-Project Alternative.

Alternative 2—CP/LUDC Amendments: Resource-based Development Standards including Exclusion of Lands Under Williamson Act Contracts and Lands with Prime Soils

Similar to the Proposed Project, Alternative 2 would define eligible utility-scale solar photovoltaic project sites within land designated A-II/AC and zoned AG-II in the Cuyama Rural Region by including Development Standards that serve to programmatically mitigate resource impacts to less than significant, including the protection of agriculturally viable sites or regions; however, Alternative 2 would restrict utility-scale solar PV facilities from Williamson Act contracted lands and areas that contain prime soils.

Alternative 2 would either eliminate or reduce agricultural impacts associated with the adoption of the CP/LUDC Amendments. Most notably, this Alternative would place significant constraints on site selections based upon soil quality and the Williamson Act (see Figure 11 of the Planning Commission Staff Report dated July 3, 2014). While many significant impacts to agricultural resources may be avoided, this alternative could severely limit future utility-scale solar photovoltaic facility development in the County by making it very difficult to find land that meets all the standards and is otherwise able to support up to 600 acres of utility-scale solar photovoltaic facilities. Finding adequately sized land to accommodate a utility-scale solar photovoltaic facility is difficult when applying the resource based development standards associated with Alternative 2 (as shown in Figure 11 of the Planning Commission Staff Report dated July 3, 2014). Adhering to Alternative 2's development standards, there is only one site in the Cuyama Valley Rural Region that could support a relatively large utility-scale solar photovoltaic facility. This area is also analyzed under Alternative 12, as an alternative site for the proposed Cuyama Solar Facility. Alternative 12 was found not to be feasible due to the fact that it couldn't meet the project objectives of locating the proposed solar facility on property that was available for purchase in early May of 2009. In addition, W.M. Bolthouse Farms holds a long-term lease on the subject property and has invested substantial resources in an effort to improve the property for agricultural use.

Therefore, Alternative 2 would not meet the CD/LUDC amendment objective to allow for the development of utility-scale solar photovoltaic facilities on up to 600 acres in the Rural Area of the Cuyama Valley Rural Region. Therefore, Alternative 2 is infeasible as it would not meet the CP/LUDC amendment objective.

1.6.2 Cuyama Solar Facility.

The Final EIR (11EIR-00000-00005) prepared for the project presented the following project specific objectives for the Solar Facility and the PG&E Cuyama Substation Additions. These objectives are provided below as reference for discussion related to the project alternatives deemed infeasible.

The objective of the proposed project is to generate renewable solar electricity from proven technology at a competitive cost and with low environmental impact and deliver it to market as soon as possible to help meet California Renewable Portfolio Standard (RPS) goals. The Applicant states that this objective has driven the choice of technology and the location for the Solar Facility.

The specific objectives for the Solar Facility are the following:

- Establish a solar PV power-generating facility sized at 40 MW at the point of delivery to PG&E in order to comply with the technical requirements of the Large Generator Interconnection Agreement between the Applicant, PG&E, and the California Independent System Operator (CAISO).
- Establish a solar PV power-generating facility sized at 40 MW in order to fulfill the guaranteed energy delivery schedule required under the Applicant's Power Purchase Agreement with PG&E.
- Construct the Solar Array using First Solar PV modules to produce and transmit electricity at a competitive cost.
- Locate the Solar Array in an area that has high potential and suitability for electric power generation from solar facilities that has available interconnection to the existing electrical distribution infrastructure.
- Minimize environmental effects by:
 - Using land that is disturbed or degraded from prior use.
 - Using existing electrical distribution facilities, rights-of-way, roads, and other existing infrastructure where practicable.
 - Minimizing impacts on threatened species and endangered species.
 - Minimizing water use during operation.
 - Reducing greenhouse gas emissions.
- Using technology that is available, proven, efficient, easily maintained, recyclable, and environmentally sound.

The Final EIR evaluated a No Project Alternative as well as reduced and alternate siting project alternatives as methods of reducing or eliminating potentially significant environmental impacts associated with the Cuyama Solar Facility. The Board of Supervisors finds that the Proposed Project is preferred to the following alternatives or the identified alternatives are infeasible for the reasons stated:

Alternative 6—Solar Facility: No-Project Alternative

In accordance with the State CEQA Guidelines, this EIR addresses the No-Project Alternative scenario (Alternative 6), which is what would be reasonably expected to occur in the foreseeable

future if the Proposed Solar Facility were not approved based on current plans and site zoning as consistent with available infrastructure and community services.

Alternative 6 would avoid all adverse environmental impacts, including the significant and unavoidable aesthetic and visual resource and agricultural resource impacts associated with the Proposed Solar Facility. Conversely, this alternative would not result in the beneficial impacts, including the production of utility-scale, clean, renewable energy sources within the County and reduced water consumption associated with conversion of agricultural production to solar PV development.

Under Alternative 6, should energy demands continue to rise in California, other means of energy production would be required. Should the Solar Facility not occur, other sources of energy or energy conservation may be developed to accommodate rising energy demands, but not necessarily in the County.

Alternative approaches to replace 40 MW of electricity generation, associated with the Proposed Project could consist of development or re-development of other energy sources (e.g. increasing efficiency of natural gas-fired power plants, development of wind turbines, other solar facilities, geothermal power plants, and traditional industrial natural gas- or petroleum-fired power plants, etc.) in the County and throughout the State, as discussed in the EIR Section 5.2.2.1. These various energy sources do not meet the objective of the Proposed Project to establish a solar PV power-generating facility sized at 40 MW in order to fulfill the guaranteed energy delivery schedule required under the Applicant's Power Purchase Agreement with PG&E. Furthermore, they are speculative, and some alternative energy sources would result in greater environmental impacts, such as increased air emissions, increased groundwater consumption, impacts to biological resources and visual incompatibility with the region. Therefore, the Board of Supervisors finds that the Proposed Project is preferable to the No-Project Alternative. The No Project Alternative also does not meet the project objectives.

Alternative 7—Solar Facility: Reduced Solar Facility

Alternative 7 would include the development of an approximately 20 MW solar PV generating facility on approximately 160 acres of the site that lies east of Kirschenmann Road. Alternative 7 would require the proposed CP/LUDC Amendments and subsequent CUP to permit a proposed solar facility on lands designated A-II/AC and in the AG-II zoning district. The remaining 167 acres of the 327-gross-acre Project site would not be developed and would remain under a Williamson Act contract (as part of a larger 1,529 acres under contract) for cultivation as water availability permits. Alternative 7 is intended to reduce significant agricultural impacts (but not to a less than significant level), reduce adverse aesthetic and visual resources impacts (but not to a less than significant level), reduce biological, geological, hazards, hydrologic, and land use impacts by constructing on a smaller site; and reduce adverse construction impacts on site, such as those related to air quality, water quality, noise, and traffic.

Construction of the 3-mile, 70-kV Gen Tie-Line would still be required under this alternative to connect the 20 MW solar facility to the existing PG&E Cuyama Substation. The 20 MW solar PV power generating facility under this alternative would be similar to the Solar Facility, but materials necessary for its construction would be reduced by about half in comparison to the Solar Facility. Construction activities would also be reduced under this alternative, including grading duration, amount and duration of construction equipment used, and the construction footprint.

Although Alternative 7 would be reduced in size to a 160-acre solar facility and would reduce the degree of environmental impact, Alternative 7 would not reduce the types or environmental impact classifications of the Proposed Project. Given the reduced Solar Facility size, Alternative 7 would not realize the same GHG emission reductions or provide the same level of energy production benefits as the Proposed Solar Facility. Alternative 7 would provide less beneficial impacts to the overdrafted groundwater basin given ongoing use of agriculture upon 167 acres of the Project site.

As energy demands continue to rise in California, other means for an additional 20 MWs of energy would be required. Alternative approaches to replace the 20 MW of electrical generation associated with the Proposed Project could consist of re-development of other energy sources as described above in Alternative 6. However, these various energy sources would not meet the following objectives of the Proposed Project: 1) Construct a solar PV power-generating facility sized at 40 MW at the point of delivery to PG&E in order to comply with the technical requirements of the Large Generator Interconnection Agreement between the Applicant, PG&E, and the California Independent System Operator (CAISO); and 2) establish a solar PV power-generating facility sized at 40 MW in order to fulfill the guaranteed energy delivery schedule required under the Applicant's Power Purchase Agreement with PG&E. Furthermore, some energy sources would result in greater environmental impacts related to air quality emissions, groundwater consumption and biological and visual resources.

Alternative 7 would achieve most of the project objectives by locating a solar facility in the rural part of northeastern Santa Barbara County, on property available for purchase, and in proximity to the available interconnection to the existing electrical distribution infrastructure. However, this alternative would not achieve some of the primary project objectives stated above including generating 40 MW at the point of delivery to PG&E in order to comply with the technical requirements of the Large Generator Interconnection Agreement between the Applicant, PG&E, and the CAISO, or establish a utility-scale 40 MW solar facility in order to fulfill the guaranteed energy delivery schedule required under the Applicant's Power Purchase Agreement with PG&E. Therefore, the Board of Supervisors finds that the Reduced Solar Facility Alternative is infeasible as it would not meet the project objectives noted above.

Alternative 12—Solar Facility: Alternative Site (Joaquin Family Trust Sites)

Under Alternative 12, the proposed 40 MW solar facility would be developed on an alternative site within the Cuyama Valley. Although the process of cancellation of a Williamson Act contract is not considered a significant impact, the primary purpose of this alternative is to determine the feasibility to site a solar facility of comparable generating capacity upon lands that are not under an agricultural preserve contract.

Alternative 12 would be located upon an approximately 320-acre portion of an agricultural holding known as the Joaquin Family Trust that is located south and southwest of the PG&E Cuyama Substation and northwest of the proposed Solar Array site. The Joaquin Family Trust site constitutes a large agricultural holding consisting of numerous parcels and exceeds 6,000 acres. The Joaquin Family Trust parcels are located on both non-prime and prime farmland, zoned AG-II, but are not subject to a Williamson Act Contract or Agricultural Preserve; this alternative site would be closer to the PG&E Cuyama Substation, thereby requiring less distance for a Gen Tie-Line (parcels within this alternative site range between 0.5 – 3.0 miles from the PG&E Cuyama Substation).

Alternative 12 would avoid the cancellation of Williamson Act Contract; in addition, significant and unavoidable impacts on agriculture related to the conversion of prime farmland could be avoided, depending on the location of a 40 MW solar facility. However, Alternative 12 could result in greater impacts to aesthetics and visual resources due to its proximity to SR-166, an eligible scenic highway; biological resources due to sensitive onsite habitats; and geology and hazards due to the existing oil and gas production activities upon a portion of the site.

Alternative 12 would achieve many of the Project's objectives; however, the property owner states that W.M. Bolthouse Farms, Inc. holds a long term lease upon the lands, which remains in place until 2018, as such the land is not available for the foreseeable future. Furthermore, W.M. Bolthouse Farms has invested substantial resources in an effort to improve the Joaquin Family Trust property for agricultural use and has communicated its intent to continue its farming operations. Therefore, this site is not feasible due to its unavailability for purchase or lease. Finally, Alternative 12 does not meet the project objective to locate the Solar Array in the Cuyama Valley of Santa Barbara County, on available property and in proximity to the available interconnection to the existing electrical distribution infrastructure. The Board of Supervisors finds that the Proposed Project is preferable to Alternative 12 due to the potential increase in impacts associated with visual, geology and hazards, and biological resources and the infeasibility of purchasing the land for the foreseeable future. Additionally, the Board finds the alternative site is infeasible in that it does not meet the project objective noted above, i.e., availability.

Alternative 13—Solar Facility: Alternative Site (Southeast Sites)

Alternative 13 is an assemblage of assessor parcels located southeast of the Project site that could potentially accommodate a 40 MW solar facility within the Cuyama Valley. Alternative 13 holdings are located within the AG-II zoning district and would require the CP/LUDC Amendments and subsequent CUP approval.

The primary purpose of this alternative is to avoid development upon agricultural preserve lands. Some of the parcels are designated prime farmland, but unlike the proposed Solar Facility site, these sites are not located on Williamson Act contract land. Depending on specific siting of a solar facility under this alternative, the length of the associated Gen Tie-Line would increase significantly and could range from about 4 miles to over 5 miles.

While this alternative would avoid the cancellation of a Williamson Act Contract, significant and unavoidable aesthetic and visual resource and agricultural resource impacts would remain and potentially increase due to a longer gen tie-line. Additionally, this alternative would result in greater impacts to biological resources and hydrology and water quality due to the presence of wetlands, sensitive habitat, and flood hazards as identified in the Final EIR and incorporated herein by reference. Finally, sufficient area to meet the Project objective to develop a 40 MW site would not be available due to site constraints, even when considering the potential to combine adjacent parcels. Therefore, the Board of Supervisors finds that the Proposed Project is preferable to the Alternative 13. Additionally, Alternative 13 is infeasible because it would not achieve the project objective to develop a 40 MW project.

1.7 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has

adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. Monitoring is not required for the CP/LUDC Amendments portion of the Proposed Project. Regarding the Cuyama Solar Facility, the approved Cuyama Solar Facility project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during the Cuyama Solar Facility implementation.

**STATEMENT OF OVERRIDING CONSIDERATIONS
CEQA Guidelines Section 15093**

**RECOMMENDED BY THE SANTA BARBARA COUNTY PLANNING COMMISSION
AND ADOPTED BY THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
FOR THE CUYAMA SOLAR FACILITY AND COMPREHENSIVE PLAN/LAND USE
DEVELOPMENT CODE AMENDMENTS PROJECT**

**Final Environmental Impact Report
SCH #2011121009**

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, CEQA requires the lead agency to balance the economic, legal, social, technological, or other benefits, including region-wide or state-wide environmental benefits, of a proposed project against its significant and unavoidable environmental impacts when deciding whether to approve the project.

The Final EIR (11EIR-00000-00005) for the Cuyama Solar Facility and Comprehensive Plan/Land Use Development Code Amendments (CP/LUDC) Project identifies project impacts to aesthetics and visual resources, agricultural resources, and land use and planning as significant environmental effects that are considered unavoidable, although mitigated to the extent feasible by implementation of required development standards and mitigation measures. The Class I impacts associated with both the CP/LUDC Amendments and the Cuyama Solar Facility are summarized below and constitute those impacts for which this Statement of Overriding Considerations is made.

1. Despite the implementation of all feasible mitigation, the Project (both CP/LUDC Amendments and Cuyama Solar Facility portions of the Project) will cause significant and unavoidable impacts to aesthetics and visual resources resulting from potentially substantial changes in the visual character of scenic vistas and changes to the visual character on affected parcels of land and proximate lands.
2. Despite the implementation of all feasible mitigation, the Project (both CP/LUDC Amendments and Cuyama Solar Array) will cause significant and unavoidable impacts to agricultural resources resulting from the conversion of prime agricultural land to non-agricultural use.
3. Despite the implementation of all feasible mitigation, the Project (both CP/LUDC Amendments and Cuyama Solar Array) will cause significant and unavoidable impacts to land use on account of incompatibility with surrounding land uses from the conversion of agricultural land to non-agricultural uses and from the aesthetics and visual resources impacts.
4. Despite the implementation of all feasible mitigation, the Gen Tie-Line and Switchyard will cause significant and unavoidable impacts to land use on account of incompatibility with surrounding land uses from the aesthetics and visual resources impacts.
5. Despite the implementation of all feasible mitigation, the CP/LUDC Amendments, in conjunction with past, present, and reasonably foreseeable projects in the areas, will cause significant and unavoidable cumulative impacts to aesthetics and visual resources.
6. Despite the implementation of all feasible mitigation, the Project (both CP/LUDC Amendments and Cuyama Solar Array), in conjunction with past, present, and reasonably foreseeable projects in the areas, will cause significant and unavoidable cumulative impacts to agricultural resources.

The Planning Commission recommended and the Board of Supervisors finds that the stated overriding benefits of the project outweigh the significant effects on the environment and that there is no feasible way to further lessen or avoid the significant effects. These benefits are based on the facts set forth in the Final EIR, the CEQA Findings, and the full administrative record of proceedings for the Project. Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092, and 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations that will provide benefits to Santa Barbara County, the region, and the State of California:

1. Future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments will generate clean, renewable solar power energy and the Cuyama Solar Facility will generate 40 Megawatts (MW) of clean, renewable, solar power annually, which will help meet regional energy needs in an efficient, sustainable, and environmentally sound manner. (See Class IV Impact EPF-1 and Impact EPF-6, EIR Section 3.12.4.2.) This will support the United States Department of Energy goal of increasing the overall use of solar power to generate electricity and assist California in meeting its legislated Renewable Energy Portfolio standards for the generation of renewable energy in the state. The Energy Element of the Santa Barbara County Comprehensive Plan recognizes the environmental and economic benefits of alternative energy generation and encourages development of alternative energy technologies in the County. (See EIR Sections 3.12.3.2.)
2. The Project will offset the need for additional electricity generated from fossil fuels and thereby assist the California in meeting its air quality goals and reducing greenhouse gas emissions. (EIR Section 3.3.3.2.) State and federal mandates to reduce greenhouse gas emissions, including Global Warming Solutions Act of 2006 (AB 32) and the California Renewable Energy Resources Act, requires all California utilities to procure 33 percent of their electricity from renewable sources by 2020, with intermediate targets of 20 percent by the end of 2013, and 25 percent by end of 2016. The project contributes to achieving renewable energy goals to address public concerns related to greenhouse gas emissions and climate change, energy security, and fossil fuel dependence. The Project has the capacity to generate 40 MW of clean electrical energy, which is estimated to support 15,600 average homes and reducing carbon dioxide emissions by 30,000 metric tons annually.
3. The Project will reduce groundwater use on this site from an already over-drafted groundwater basin due to conversion of land used for agricultural production to land used for utility-scale solar photovoltaic facilities, thereby having beneficial impacts to hydrology and water quality (Impacts HWQ-4 and HWQ-8, EIR Section 3.8.4.2).
4. The Project promotes the development of alternative energy and specifically furthers the intent of Santa Barbara County Energy Element Goal 5 and Policies 5.2 and 5.4 and Conservation Element Recommendations 2, 3, 4, 6, and 7. The Project promotes carefully sited development of utility-scale solar energy development in the Cuyama Rural Region of Santa Barbara County that will produce clean renewable energy for the region, County, and State of California.

FINDINGS FOR
STATE AND COUNTY PLANNING FINDINGS
AND
CANCELLATION OF WILLIAMSON ACT CONTRACT
STATE GOVERNMENT CODE SECTION 51282(a)

**Cuyama Solar Facility and Comprehensive Plan/Land Use Development Code Amendments
Project**

A. GENERAL PLAN AMENDMENT FINDINGS

Government Code Section 65358(a) requires a general plan amendment to be in the public interest.

The Comprehensive Plan/Land Use Development Code (CP/LUDC) Amendments are in the interest of actively promoting and responding to State and federal mandates to reduce greenhouse gas emissions, including Global Warming Solutions Act of 2006 (AB 32) and the California Renewable Energy Resources Act, which requires all California utilities to procure 33 percent of their electricity from renewable sources by 2020, with intermediate targets of 20 percent by the end of 2013, and 25 percent by end of 2016. The project contributes to achieving renewable energy goals to address public concerns related to greenhouse gas emissions and climate change, energy security, and fossil fuel dependence.

The CP/LUDC Amendments could allow for the development of utility-scale solar PV facilities on up to 600 acres of land designated A-II or AC and zoned AG-II in the Rural Area of the Cuyama Valley Rural Region. The CP/LUDC Amendments provide a process to enable development of utility-scale renewable energy solar projects, which would realize beneficial impacts to greenhouse gases, energy supply, and hydrology and water quality in the Cuyama Valley. The CP/LUDC Amendments define eligibility criteria, development standards, and a discretionary permit process, which taken as a whole, are intended to reduce adverse impacts to environmental resources and services for potential projects in the Cuyama Rural Region.

B. AMENDMENT TO THE LUDC AND ZONING MAP (REZONE) FINDINGS

In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an amendment to the Development Code and/ or Zoning Map the review authority shall first make all of the following findings:

1. *The request is in the interests of the general community welfare.*

The Cuyama Solar Facility and Comprehensive Plan/Land Use Development Code Amendments Project (Project) are in the interest of actively promoting and responding to State and federal mandates to reduce greenhouse gas emissions, including Global Warming Solutions Act of 2006 (AB 32) and the California Renewable Energy Resources Act, which requires all California utilities to procure 33 percent of their electricity from renewable sources by 2020, with intermediate targets of 20 percent by the end of 2013, and 25 percent by end of 2016. The Project contributes to achieving renewable energy goals to address

public concerns related to greenhouse gas emissions and climate change, energy security, and fossil fuel dependence.

The Project could allow for the development of utility-scale solar PV facilities on up to 600 acres of land designated A-II or AC and zoned AG-II in the Rural Area of the Cuyama Valley Rural Region. The Project provides a process to enable development of utility-scale renewable energy solar projects, which would realize beneficial impacts to greenhouse gases, energy supply, and hydrology and water quality in the Cuyama Valley. The CP/LUDC Amendments define eligibility criteria, development standards, and a discretionary permit process, which taken as a whole, are intended to reduce adverse impacts to environmental resources and services for potential projects in the Cuyama Rural Region.

2. *The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code.*

As noted in the FEIR and Section 6.2 of the Planning Commission Staff Report dated July 3, 2014, and incorporated herein by reference upon adoption of the Comprehensive Plan Amendment, the Project will not result in any inconsistencies with the adopted policies and development standards of the Comprehensive Plan. The purpose and intent of the Project is to promote the development of carefully sited utility-scale solar energy development while minimizing environmental effects upon resources including but not limited to aesthetics and visual, agricultural, biologic, cultural, geologic, hydrologic resources and services to maximum extent feasible. The Project includes both program-level development standards and site specific conditions and mitigations to implement this intent. Additionally, the Project includes a rezone of Ordinance #661 U-Unlimited Agricultural parcels within the Solar Facility site to ensure conformance with current zoning regulations of the LUDC and district regulations of Agricultural II, AG-II. The Project maintains consistency with the remaining portions of the LUDC that would not be revised by this amendment. Therefore, the proposed CP/LUDC amendment is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and the LUDC.

3. *The request is consistent with good zoning and planning practices.*

The proposed CP/LUDC Amendment is consistent with sound zoning and planning practices in that it maintains consistency with the Comprehensive Plan and the LUDC and ensures that the Solar Facility and future utility-scale solar photovoltaic facilities will conform to, and be regulated by current LUDC zone district regulations. Further, the CP/LUDC Amendment supports federal and State mandates for the reduction of greenhouse gas emissions, as well goals and policies of the CP that promote alternative energy including Goal 5 and Policy 5.2.

C. AGRICULTURAL PRESERVE/WILLIAMSON ACT CANCELLATION FINDINGS

In compliance with Government Code (GC) Section 51282 (a)(1), or GC Section 51282(a)(2), the Board may grant tentative approval for cancellation only if it makes one of the following findings (1) that cancellation is consistent with the purposes of this chapter or that (2) cancellation is in the public interest:

Consistent with the Purposes of the Land Conservation Act, GC Section 51282(a)(1) and (b)(1)-(5): Cancellation shall be consistent with the purposes of the Land Conservation Act only if the Board makes all of the following findings:

1. *Cancellation is for land on which a notice of non-renewal has been served pursuant to GC 51245; and*

Bolthouse and the applicant have indicated they will serve a notice of non-renewal prior to docketing the petition for the Board of Supervisors hearing. Upon serving notice, the Proposed Project cancellation would be consistent with this finding at the time the Board makes these findings.

2. *Cancellation is not likely to result in the removal of adjacent lands from agricultural use; and*

The majority of cultivated land in the vicinity of the project is enrolled in a Williamson Act contract. With the exception of the 167-acre Redland field, agricultural lands in the vicinity of the project area would remain in Williamson Act contracts and are not proposed for non-renewal. Further, the project would not require sewer and public water service extensions, enlarged highway and road systems, and similar new urban or suburban infrastructure that can provide a platform for additional local development projects on agricultural lands. However, as discussed in Impact AG-1, the proposed expansion of commercial transmission lines in the vicinity of the project site has the potential to result in a development of utility-scale solar facilities within the remaining balance of 600 acres of agricultural lands in the Cuyama Rural Region, which could result in the removal of adjacent lands from agricultural use. Increased energy transmission infrastructure associated with the project could potentially result in limited removal of adjacent land from agricultural uses for energy-related development. However, contract cancellation in and of itself is not likely to result in removal of adjacent agricultural lands given the many factors that must be taken into consideration for a utility-scale photovoltaic solar facility or any other development that could impact agriculture. Any future projects would require separate discretionary permit review subject CEQA and analysis for consistency with all aspects of the Comprehensive Plan and Land Use Development Code. This discretionary review would occur at the project specific as well as cumulative project levels. For the proposed Project, as discussed in Section 6.2 “Comprehensive Plan Consistency” from the Planning Commission Staff Report dated July 3, 2014, incorporated herein by reference, with approval of the Comprehensive Plan and Land Use Development Code amendments, this project is consistent with the Comprehensive Plan. Therefore, the proposed project cancellation is consistent with this finding.

3. *Cancellation is for an alternative use which is consistent with the applicable provisions of the comprehensive plan; and*

The County of Santa Barbara’s Comprehensive Plan, contains numerous goals, policies, and actions (e.g. within the Agricultural Element, Energy Element, and Conservation Element, etc.) addressing land use compatibility, agricultural conversion, Williamson Act cancellation, and alternative energy production that are applicable to this project as discussed in Section 6.2 “Comprehensive Plan Consistency” from the Planning Commission

Staff Report dated July 3, 2014, incorporated herein by reference.. Concurrent with adoption of the proposed Comprehensive Plan and Land Use Development Code Amendments (CP/LUDC), the proposed partial cancellation would provide an opportunity to permit development of a utility-scale renewable solar energy project while balancing protection of other resources. The Agricultural Element includes several policies intended to preclude incompatible development adjacent to or on agricultural lands. The LUDC Amendments require approval of a discretionary Conditional Use Permit (CUP) to ensure that land use compatibility is maintained for utility-scale solar PV projects in the AG-II zone district given the CUP process specifically requires a finding of project compatibility with surrounding land uses. The Project would result in short-term construction-related impacts that may create temporary effects upon surrounding agricultural lands (e.g. dust-generating activities, construction vehicles and haul trucks on agricultural-rural roads, etc.). However, once operational, the proposed project would not result in significant levels of noise, dust, trip generation, would not significantly increase public service demands, and would not include habitable or sensitive receptor uses (e.g. schools, hospitals, residential). The proposed project would therefore be compatible with adjacent agricultural uses and would be consistent with applicable land use compatibility policies.

The implementation of an alternative energy production facility would be consistent with numerous other goals and policies of the County of Santa Barbara's Comprehensive Plan, particularly policies within the Energy Element, and Conservation Element. The County's Energy Element (County of Santa Barbara 2009b) contains several goals and policies to encourage opportunities for and use of renewable energy technologies (e.g., Goal 5, Policy 5.2, and Policy 5.4). In addition, the County's Conservation Element (County of Santa Barbara 2010) contains several recommendations applicable to the project including implementation of an aggressive conservation and alternative energy program (e.g., Recommendations 2, 4, and 7) as discussed in Section 6.2 "Comprehensive Plan Consistency" from the Planning Commission Staff Report dated July 3, 2014, incorporated herein by reference, with approval of the Comprehensive Plan and Land Use Development Code amendments, the proposed Project is consistent with the Comprehensive Plan. Therefore, the proposed project is consistent with this finding.

4. *Cancellation will not result in discontinuous patterns of urban development; and*

The Project includes a Solar Facility, which is proposed within the rural land use category of the Comprehensive Plan. Although energy production facilities are industrial in nature, they are not necessarily urban development. Comparable other energy facilities have historically occurred in the rural region of the County, including the Cuyama Valley (e.g. oil and gas production facilities). The project would not require sewer and public water service extensions, enlarged highway and road systems, and similar new urban or suburban infrastructure that can provide a platform for additional local development projects on agricultural lands. The project, therefore, would not create nor result in a discontinuous pattern of urban development, nor would it result in the development of infrastructure that would potentially induce urban development in the project vicinity. The proposed project cancellation is consistent with this finding.

5. *There is no proximate non-contracted land which is both available and suitable for the proposed use or development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.*

The applicant selected the project site after an extensive search for suitable sites within the region as documented in the *Property Search Report*, Appendix E of the Final EIR incorporated herein by reference. Site selection criteria included high solar insolation; parcel size and layout; close proximity to existing transmission infrastructure with sufficient available capacity; relative flatness to minimize grading and site disturbance required to construct the project; lack of special status species and wildlife corridors and very low potential for onsite habitat; distance from rivers, washes, and other natural drainages; and relatively limited agricultural value when compared to surrounding lands. As documented in the *Property Search Report*, there were no non-contracted lands within the vicinity that were available for purchase and had the necessary attributes for a large-scale solar facility in order to serve as a practical alternative for the proposed development. In addition, the County-prepared solar utility opportunities map presented in Figure ES-2 of the Final EIR incorporated herein by reference, for AG-II zoned parcels in the inland portion of the County, supports the finding that there is no proximate non-contracted land available and suitable for a utility-scale solar development project. The proposed project contract cancellation is consistent with this finding.

Cancellation is in the Public Interest, Government Code section 51282(a)(2) and (c): Cancellation of the contract shall be in the public interest only if the Board makes the following findings:

1. *Other public concerns substantially outweigh the objectives of the Williamson Act pursuant to G.C. section 51282(a)(2) and (c)(1).*

The proposed project would provide approximately 110,000 megawatt-hours (MWh) of renewable energy annually, which would assist the State of California in meeting the requirements of the Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32), which set the mandate that state greenhouse gas emissions be reduced to 1990 levels by the year 2020. Through the California Renewable Energy Resources Act (SBX1-2) passed in 2011, California's Renewable Portfolio Standard requires all California utilities to generate 33% of their electricity from renewable sources, including solar, by 2020. The legislature found that achieving this standard would provide unique benefits to California, including:

- Displacing fossil fuel consumption within the state;
- Adding new electrical generating facilities in the transmission network within the Western Electricity Coordinating Council service area;
- Reducing air pollution in the state;
- Meeting the state's climate change goals by reducing emissions of greenhouse gases associated with electrical generation;
- Promoting stable retail rates for electric services;
- Meeting the state's need for a diversified and balanced energy generation portfolio;
- Assistance with meeting the state's resource adequacy requirements;
- Contributing to the safe and reliable operation of the electrical grid, including providing predictable electrical supply, voltage support, lower line losses, and congestion relief; and
- Implementing the state's transmission and land use planning activities related to development of eligible renewable energy resources.

Policies from the federal government similarly promote the rapid expansion of renewable energy to both reduce greenhouse gas emissions and increase national security by diversifying the nation's energy resources. Consistent with these policies, the County Comprehensive Plan encourages the use of alternative energy, as discussed in Section 6.2 "Comprehensive Plan Consistency" of the Planning Commission Staff Report dated July 3, 2014, incorporated herein by reference. The project would contribute to achieving renewable energy goals to address public concerns related to greenhouse gas (GHG) emissions and climate change, energy security, and fossil fuel dependence among others. Although this project would result in the loss of 167 acres of contracted land, these important public policy concerns noted above outweigh the objectives of the Williamson Act.

In addition, the Project would be permitted to require permanent preservation of off-site agricultural land at a ratio of 1:1 through one of four methods, which include: 1) funding and purchase of agricultural conservation easements; 2) purchase of credits from an established agricultural farmland mitigation bank; 3) contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; or 4) participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above, as determined by the County. Special Mitigation Measures SPEC-AG-2 and SPEC-AG-3 require submittal of a Demolition and Reclamation Plan (SPEC-AG-2) and financial assurance (SPEC-AG-3) to require the use of the land be returned to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time a utility-scale solar facility ceases operation.

The applicant, Cuyama Solar LLC, has secured a Power Purchase Agreement (PPA) with Pacific Gas & Electric (PG&E) for the purchase of all power generated from the Solar Array facility. The PPA assures that the benefit of producing approximately 110,000 MWh of electricity annually (equal to the annual electricity consumption of more than 15,600 average California households) would be realized by PG&E, a public utility, in support of California's Renewable Portfolio Standard. Solar photovoltaic facilities produce nominal GHG emissions during long-term operations and would generate GHG-free electricity offsetting CO₂ and other emissions that would have resulted from producing an equivalent amount of electricity from fossil fuel-fired electric generators. Based on data from the California Climate Action Registry (CCAR) Database and the Power/Utility Protocol (PUP) Report (2007), emissions factors from PG&E fossil-fuel based power plants, the Solar Array facility would offset approximately 30,000 metric tons of CO₂ emissions.

In addition to the benefits realized by reducing GHG's related to energy production, the Solar Array facility would reduce groundwater use in the Cuyama Valley groundwater basin currently used for agricultural irrigation. Approximately 960-acre feet per year of water extracted from the basin is used to irrigate various crops on the 327-acre Solar Array facility site. Because the Cuyama Valley groundwater basin is currently in a state of overdraft, the effect of the project on groundwater would be beneficial to groundwater supplies.

The Department of Conservation (DOC) in its May 22, 2013 letter provided guidance that the County should in its deliberations demonstrate that the County's agriculture and open space objectives, which are protected by the Williamson Act, are substantially outweighed by other concerns that are deemed in the public interest. The letter makes no objections to the County's process for the proposed contract cancellation. On February 7, 2014 the

Agricultural Preserve Advisory Committee (APAC) considered the cancellation request and found by a vote of 3-0, that the project is consistent with the Uniform Rules. The APAC meeting minutes state in part, “Based on the EIR information from the applicant and the Solar Company the project meets the criteria in Uniform Rules 6-1.2 1a & b (Contract Cancellation). This project has substantial public interest and is not likely to result in the removal of adjacent land from agriculture.”

The partial-cancellation of 167 acres of Williamson Act contract 76-AP-072 for the Solar Array facility will result in a loss of approximately .03% of all land currently enrolled in the County’s Agricultural Preserve/Williamson Act program. The public concerns which support the objectives of the Williamson Act would continue to be realized through the County’s implementation of the Uniform Rules for the remainder of the 531,537 acres enrolled in the program, including the 1,362-acre portion of contract 76-AP-072 that would remain under contract. The Solar Array facility would support and assist achieving California’s Renewable Portfolio Standard, reduce GHG emissions, and reduce Cuyama Valley groundwater use. These public concerns substantially outweigh the objectives of the Williamson Act. Therefore, the proposed contract cancellation is consistent with this finding.

2. *There is no proximate non-contracted land which is both available and suitable for the proposed use, or development of the contracted land would provide more continuous patterns of urban development of proximate non-contracted land pursuant to G.C. 51282(a)(2) and (c)(2).*

The applicant selected the project site after an extensive search for suitable sites within the region (refer to *Property Search Report*, Appendix E of FEIR incorporated herein by reference). Site selection criteria included high solar insolation; parcel size and layout; close proximity to existing transmission infrastructure with sufficient available capacity; relative flatness to minimize grading and site disturbance required to construct the project; lack of special status species and wildlife corridors and very low potential for onsite habitat; distance from rivers, washes, and other natural drainages; and relatively limited agricultural value when compared to surrounding lands. As documented in the *Property Search Report* in Appendix E of the Final EIR, there were no non-contracted lands within the vicinity that were available for purchase and had the necessary attributes for a large-scale solar facility in order to serve as a practical alternative for the proposed Project. In the May 22, 2013, Department of Conservation letter, the DOC states “The Department believes the information provided in the petition supports the finding that there is no available and suitable proximate non-contracted land for the proposed use.” In addition, the EIR looked at alternative sites for the Solar Facility on non-contracted land within a 10-mile radius of the PG&E substation. The EIR identified significant and unavoidable impacts to aesthetic and visual resources and agricultural resources after mitigation as a result of the Solar Facility. For a majority of the properties within the 10-mile radius area, potential alternate sites were limited because these areas have slopes that are incompatible with solar facility development, have drainage issues that make development problematic, contain prime soils, and/or may contain sensitive native habitat and species. Additionally, several alternatives did not meet the proposed project objectives. The alternatives analysis presented in the Final EIR and incorporated herein by reference, supports finding that there is no proximate non-contracted land available and suitable for a utility-scale solar development. Therefore, the proposed project contract cancellation is consistent with this finding.

D. LOT LINE ADJUSTMENT FINDINGS

In compliance with Section 21-93 of Chapter 21 (Subdivision Regulations), prior to the approval or conditional approval of an application for a lot line adjustment the review authority shall first make all of the following findings:

1. *The Lot Line Adjustment is in conformity with the County General Plan and purposes and policies of Chapter 35 of this Code, the Zoning Ordinance of the County of Santa Barbara.*

As discussed in Sections 6.2 and 6.3 of the Planning Commission Staff Report dated July 3, 2014, Section 2.5.3.5 of the proposed Final EIR, and preceding Finding B.2, the Lot Line Adjustment is consistent with applicable policies of the Comprehensive Plan and the Zoning Ordinance of the County of Santa Barbara. The Lot Line Adjustment will conform to the A-II land use designation requirements, the LUDC AG-II zone district regulations, and the County Code, Chapter 21 Land Division Regulations pertaining to lot size and design.

2. *No parcel involved in the Lot Line Adjustment that conforms to the minimum parcel size of the zone district in which it is located shall become nonconforming as to parcel size as a result of the Lot Line Adjustment.*

All existing and resultant parcels involved in the Lot Line Adjustment conform to the minimum parcel size of the AG-II zone district (Proposed Parcels 1 and 2 would be zoned AG-II-100 and would exceed the 100-acre minimum parcel size; Proposed Parcel 3 would be zoned AG-II-40 and would exceed the 40-acre minimum parcel size).

3. *Except as provided herein, all parcels resulting from the Lot Line Adjustment shall meet the minimum parcel size requirement of the zone district in which the parcel is located.*

All parcels resulting from the Lot Line Adjustment conform to, or are greater than the AG-II-40 minimum parcel size requirement of 40 acres (Proposed Parcel 3) and AG-II-100 acres (Proposed Parcels 1 and 2).

4. *The Lot Line Adjustment will not increase any violation of parcel width, setback, lot coverage, parking or other similar requirement of the applicable zone district or make an existing violation more onerous.*

No violations exist on the subject parcels and no violation of parcel width, setback, lot coverage, etc. would result from the LLA.

5. *The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective County Ordinances: Land Use and Development Code (Section 35.101.20 and 25.101.30).*

The subject lots are in compliance with all laws, rules, and regulations of the County's zoning ordinances.

6. *Conditions have been imposed to facilitate the relocation of existing utilities, infrastructure and easements.*

In the case of the Proposed Project, PG&E opined that existing utilities, infrastructure and easements will stay in place with no need of relocating. In order to accommodate the proposed Solar Facility, Cuyama Solar would construct and operate a new 3-mile, 70-kV Gen Tie-Line to transmit the electricity generated by the Solar Array to the PG&E Cuyama Substation for connection to the grid. A Franchise Agreement will be recorded as part of the project to ensure the Gen Tie-Line will not interfere with or cause the relocation of any existing utilities, infrastructure or easements. An approximately 19,600-sf Switchyard would be constructed on the north side of the existing approximately 20,275-sf PG&E Cuyama Substation. No other utility or infrastructure improvements are required for the proposed LLA; therefore, this finding is made.

6.0 CONDITIONAL USE PERMIT FINDINGS

In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

1. *The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed;*

The proposed Solar Array site is located on 327 acres of agricultural land and is adequate in terms of location, physical characteristics, shape and size to accommodate a 40 MW solar photovoltaic facility. The site has been selected to accommodate the size and use of the project, including physical characteristics such as topography and existing roadway infrastructure. Therefore, this finding is made.

2. *Environmental impacts.*

a. Within the Coastal Zone adverse environmental impacts will be mitigated to the maximum extent feasible.

The proposed project is not located within the Coastal Zone.

b. Within the Inland area significant environmental impacts will be mitigated to the maximum extent feasible.

Section 6.0 of the Planning Commission Staff Report dated July 3, 2014 discusses the significant impacts that would result from the Proposed Project and specific Development Standards and project-specific mitigation measures which would be adopted from implementation of the Project. Impacts associated with visual and agricultural resources and land use compatibility cannot be mitigated to less than significant levels. Condition of Approvals and Development Standards are being adopted to mitigate these significant

impacts to the maximum extent feasible. These mitigations include implementing: implementing aesthetic design treatment features; reducing night time lighting; reducing day time glare; locating utility-scale solar facilities away from scenic or eligibly scenic highways; requiring permanent preservation of off-site agricultural land at a ratio of 1:1 for net acreage before conversion of prime agricultural land for solar facilities; and requiring preparation of a Demolition and Reclamation Plan and financial assurances necessary to guarantee removal of the facility and allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time of removal. Therefore, this finding is made.

3. *Streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.*

Because the Solar Array would be operated and monitored remotely, long term traffic is not expected to increase as a result of the project. During construction, it is expected that a maximum of 360 workers would be employed, and daily construction trips would peak at 837 daily trips. Daily traffic volumes would be well below the roadway operational design standards. Therefore, this finding is made.

4. *There will be adequate public services, including fire protection, police protection, sewage disposal, and water supply to serve the proposed project.*

The Solar Array would not result in an increase in population, and thus would not have a significant impact on existing police protection, fire protection, or health care services. Additionally, the proposed project once operational would not result in water demand or need for wastewater disposal. Therefore, this finding is made.

5. *The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will be compatible with the surrounding area.*

The Project site is located in an agricultural area used for cultivated agriculture purposes and scattered rural residences. Human activity is limited in this area; therefore, noise levels are typically limited. Noise levels are occasionally elevated, though, due to nearby traffic and agricultural machinery and practices. Short-term nuisance factors associated with the project, including construction traffic, construction noise, and construction dust generation would be addressed with application of standard project conditions and special mitigation measures. Standard Mitigation Measure NOISE-04 would shield equipment; Standard Mitigation Measure NOISE-05 and SPEC-NOI-4 would require adjacent property owners to receive a construction schedule and advanced notice of construction phases; SPEC-NOI-1 would limit construction hours; SPEC-NOI-2 would require noise barriers; and SPEC-NOI-3 would require noise-reducing features on equipment.

During the operational phase, the project would not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood. Operation of the Solar Array would not create Right-to-Farm or other nuisance impacts to adjacent productive agricultural operations because the Solar Array would not result in a significant amount of particulates after the construction phase is complete, would include a weed abatement

program, and would tolerate dust, pesticides, and herbicides from nearby agricultural operations. Night time lighting and day time glare would be addressed to the extent possible by application of standard project conditions and special mitigation measures. Mitigation Measures SPEC AV-1 through AV-3 would require aesthetic design treatments, board architectural review, low intensity lighting, and low-glare materials provide compatibility of the Solar Facility with the existing agricultural landscape. Additionally, the Solar Array does not propose any habitable use or uses for sensitive receptors that may be detrimental to the comfort, convenience, general welfare, health and safety of the surrounding area.

Technical requirements of solar PV projects often require development components that could be highly visible (e.g., 110-foot tall transmission and telecommunication towers, and other solar components). However, the application of standard project conditions and special mitigation measures help blend the facility with the existing environment to the extent feasible. Measures SPEC AV-1 through AV-3 would require aesthetic design treatments, board architectural review, low intensity lighting, and low-glare materials provide compatibility of the Solar Facility with the existing agricultural landscape. Therefore, the project may be found consistent with policy and compatible with the rural character of the area, to the maximum extent feasible in consideration of technical requirements. Therefore, this finding is made.

6. *The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.*

The proposed project includes amendments to the Comprehensive Plan and Land Use Development Code which would allow for Utility-Scale Solar Photovoltaic (PV) facilities within certain areas of the Cuyama Valley Rural Region, including the project site. With approval of the accompanying CP/LUDC Amendments and as discussed in Sections 6.2 and 6.3 of the Planning Commission Staff Report dated July 3, 2014, the proposed project is in compliance with all applicable laws, rules, and regulations of the County's zoning ordinances and Comprehensive Plan.

7. *Within rural areas as designated on the Comprehensive Plan maps, the proposed use will be compatible with and subordinate to the rural and scenic character of the area.*

Implementation of the Solar Array and Gen Tie-Line would result in significant and unavoidable impacts due in part to changes in the visual character through the alteration of natural topography with the implementation of graded development sites, introduction of high-contrast tones between native or agricultural vegetative coverage, installation of dark solar PV arrays, and alteration of rural textures of land with smooth-surfaced solar PV materials. However, specific Mitigation Measures SPEC-1, SPEC-2, and SPEC-3 would require aesthetic design treatments, low-intensity lighting, and reduced of glare, which would minimize the visual intrusion of the Solar Array and Gen Tie-Line.

Future utility-scale solar photovoltaic facilities allowed by the CP/LUDC Amendments would also potentially impact visual resources, similar to the Solar Array. Development Standards AV-1 through AV-4 address avoidance of scenic highways, aesthetic design treatments, low-intensity lighting, and minimization of glare, which would minimize the visual intrusion of new solar facilities. Additionally, siting, intensity of use, and potential

visual impacts of future solar facilities would be assessed on a case-by-case basis through the Conditional Use Permit and CEQA processes for future solar projects.

Technical requirements of solar PV projects often require development components that could be highly visible (e.g., 110-foot tall transmission and telecommunication towers, and other solar components). However, with approval of the Development Standards included in the CP/LUDC amendments and Specific Mitigation Measures included in the Cuyama Solar facility project (Specific Mitigation Measures SPEC-1, SPEC-2, and SPEC-3), the project is consistent with policy and compatible with the rural character of the area, to the maximum extent feasible in consideration of technical requirements. Therefore, this finding is made.

7.0 TELECOMMUNICATION FINDINGS

In compliance with Subsection 35.44.010 of the County Land Use and Development Code, prior to the approval of [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#), in order to approve an application to develop a telecommunication facility, the review authority shall also make the following findings:

- 1. The facility will be compatible with the existing and surrounding development in terms of land use and visual qualities.*

In part due to the height of the proposed telecommunications facilities at the Solar Array substation and Switchyard, the EIR identified significant aesthetic impacts related to scenic vistas and recreational resources (Impact AV-5 and Impact AV-10), visual character (Impact AV-7 and Impact AV-11), increased night lighting (Impact AV-8), and increased daytime glare (Impact AV-9). While these impacts are mitigated to the extent feasible, they remain significant and unavoidable. Special Mitigation Measures SPEC-AV-1 requires aesthetic design treatments to be applied to and maintained for all structures to minimize the impact on the existing visual character and quality and SPEC-AV-3 requires that solar panels and hardware shall be designed to minimize glare and spectral highlighting. The Northern Board of Architectural Review reviewed the project and is requiring the applicant to paint the micro-wave towers and dishes pursuant to an approved Aesthetic Design Treatment Plan.

The Board recognizes that technical requirements of solar PV projects often require development components that could be highly visible (e.g., 110-foot tall transmission and telecommunication towers, and other solar components) and has previously viewed the importance of renewable energy production policies and mandates to support a finding of consistency for renewable energy projects. Therefore, the project is found consistent with policy and compatible with the rural character of the area, to the maximum extent feasible in consideration of technical requirements. Therefore, this finding is made.

- 2. The facility is located to minimize its visibility from public view.*

The Project has been sited remotely to limit its visibility from eligible scenic highways, primary roadways, and communities in the vicinity of the Project site. While the Project site would result in relatively few viewers being impacted, the change in the visual character of the area was determined to be a significant and unavoidable impact. Mitigation Measure SPEC-AV-1 requires that exterior surfaces be treated with a dull finish or using standard environmental coloring to minimize contrast with the existing landscape to the

extent feasible. Mitigation Measures from the Final Environmental Impact Report requiring that metal surfaces be treated to minimize contrast and reflective properties would further reduce visibility. Therefore, this finding is made.

3. *The facility is designed to blend into the surrounding environment to the greatest extent feasible.*

While visual impacts would remain significant and unavoidable, the Project has been designed to blend to the surrounding environment to the greatest extent feasible. Mitigation Measure SPEC-AV-1 requires that exterior surfaces be treated with a dull finish or using standard environmental coloring to minimize contrast with the existing landscape to the extent feasible. Therefore, this finding is made.

4. *The facility complies with all required development standards unless granted a specific exemption by the review authority as provided in Subsection D. (Additional development standards for telecommunication facilities) above.*

With the adoption of the CP/LUDC Amendments, the telecommunication facilities included in the project are consistent with all applicable development standards.

5. *The applicant has demonstrated that the facility shall be operated within the frequency range allowed by the Federal Communications Commission and complies with all other applicable safety standards.*

The applicant engineer submitted a letter, dated July 10, 2014, stating that the Project's telecommunication components shall be operated within the frequency range allowed by the Federal Communications Commission (FCC). The applicant shall submit a Radio Frequency Study, by Hammett & Edison, Inc., demonstrating that the Project would be in compliance with FCC's rules, regulations, and standards prior to the July 22, 2014 Planning Commission hearing. The proposed telecommunication facilities included in the project would be used solely for the solar facility and are required for operation of the facility. Existing infrastructure in the area could not be utilized for this purpose due to technical requirements. Therefore, this finding can be made.

6. *The applicant has demonstrated a need for service (i.e. coverage or capacity) and the area proposed to be served would not otherwise be served by the carrier proposing the facility.*

The proposed telecommunication facilities are solely for the use of the solar facility and associated infrastructure and are required for operation of the facility. Existing infrastructure in the area could not be utilized for this purpose due to technical requirements. Therefore, this finding can be made.

7. *The applicant has demonstrated that the proposed facility design and location is the least intrusive means feasible for the carrier proposing the facility to provide the needed coverage.*

The proposed telecommunication facilities are solely for the use of the solar facility and associated infrastructure and are required for operation of the facility. Technical

requirements dictate the height and location of these facilities, as demonstrated in the EIR. Therefore, this finding can be made.

G:\group\energy\alternative energy projects\cuyama solar\pc staff report\attachments to PC staff report\Attach A - Findings

ATTACHMENT B
CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT
LAND USE DEVELOPMENT CODE, CHAPTER 35
CASE NO. 10CUP-00000-00008

Cuyama Solar Project Conditional Use Permit

- A. A Conditional Use Permit is Hereby Granted:

TO: Cuyama Solar, LLC.

APN's: 149-150-029, -149-150, 030, 149-150-031, 149-150-032, 149-140-076, 149-150-039, 149-140-041, 149-330-001, and 149-010-049

PROJECT ADDRESS: 596 Kirchenmann Road, Cuyama,

ZONE: AG-II-100 and AG-II-40

AREA/SUPERVISORIAL DISTRICT: First

FOR: Cuyama Solar Project

- B. This permit is subject to compliance with the following condition(s):

1. Proj Des-01

This Conditional Use Permit is based upon and limited to compliance with the project description, the Board of Supervisor's hearing exhibits marked A-N, dated X, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations.

The project description is as follows:

Description of Solar Facility

The Solar Facility will involve construction of an approximate 40-MW solar PV power-generating facility. The following describes the facilities, construction, operations and maintenance, and demolition and reclamation plan. The Solar Facility consists of three main components, the Solar Array, the Gen Tie-Line and Switchyard. The PG&E Cuyama Substation Additions are separate because they are not under the County's jurisdiction.

Solar Array

The Solar Array component will consist of thin-film PV modules that convert sunlight directly into low-voltage direct current. During the PV module manufacturing process, the semiconductor material, composed primarily of the stable compound cadmium telluride (CdTe), is bonded to a sheet of glass using a proprietary Vapor Transport Deposition process.

The use of an industrial laminate material and a second sheet of glass sequesters the semiconductor material between two sheets of glass, thereby encapsulating the semiconductor material. The PV effect (the process of converting light to electricity) allows electrons to flow through the material to produce electricity. The Solar Array will consist of approximately 600,000 PV modules.

The 2-foot-by-4-foot PV modules are mounted on 60-foot long steel and aluminum support structures in a horizontal tracking device that follows the sun. The mounted modules will be arranged in north/south rows and powered by a direct current drive motor to track the east/west path of the sun on a single axis throughout the day. The tracking structures will be supported by vertical posts that will be driven up to 10 feet into the ground. The highest point for a horizontal tracker occurs during the early morning and evening hours; at the maximum angle, the height above the grade is approximately 13 feet. When horizontal, the trackers are approximately 5 feet above grade.

Rows of mounted PV modules combined together create one system called a solar array. Each solar array is approximately 7 acres, and the Solar Array site will have approximately 34 solar arrays arranged in a grid pattern. Direct current output from the PV modules in each array will be routed to a Power Conversion Shelter (PCS), one of which is located at each array. Each PCS will be mounted on a concrete pad, covering approximately 420 sf, with a maximum height of 11 feet. Each PCS will contain two direct current to alternating current inverters and one step-up transformer with an output voltage of 34.5 kV. Each PCS will be equipped with communication equipment to control operation of the tracker units and detect anomalous conditions wirelessly. The PCS will also be equipped with emergency backup power to rotate the tracker units to their stowed position in the event of high winds and a loss of the primary 70-kV electrical connection between the Solar Array and the electrical grid. The emergency backup power system will be battery powered.

It is anticipated that each array will be capable of producing approximately 1.26 MW of electricity. The number of arrays to be constructed on the Solar Array site will account for collection and transmission losses, thereby allowing the Solar Array to deliver a net 40 MW at the point of interconnection. The Applicant states that it is continuously evaluating possible ways to improve upon the array design and the Solar Array's layout to achieve greater environmental and economic benefits. Therefore, it is possible that the PV arrays could be configured in larger array configurations within the same Solar Array footprint and with similar components.

The 34.5-kV output from multiple step-up transformers will be supplied to two PV combining switchgears (PVCSSs) via a network of underground cables. The PVCSS are approximately 33 feet long, 12 feet wide, and 11 feet high; one will be located within the Solar Array site on the northern boundary, west of Kirschenmann Road, and the other will be located within the Solar Array site on the northern boundary, east of Kirschenmann Road.

The 34.5-kV output from the PVCS will travel along aboveground lines to the Solar Array's onsite substation's transmission pole. The aboveground 34.5-kV lines will be installed on approximately 25 wooden poles, up to 45 feet tall.

The proposed Solar Array on-site substation will consist of transformers, switchgear, a static mast with a maximum height of 70 feet, a dead-end structure with a maximum height of 65-feet, and related equipment. The substation will occupy an area of approximately 38,700 sf; approximately 2,260 sf of this area will be impervious. Aside from the static mast and dead-end structure, the average height of the equipment in the substation will range between 20 and 25 feet. The substation will transform the 34.5-kV output to 70 kV for export to the local transmission system via the proposed Gen Tie-Line. The perimeter of the onsite substation will have an approximately 6-foot tall fence made of 2-inch chain link, with three strands of barbed wire running along the top. Located west outside the onsite substation will be a 90-foot telecommunications pole supporting one microwave dish up to three feet in diameter. Gated access into the substation will be provided at three locations.

At each corner of the Solar Array site, two anemometer towers (for a total of eight) up to 20 feet in height will be installed to monitor wind speed and communicate with the PCS in each array. The perimeter of the Solar Array property and construction area will be fenced. The fence will be 2-inch chain link, approximately 6 feet tall, with three strands of barbed wire along the top. The fence will be set back 30 feet from the property lines and will have a 6-inch clearance between the fence's bottom tension cable and the ground, allowing movement of small mammals, such as the San Joaquin kit fox, across the Solar Array site. A 20-foot wide dirt access road will be located within the fenced area and along the perimeter of the Solar Array site. Between each of the arrays, compacted dirt access roads 20 to 22 feet in width will run the length of the Solar Array site and connect with the perimeter dirt access road. Access to the Solar Array site will be through two locked gates installed along Kirschenmann Road. Identification signs for speed limits and safety will be posted along the perimeter roads.

Gen Tie-Line

The first approximately 1.5 miles of the Gen Tie-Line will be constructed from the Solar Array site along the east side of Kirschenmann Road to the intersection at Washington Street. The Gen Tie-Line poles will be a maximum of approximately 70 to 100 feet in height with the span between poles ranging from approximately 300 to 500 feet and made of galvanized steel or wood.

The Gen Tie-Line will then run approximately 1.5 miles west to the Cuyama Substation, along Washington Street, paralleling the existing PG&E line. The PG&E line travels on the south side of Washington Street for approximately 0.25 mile then crosses to the north side of Washington Street. The first approximately half mile (six poles) of the Project Gen Tie-Line

will be on the south side of Washington Street, south of the existing PG&E transmission line before the line will transition to the north side by crossing Washington Street and crossing under the existing PG&E line. (To accommodate the Project Gen Tie-Line, PG&E will install four to five 120-foot tall poles on its existing PG&E line on either side of this crossing location.) The Project Gen Tie-Line will then continue the remaining one mile west to the Cuyama substation on the north side of the existing PG&E line. The Gen Tie-Line will terminate on the north side of PG&E's Cuyama Substation at the proposed Switchyard. An easement approximately 80 feet in width (40 feet on each side of the poles) will be secured along the Gen Tie-Line route to provide for construction and maintenance of the Gen Tie-Line. The easement does not preclude farming operations, except for a 10-foot radius around each pole.

Switchyard

An approximate 19,600-sf Switchyard will be constructed on the north side of the existing 20,275-sf PG&E Cuyama Substation. The Switchyard and Substation will be separated by 80 feet, creating an approximate 11,200-sf area between the two facilities. The Switchyard will contain approximately 625 sf of impervious area. Components within the Switchyard will include approximately two poles with a maximum height of 70 feet, one approximately 400-sf circuit breaker (with a maximum height of 20 feet), and three metering units (with a maximum height of 20 feet), a 225-sf control and metering room (with a maximum height of 11 feet), and one 90-foot tall telecommunications pole on a 26-sf foundation pad. The telecommunication pole will support up to four microwave dishes, each dish approximately 3 feet in diameter and all spaced within 10 feet at the top of the pole. A ground grid up to 1,600 sf in area will be installed approximately two feet below the surface of the Switchyard.

Construction

Construction activities associated with the Solar Facility will require up to 14 consecutive months. Construction of the Solar Facility, including Gen Tie-Line with Switchyard and additions to the PG&E Cuyama Substation will include site preparation, equipment installation, testing, and site cleanup work. Table 1 identifies the construction equipment anticipated to be used in each phase of construction of the Solar Array site and Table 2 identifies construction equipment anticipated to be used in construction of the Gen Tie-Line and Switchyard and additions to the PG&E Cuyama Substation. Additionally, truck deliveries to the site will include a maximum of 728 trips to deliver the PV material (approximate distance of 158 miles from the Port of Long Beach to the Project site), a maximum of 888 trips to deliver the aggregate base for the access roads (if necessary), a maximum of 13 trips to deliver the substation materials, and a maximum of 50 truck trips to deliver the Gen Tie-Line materials.

Solar Array Grading and Site Preparation

Site preparation will be required for land areas where arrays and related infrastructure will be installed, driveways, temporary construction staging areas, and stormwater management improvements. The Solar Array site will be prepared using conventional grading techniques and, where possible, disk-and-roll micro-grading techniques to minimize ground disturbance.

The main logistics area during construction will be located in the north-central portion of the Solar Array site, west of Kirschenmann Road on approximately two acres. Two temporary construction field offices, four double-wide temporary subcontractors' trailers, one temporary construction guard house, 300 parking spaces, trash and recycling bins, and space for loading and unloading trucks will be set up to facilitate site preparation and construction of the solar arrays and associated infrastructure. Preparation work will include grading for the temporary trailers and parking area at the main logistics area.

Conventional grading will be performed throughout the Solar Array site to smooth the grade, as well as provide safe working conditions, and ensure that structural tolerances are met. Onsite detention basins will be excavated, as will areas where fill dirt will be placed to facilitate proper site drainage. Conventional grading will result in a balanced amount of cut and fill. Typically, this requires the use of larger equipment to excavate, transport, place, and recompact the soil. Scrapers, paddlewheels, haul vehicles, and graders may be used during this process.

Grading quantities are estimated at 155,000 cubic yards (cy) of cut and 124,000 cy of fill, which assumes 20% shrinkage of the cut material (approximately 31,000 cy). Import and export of soil is not anticipated. The site will be graded for no more than a 3% slope in all directions. The maximum north-south slope is a function of energy loss due to shading from upslope trackers. If the 2.35% grading limitation is exceeded, shading of PV modules will occur, and PV module output is extremely sensitive to shading.

In addition, the maximum north-south slope is a function of safe construction installation and safe operation maintenance/repair procedures. If the maximum slopes were to be exceeded, it will compromise the safe installation practices employed by the Applicant, especially with respect to maximum module lift height.

Water for construction activities will be provided by nearby wells owned by Bolthouse Properties, LLC, reclaimed water trucked in from the Cuyama Community Services District, or water imported via truck from a local source. Standard dust-control measures will be implemented in accordance with the standards of the Santa Barbara County Air Pollution Control District. Water will be used to wet the Solar Array site during grading activities and will keep dust levels within required limits. Water demand during the construction phase is estimated to be 125 acre-feet.

Table 1. Solar Array Construction Equipment

Quantity	Type	Hours of Daily Operation*
Grading and Site Preparation		
2	Grader	8
2	Roller	8
2	Tractor/loader/backhoe	8
4	Water truck	8
2	Rubber-tired loader	8
2	Rubber-tired dozer	8
2	Excavator	8
2	Scraper	4
Trenching (Underground Work)		
1	Generator sets	8
2	Off-highway trucks	8
1	Rollers	8
5	Tractor/loaders/backhoes	8
2	Trenchers	8
1	Auger/drill rigs	8
2	Water trucks	8
2	Excavators	8
Solar Array's Onsite Substation Construction		
1	Auger/drill rig	8
2	Tractor/loader/backhoe	8
1	Crane	8
1	Forklift	8
1	Aerial lift	8
1	Excavator	8
6	Off-highway trucks	8
2	Other equipment	8
1	Water truck	8
Solar Array Installation		
12	Forklifts	8
2	Generator sets	8
4	Truck/Track Mounted Post Driver	8
6	Other equipment	8
2	Excavators	8
1	Crane	8
2	Water trucks	8
3	Loader/backhoes	8
Quantity	Type	Hours of Daily

Quantity	Type	Hours of Daily Operation*
		Operation*
Facility Testing		
3	Pickup trucks	8
3	Generator sets	8
Clean-Up/Restoration		
2	Backhoes	8
* Based on worst-case assumptions to provide conservative estimates. See the "Construction Workers and Hours" section below.		

Table 2. Gen Tie-Line, Switchyard and PG&E Cuyama Substation Construction Equipment

Quantity	Type	Hours of Daily Operation*
1	Grader	8
1	Roller	8
1	Backhoe	8
2	Crane	8
1	Crawler tractor	8
1	Truck mount digger	8
1	Generator	8
1	Tension machine	8
1	Mechanics truck	8
1	Concrete truck	8
1	Dump truck	8
2	Flatbed truck	8
3	Pickup truck	8
1	Water truck	8
2	Wire puller truck	8
Based on worst-case assumptions to provide conservative estimates. See the "Construction Workers and Hours" section above.		

Construction water will be stored in a temporary pond located on the Solar Array site and adjacent to the existing irrigation reservoir during construction. The temporary pond will be approximately 1 acre in size and approximately 8 feet deep (i.e., 4 feet into the ground and surrounded by a 4-foot-high berm). No fill or stockpiling will be required. The pond will be lined with plastic and fenced. Once construction activities have been completed the temporary pond will be drained, the plastic lining removed, and the pond filled back in.

Where possible, the Solar Facility will employ disk-and-roll grading. The intent of the disk-and-roll technique is not to change the macro-level topography and existing drainage patterns but to contour the land consistent with the existing topography. The disk-and-roll approach uses conventional farming equipment. First, rubber-tired farming tractors with disking equipment will disk the top few inches of soil and existing vegetation. As with conventional grading, a water truck will remain close by to moisten the soil and minimize dust. The tractor may have to make several passes to disk the surface fully and meet the engineering requirements for construction.

After disking, the resulting elevations will be surveyed and evaluated by an engineer. In areas where localized undulation does not meet engineering construction standards, micrograding will be required. Micrograding (limited conventional grading) will require GPS-guided (or equivalent) grading equipment to displace the soil in high areas and then spread it to fill in low areas. This may include a box scraper pulled behind a tractor or conventional grading equipment. The micrograding technique to be employed will not significantly change existing site drainage.

Finally, a smooth drum roller and/or other land-leveling equipment may be used to even the surface and compact the top few inches of soil to the value recommended for structural support by the geotechnical engineer. Private perimeter and PCS access roads may be compacted to support emergency and construction vehicles.

Grading and trenching will also be required for the Solar Array components, the substation, and the placement of underground electrical and communications lines. Approximately 31,500 cubic yards of grading will be required for Solar Array support structures, such as the substation pad and retention basins. Additionally, approximately 10,500 cubic yards of grading would be required for construction of the substation. Approximately 65,000 linear feet of trenching at a depth of 3 feet will occur over the Solar Array site. Trenching may require the use of trenchers, backhoes, excavators, haul vehicles, compaction equipment, and water trucks. Removed soil from trenching (approximately 10,500 cy) will be placed back in the trenches. Large rocks and organic material will be removed.

After site preparation, pads for structures, equipment enclosures, and equipment vaults will be prepared according to the recommendations of the geotechnical engineer. Organic matter will be removed, and cut or fill work will be performed to meet the recommended geotechnical engineer specifications.

The Solar Array's onsite substation will require a relatively flat graded surface for proper operation. The interior will be covered with an aggregate surface for safe operation. Transmission poles will require drilling for foundations. Removed soil will be spread across the Solar Array site or placed near the transmission poles.

The Solar Array will result in a minor amount of temporary impervious surface during the construction period over the approximate 327-acre Solar Array site. The temporary construction staging and phasing area will result in approximately 9,072 sf of temporary impervious surfaces, which is approximately 0.06% of the Solar Facility site (or less than 1 acre).

The Solar Array preliminary grading and drainage plans are designed to limit increases to existing runoff rates and volumes. Compaction of the Solar Array site will occur during grading and construction. Relative compaction of 85% is proposed for the array site and 90% or higher for access roads.

A Stormwater Pollution Prevention Plan (SWPPP) that incorporates best management practices (BMPs) for runoff and erosion control will be prepared and approved prior to the start of construction. Erosion control during construction may include the use of silt fencing, straw bales, temporary catch basins, and/or inlet filters. Muck shakers, or a similar device, for truck tires may be installed to reduce the adverse effects of erosion and sedimentation. Stabilized construction entrances/exits that reduce the amount of soil carried by vehicle and equipment tires will be used to reduce sediment tracking onto adjacent public roadways.

The Solar Facility's SWPPP will also address issues related to managing typical construction pollutants and hazardous materials that may be generated or used during construction (e.g., fuel for construction equipment). Pursuant to state and County requirements, the SWPPP will be provided for County review and approval prior to the issuance of County grading and building permits for the Solar Facility. The SWPPP will be implemented by a Qualified SWPPP Practitioner (QSP) during all phases of construction. Additionally, the Solar Facility will comply with the requirements of the California Construction General Permit (Order 2009-0009-DWQ).

Solar Array Construction and Installation

Construction of the Solar Array will include the installation of support beams, module rail assemblies, PV modules, anemometer towers, inverters, transformers, and buried electrical cables. PV arrays consist of rows of steel racking, supported by vertical steel posts, spaced approximately 10 feet apart and driven into the ground up to 10 feet below grade. A truck/tracker-mounted post driver is a mechanical device used to drive steel posts into the soil to provide support to the tracker structure. The use of hydraulics rapidly applies many blows per minute to the posts, resulting in a vertical vibration to the posts. The PV modules will then be mounted on an angle to the steel racking.

Approximately 400 cy of pre-cast concrete and 450 cy of poured concrete will be required for electrical equipment pads as well as the substation transformer pad and secondary containment. Poured concrete will be purchased from a local supplier and transported to the site by truck. The PCS and associated skid-mounted transformers will have a precast concrete

base. The two proposed Conex storage containers will not require concrete pads. The Conex storage containers will be used to store spare parts, maintenance kits, first aid kits, and other equipment and materials customarily provided on site.

The total square footage of the proposed permanent structures (not including the solar modules) is approximately 18,700 sf (i.e., approximately 34 PCS enclosures at 420 sf each, eight anemometer tower footings at 20 sf each, two PVCS foundations at 450 sf each, two Conex storage containers at 320 sf each, transformer foundation at 1,620 sf, one approximately 520 sf relay room, and one approximately 130-sf PG&E meter room), one approximately 370-sf Site Control Center (SCC) Building, and one telecommunication pole pad at approximately 30 sf.

An Integrated Weed Management Plan (IWMP) will be prepared by the Applicant for County approval. The plan will be implemented during facility installation and will continue to be implemented throughout the life of the Solar Facility. The IWMP will help protect the surrounding agricultural crops and operations from the introduction of noxious weeds. The Applicant will use Santa Barbara County approved herbicides or mechanical weed removal methods, depending on which is most appropriate for the suppression or eradication of the weed species and their locations. The IWMP will describe when herbicides will be used, factors that will prohibit use of herbicides (such as high wind), and the specific type of herbicides proposed.

The Applicant states that it will follow all Federal Occupational Safety and Health Administration (OSHA) and California OSHA (CalOSHA) requirements in its construction and operating activities. A safety and compliance director will be assigned to the Proposed Project to ensure that safety is given high priority. A site-specific Health and Safety Plan will be developed, identifying the roles and responsibilities of every employee with respect to safety on the Proposed Project.

During construction of the Solar Array, any modules that are damaged, broken or found to be defective for any reason will be returned to First Solar's manufacturing facility in Ohio for recycling consistent with California (i.e., retrograde material) and Federal requirements where they will be recycled into new modules or for use in the other new products.

Gen Tie-Line and Switchyard Site Preparation/Construction

Construction, including site preparation, of the Gen Tie-Line and Switchyard is expected to last approximately 3 of the total 14 months of the Solar Facility construction schedule. All construction related activities occurring on public rights of way will be performed in a manner that will interfere as little as possible with the operations of other utilities, the convenience of the public, and will not create dangerous conditions. It is anticipated that the electrical service to utility customers may be interrupted when the line is being connected to the Cuyama Substation.

Construction staging for the Gen Tie-Line and Switchyard will be located within the designated laydown area on the Solar Array site. Temporary laydown may occur adjacent to the pole locations and in the space between the Switchyard and the existing PG&E substation.

Site Preparation for the Gen-tie line requires an area of approximately 100 feet by 70 feet around the base of each pole for temporary construction activities, including temporary laydown and pulling of the cable onto the structures. At corner pole locations where the Gen Tie-Line turns in direction, an additional pulling area is required, extending approximately 100 feet beyond the base of pole and the width of 70 feet.

Pole footings will be drilled, poles placed, and the soil backfilled and compacted. Approximately 2.7 cy of soil will be removed for each pole (final geotechnical investigations will determine exact requirements). The soil will be spread on the ground near each transmission pole location.

In some occurrences, such as at the corner or dead end poles, concrete foundations may be required. Raising of each pole will take approximately one to two days, and material installation and conductor stringing will follow. The total impervious surface for the poles will be approximately 160 sf.

If buried fiber is required for communications, optical cable will be buried at a minimum depth of 30 inches but will not exceed a depth of 5 feet, and will follow the same path as the approximately three mile Gen Tie-Line route. The trench will be designed to conform to County grading ordinance exemption standards. The trench will be dug approximately 1 foot wide but no greater than 2 feet. All soil will be returned to the trench and compacted.

The Switchyard will be constructed approximately 80 feet from the north edge of the existing PG&E Cuyama Substation and occupy an area of approximately 19,600 sf. The Switchyard pad area will involve leveling and compaction of the existing grade for installation of a gravel pad. The depth of the gravel pad (aggregate base) will be determined upon final geotechnical engineering. Grading quantities for the Switchyard pad are estimated at 1,500 cy of balanced cut and fill, and 800 cy of imported aggregate base. The Switchyard will have approximately 630 sf of impervious area for foundations for the circuit breaker, metering units, control and metering room, and telecommunication pole.

Any water required for the construction of the Gen-tie line and Switchyard will be acquired from the same source as the Solar Array site (provided by nearby wells owned by Bolthouse Properties, LLC; reclaimed water trucked in from the Cuyama Community Services District; or water imported via truck from a local source), and will be stored in a temporary pond located on the Solar Array site and adjacent to the existing irrigation reservoir during construction.

Hazardous Materials Handling

Most construction waste is expected to be nonhazardous, consisting primarily of cardboard, wooden pallets, copper wire, scrap steel, common trash, and wooden wire spools. The Applicant estimates 254 tons of construction waste going to Taft landfill via 26 10-ton dump trucks. First Solar PV modules are a commercial product and not a “hazardous material” subject to California or federal hazardous material management regulations. The semiconductor layer in First Solar’s cadmium telluride (CdTe) PV modules is in the environmentally stable form of a compound rather than the leachable form of a metal. The module design results in the encapsulation of the semiconductor material between two sheets of glass thereby preventing the exposure of CdTe to the environment. During construction of the Solar Array any modules that are damaged/broken or found to be defective for any reason will be returned to First Solar’s manufacturing facility for recycling consistent with California (i.e., retrograde material) and Federal requirements where they will be recycled into new modules or for use in other new products.

Limited quantities of hazardous materials will be stored or used on site. These include hydraulic fluids, diesel fuel, motor oil, grease, lubricants, solvents, adhesives, paints, mineral oil for transformers, and other petroleum-based products used in construction vehicles. Appropriate spill containment and cleanup kits will be kept onsite in the Conex storage containers during construction.

Construction Workers and Hours

The anticipated maximum number of onsite employees during construction will be approximately 360 workers. Construction workers will consist of laborers, electricians, supervisory personnel, support personnel, and management personnel. Daily construction trips are expected to peak at 837 daily trips. Construction work will generally occur during daylight hours of 7 a.m. to 6 p.m. Monday through Friday, and 7 a.m. to 5 p.m., during the winter months when daylight is reduced (November 1st through March 1st). However, non-daylight work hours or work on Saturdays and holidays may be necessary to make up schedule deficiencies or complete critical construction activities safely. For safety reasons, certain construction tasks, including final electrical terminations, must be performed after dark when no energy is being produced. If unforeseen circumstances arise during other phases of construction that will prevent the Solar Facility from meeting its schedule requirements, extended construction hours could also be applied during those situations. The Applicant estimates that no more than 15% of work will occur outside the standard construction hours. Construction work proposed outside the standard construction hours will begin at 6 a.m. and end at 10 p.m. Condition SPEC NOI-1 (Construction Hours) details the restrictions on construction hours more specifically and will take precedence over the construction hours described in this Condition (Proj Des-01).

During the construction phase, there will be a 24-hour guard present on site. In addition, the Solar Facility will be under continual surveillance by the supervising construction staff.

Operation and Maintenance

Once placed into service, the Solar Array will be operated and monitored remotely but with regular onsite personnel visits for security, maintenance, and system monitoring. This may include visits by up to five (5) personnel/technicians on a daily basis (Monday through Friday) during normal business hours to conduct routine preventative maintenance, such as equipment inspection and replacement. However, no onsite operations and maintenance building is proposed. Because the Solar Array will produce electricity passively, maintenance requirements will be minimal. Required planned maintenance will be scheduled to avoid periods with peak loads, and unplanned maintenance will typically be responded to as needed depending on the event. Routine maintenance and replacement will occur primarily during daylight hours (approximately 75% of the work), although maintenance activities during non-daylight hours will be necessary to complete critical maintenance activities (approximately 25% of the work). For the safety of the workers, nighttime maintenance during non-generation hours will be conducted for specific pieces of electrical equipment. The Applicant states that work on the arrays will need to be done during non-daylight hours. The non-daylight hours will occur 2 to 6 hours after sunset to de-energize, repair, and re-energize the equipment. Preventive maintenance kits and certain critical spares will be stored on site in the Conex storage containers, while all other components will be readily available from an offsite warehouse facility. Portable toilets on trailers will be located near the Conex structures. The trailer may be deployed to maintenance locations, when necessary.

During Solar Array operations, routine rinsing of the PV modules is anticipated to occur up to two times per year. Rinsing would occur during the winter months to the extent feasible. The water for rinsing the modules will be treated for this purpose (i.e., distilled or similar) and therefore will need to be trucked to the site. Other than the rinsing of the modules, the Solar Facility will not use any water during the operational phase. No vegetative landscaping is proposed with the Solar Facility.

The Gen Tie-Line with Switchyard operation and maintenance will be similar to the operations and maintenance practices for other electric lines within the region. Operations and maintenance activities for the Gen Tie-Line with Switchyard will include annual visual inspections by the Applicant to ensure that the system is in good condition and will not create hazards. Routine fire management and safety practices will include maintaining a minimum 10-foot radial clearance of flammable fuels (vegetation) around the base of each pole structure during fire season, as required under Public Resources Code, Section 4292; a minimum 15-foot clearance between vegetation and wire conductors is required for safety and to minimize tree-related outages. In addition, the maintenance program will also include

removing dead, rotten, or diseased trees or vegetation that hang over or lean toward the system, creating a falling hazard.

Lighting

Permanent nighttime lighting will be installed for security and maintenance purposes for the Solar Facility and Switchyard. All lighting during the operational phase will be controlled or reduced using fully shielded, down-directed, area-specific lighting and/or reduced lumen intensity, with the exception of aviation warning lights on the telecommunications poles at the Solar Array substation, Switchyard, and PG&E Cuyama Substation. Lighting will be present at the main Solar Array access road entrance, PCS enclosures, Conex storage containers, and onsite substation. Temporary portable service lighting will be used occasionally in other portions of the solar array for operations and maintenance activities.

Each PCS Shelter will have a hooded motion sensor light above the door to allow access after hours, if needed. The two Conex storage containers will be lit by pole-mounted, hooded, and shielded downward lighting, up to 20 feet in height.

At the onsite substation and at the Switchyard, service lighting will be provided by floodlights and will be controlled by a manual switch when the substation is attended (for periodic maintenance). One exterior light attached to the control enclosure will remain on during nighttime hours and will be shielded. Floodlighting will be directly aimed and fully shielded to minimize light spillage outside the substation.

Temporary portable service lighting will be provided by floodlights. Floodlighting will be directly aimed to minimize glare and light, fully shielded to prevent light spillage outside the Project fenced area, and turned off after completion of the work. The Applicant states that low pressure sodium or amber light-emitting diode (LED) lighting will be used wherever feasible for floodlights. Metal halide lighting will only be used when necessitated by specific work tasks, will be less than 4500 Kelvin color temperature, and will not be used for dusk-to-dawn lighting.

Fire Control

The Solar Facility area generally consists of agricultural uses and is not located in a Very High Fire Hazard Severity Zone, as delineated by the California Department of Forestry and Fire Protection (CalFire). However, the County designates the Solar Facility area as a "High Fire Hazard Area" subject to compliance with development regulations. All development within fire hazard areas is subject to CUP regulations and review by the County Fire Prevention Officer. Potential fire hazards occurring on the Solar Facility site include but are not limited to an increase in ignition sources, personnel who smoke cigarettes, and vehicle exhaust systems. The Solar Facility will have a fire prevention plan approved by the County Fire Department per applicable County regulations. Additionally, as discussed above, an

Integrated Weed Management Plan (IWMP) will be prepared for the Solar Facility for the purposes of fire protection. The IWMP will incorporate guidelines and conditions from the County Fire Department to address the removal or maintenance of natural vegetation on the property and under the solar modules for fire protection. The County Fire Department requires that grasses, weeds, and other vegetation at the Solar Facility site be maintained at heights that are ideally no taller than 4 inches.

Solid and Nonhazardous Waste

The Solar Facility will generate approximately 4 cy of solid wastes a month during operation. Nonhazardous facility wastes may include broken and rusted metal, electrical materials, empty containers, and other miscellaneous solid wastes, including the typical refuse generated by workers. Recyclable materials will be recycled and other waste will be disposed of at a nearby landfill.

Hazardous Materials

Limited quantities of hazardous materials will be stored or used on site. These will include hydraulic fluids, diesel fuel, motor oil, grease, lubricants, solvents, adhesives, paints, mineral oil for transformers, and other petroleum-based products used in vehicles.

Franchise Agreement

The portion of the Gen Tie-Line within the County road right of way (ROW) along Kirschenmann Road requires County Board of Supervisors approval of a franchise agreement. The franchise agreement, similar to a lease, will identify the terms between the County and the franchisee (describe infrastructure, and installation and maintenance of infrastructure and the amount the franchisee will pay to use the ROW). Franchise agreements are typically required for private facilities within County ROW.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

Solar Facility Demolition and Reclamation

The anticipated life of the Solar Facility is 30 years. At the end of its useful life, the Solar Facility could be repowered by replacing its solar panels, renovated, or otherwise upgraded. The facility may also be decommissioned and removed. The decision to repower or decommission will depend on the energy economics at the time, technological options, and other considerations.

At the end of the Solar Facility's life, the Applicant will be required to submit a detailed demolition and reclamation plan that is appropriate at the time of decommissioning and

removal. All structures and equipment at the site will be dismantled and removed, and the land will be restored to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at that time. Suitable reclamation will be determined by environmental review and consistency with land use and other guiding standards in place at the time.

The Applicant has submitted the following demolition and reclamation plan, which is representative of the procedures that will occur during facility decommissioning, consistent with the current agricultural land use designation:

- Removal of solar PV panel structures and associated aboveground equipment.
- Removal of overhead poles and aboveground electricity lines on site within the Solar Facility area.
- Removal of fencing material, gates, posts, and concrete foundations.
- Removal of onsite substation, if Applicant-owned (if a public or private utility assumes ownership of the substation during Solar Facility operation, the substation may remain onsite to be used as part of the utility service to supply other applications).
- Decompaction of the general site and excavation of backfilled areas to restore site for use in agriculture. No major grading or amending of the soil is proposed.
- Removal and decompaction of roads, unless the future landowner determines that some of the roads will be beneficial for future use of the site.
- Removal of buried equipment to an appropriate depth below grade to not inhibit agricultural uses or uses onsite that are consistent with current land use plans, policies, and zoning requirements in place at that time.

The PV module manufacturer offers CdTe module collection and recycling services. Since 2005, First Solar, the PV module manufacturer, has operated the first global and comprehensive module collection and recycling program in the PV industry.

As stated above, the County will require a more detailed demolition and reclamation plan at the time of decommissioning. As such, the impacts of demolition and reclamation are not addressed in EIR case no. 11EIR-00000-00005 because it is too speculative to project what might occur 30 years or more in the future, given regulatory requirements and the existing conditions in the Project area. The appropriate level of CEQA analysis will be required at the time of demolition and reclamation. The environmental impacts that will occur will depend on the specific action taken, but likely will include temporary impacts to air quality, noise, and transportation. The potential impacts, as well as possible changes in baseline environmental setting, will be subject to new environmental review and permitting.

Telecommunication Facilities

The Solar Facility will require primary and secondary forms of communication to provide Project site data, protection, and metering information to PG&E's offsite monitoring facilities. The primary form of communication will be optical fiber (optical ground-wire) that will run concentric with the ground wire strung on the Gen Tie-Line poles. There are two options for PG&E's required secondary form of communication: microwave and buried fiber. The secondary communication option will be selected based on the technical requirement of the Project. The microwave option will utilize a telecommunications pole with a maximum height up to 90 feet, located next to the Solar Array onsite substation. The pole will host one dish antenna, approximately three feet in diameter. A second telecommunications pole with a maximum height up to 90 feet will be installed within the proposed Switchyard to be located adjacent to the PG&E Cuyama Substation and will provide for communications to PG&E's networked telecommunication facilities and the Project site. This pole will host up to four dish antennas, each approximately three feet in diameter. The buried fiber option will utilize optical cable buried at a minimum depth of approximately 30 inches but will not exceed a depth of 5 feet, and will follow the same path as the Gen Tie-Line route. An existing local service carrier will provide Internet service to the Solar Array by extension of their existing telecommunication facilities. The Solar Array's 8 anemometer towers, which monitor wind speed and communicate with the tracker units, do not transmit offsite but do qualify as commercial telecommunications facilities.

Solar Facility Applicant-Proposed Environmental Commitments

Many of the Applicant-Proposed Environmental Commitments are similar to Conditions of Approval. Please note that the Conditions of Approval are more specific and take precedence over the Applicant-Proposed Environmental Commitments.

Aesthetics/Visual

A-AV-1: All proposed nighttime construction lighting shall be shielded and confined within site boundaries. Light spill-off will not be permitted onto adjacent properties or create a public nuisance. All such light fixtures will be noted on Project grading plans prior to approval by the County.

A-AV-2: Operational exterior lighting shall be for specific safety purposes only and will be hooded/shielded to minimize the spread of light off-site and to minimize impacts to the rural nighttime character. All such light fixtures will be noted on Project plans prior to approval by the County.

Air Quality and Greenhouse Gas Emissions

A-GHG-1: GHG Emission-Reduction Measures. The following measures shall be implemented during construction to minimize GHG emissions:

- Identify park-and-ride facilities in the Project vicinity and encourage construction workers to carpool to the job staging area to the extent feasible. The ability to develop an effective carpool program for the Proposed Project will depend upon the proximity of carpool facilities to the staging area, the geographical commute departure points of construction workers, and the extent to which carpooling will not adversely affect worker arrival time and the Project's construction schedule.
- Minimize unnecessary construction vehicle idling time. The ability to limit construction vehicle idling time is dependent upon the sequence of construction activities and when and where vehicles are needed or staged. Certain vehicles, such as large diesel-powered vehicles, have extended warm-up times following startup that limit their availability for use following startup. Where such diesel powered vehicles are required for repetitive construction tasks, these vehicles may require more idling time. The project will apply a "common sense" approach to vehicle use, so that idling is reduced as far as possible below the maximum of five (5) consecutive minutes required by California law; if a vehicle is not required for use immediately or continuously for construction activities, its engine will be shut off. Construction foremen will include briefings to crews on vehicle use as part of preconstruction conferences. Those briefings will include discussion of a "common sense" approach to vehicle use.
- Minimize welding and cutting by using compression of mechanical applications where practical and within standards.
- Encourage use of natural gas-powered vehicles for passenger cars and light duty trucks where feasible and available.
- Encourage the recycling of construction waste where feasible.

Biological Resources

A-BIO-1: Permeable Wildlife Fencing. Perimeter fencing shall be wildlife-permeable (permeable to San Joaquin kit fox and smaller mammals) during operations to allow free movement of wildlife species across the Project site. This stipulation shall be included in grading/fencing plans, as approved by the County of Santa Barbara Planning and Development Department.

A-BIO-2. Avian Protection. Space all overhead power line conductors to minimize potential for raptor electrocution using the latest Avian Power Line Interaction Committee (APLIC) (2006) guidelines for line spacing. Construction and work procedures shall also be consistent with the APLIC guidelines "Suggested Practices for Avian Protection on Power

Lines: The State of the Art in 2006.” ([http://www.aplic.org/suggestedpractices2006\(LR\).pdf](http://www.aplic.org/suggestedpractices2006(LR).pdf)). Any raptor fatalities shall be reported to the County and additional protective measures identified and implemented in coordination with the County.

A-BIO-3. Avian and Bat Monitoring Plan. Upon completion of Project construction an Avian and Bat Monitoring Plan shall be implemented. The Avian and Bat Monitoring Plan shall identify, at a minimum, protocols for data collection, documentation, and reporting to the County; protocols to assess searcher efficiency and carcass removal; protocols to address injured birds and bats on site; and identification of minimum credentials of monitoring personnel and/or appropriate training. The Avian and Bat Monitoring Plan shall be subject to review and approval of the County’s biologist prior to zoning clearance. At a minimum, the Plan shall also include funding for a trained individual to conduct fatality surveys among the solar panel arrays on a monthly basis for a minimum of one year and to perform associated data recordation and report preparation. A ‘trained individual’ means a qualified biologist, or personnel who have had practical training in carcass search techniques from a qualified biologist. Searches shall be performed systematically to provide a statistically sound estimate of avian and/or bat fatality. If collision fatalities are determined to be an issue by County biologists in comparison to objective measures such as fatality rates at similar PV solar facilities or at suitable reference sites, fatality monitoring consistent with the Avian and Bat Monitoring Plan shall continue for another two years.

Cultural Resources

A-CR-1: Archaeological Monitoring. The applicant shall fund and arrange for a qualified archaeologist and an approved Native American monitor to be present during brush clearing, grubbing, grading, trenching, drilling, and other ground disturbances within the Project area that have the potential of encountering buried cultural resources.

A-CR-2: Unanticipated Archaeological Resources Discovery. If archaeological resources are discovered during earth-moving activities, all ground disturbance within 50 feet of the find (or as deemed appropriate by the monitoring archaeologist) shall cease until a qualified archaeologist and Native American are retained by the applicant to consult with the County and evaluate the significance of the resource consistent with the County Archaeological Guidelines for Phase 2 investigations. If the resource is determined to be significant, the archaeologist shall prepare and implement at the applicant’s expense a Phase 3 mitigation program consistent with the County Archaeological Guidelines.

A-CR-3: Archaeological Preconstruction Conference. Prior to construction, all construction personnel shall be informed that in the event cultural resources are discovered, the archaeological monitor has the authority to re-direct construction until a qualified archaeologist assesses the significance of the find and implements appropriate mitigation

measures (e.g., avoidance or data recovery). Construction personnel shall also be informed that unauthorized collection of cultural resources is prohibited.

A-CR-4: Unanticipated Discovery of Human Remains. In the unlikely event human remains are encountered, construction in the area of the finding shall cease and the Santa Barbara County Coroner shall be contacted to determine the origin of the remains. In the event the remains are Native American in origin, the Native American Heritage Commission shall be contacted to determine necessary procedures for protection and preservation of the remains, including reburial, as provided in the CEQA Guidelines, Section 15064.5(e), “CEQA and Archaeological Resources,” CEQA Technical Advisory Series, and consistent with the applicable sections of the California Health and Safety Code (Sections 7050.5 et seq.).

Hazards and Hazardous Materials

A-HAZ-1: Buildings on the property shall be constructed of Type IA Construction. Permanent buildings shall be unmanned and shall not have combustibles such as furniture or paper supplies.

A-HAZ-2: To limit the magnitude of potential transformer fires, the PCS transformers shall use FM Global–approved “Less Flammable” insulating oil. The use of this insulating oil would reduce a transformer fire event to involvement of just the transformer windings and insulation or, in the worst case, the limited heat release rate oil. Additionally, the transformer separation shall meet or exceed that required by FM Global standards.

A-HAZ-3: The facility shall be secured with fencing and provided with security measures to prevent access by unauthorized persons, thus lowering the probability of ignition by arson or other malicious means. Additionally, the property shall have a minimum of approximately 90 feet of defensible space between the property line and the nearest solar panels. The perimeter between the fence and the panels shall be treated to prevent weeds or vegetation from growing and causing a possible risk for wildland fire exposure.

A-HAZ-4: Medical emergencies, although rare due to the facilities’ unoccupied nature, can occur. Fire department access for such medical emergencies shall be provided by access roads around the perimeter and through the site. Fire department access roads shall be provided within 150 feet of all buildings and transformers, have an unobstructed clear width of 20 feet, be designed and maintained to support a 20-ton vehicle, and have a minimum curve radius of not less than 35 feet (measured to the centerline of the road). There shall be no dead end fire department access roads. Access gates shall have clear openings of at least 15 feet and shall be of the sliding or swinging type. Entry gates shall be setback a minimum of 30 feet from the nearest curb line of any public or private street.

A-HAZ-5: Any transformers to be removed or relocated during grading/construction activities shall be evaluated under the purview of the local utility purveyor in order to confirm or deny the presence of polychlorinated biphenyls (PCBs). In the event that PCBs are identified, the local utility purveyor shall identify proper handling procedures regarding potential PCBs.

A-HAZ-6: If unknown wastes or suspect materials are discovered by the permittee or its contractor during grading/construction activities, which he/she believes may involve hazardous waste/materials, the contractor shall take the following actions.

- Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area.
- Notify the County P&D's Compliance Planner.
- Secure the areas as directed by the County's project engineer.
- Notify the Santa Barbara County Fire Department's Hazardous Waste/Materials Coordinator.

Hydrology/Water Quality

A-HWQ-1: Implement Post-Development BMPs. The Applicant shall implement post-development BMPs (e.g., small water quality treatment basins or an equivalent BMP) to minimize hydromodification impacts. The potential BMPs outlined in Section 5.0 of the Flood Hazards Assessment and Water Quality Technical Study for the Cuyama Solar Array Project prepared by RBF Consulting (November 17, 2011), shall be considered for implementation. Although small water quality treatment basins are the proposed long-term mitigation feature for the Proposed Project, other treatment BMPs could be used in conjunction with, or in lieu of, small water quality treatment basins.

Noise

A-NOI-1: Implement noise-reducing features and practices for construction noise. Prior to work commencing, the Applicant shall employ and clearly specify in its contractors' specification the following noise-suppression techniques to minimize the impact of temporary noise associated with construction activities:

- Trucks and other engine-powered equipment shall be equipped with noise reduction features, such as mufflers and engine shrouds, that are no less effective than those originally installed by the manufacturer.
- Trucks and other engine-powered equipment shall be operated in accordance with posted speed limits and limited engine idling requirements.
- Truck engine exhaust brake use shall be limited to emergencies.

- Back-up beepers for all construction equipment and vehicles shall be adjusted to the lowest noise levels possible, provided that Occupational Safety and Health Administration (OSHA) and Cal OSHA's safety requirements are not violated. These settings shall be retained for the duration of construction activities.
- Vehicle horns shall be used only when absolutely necessary, as specified in the contractor's specifications.
- Radios and other "personal equipment" shall be kept at low volume.

A-NOI-2: Provide advance notice of construction. The Applicant shall provide advance notice of the start of construction grading and Solar Array construction (post driving) between 2 and 4 weeks prior to construction activities to all owners and occupants of residences located within 1 mile of the Project boundary, and the principal of the Cuyama Elementary School, as well as posting signs that denote site contacts and agency contact information at the Project site in areas accessible to the public. The announcement shall provide a point of contact for any noise complaints. The Applicant shall provide to the County of Santa Barbara Planning and Development within 48 hours of any complaints received a report that documents the complaints and the strategy for resolution of any noise complaints, which may include limiting the hours of construction in the particular location of concern, putting up temporary noise barriers, or otherwise implementing means to reduce and resolve to the extent feasible the issue brought forth. The County's Environmental Monitor shall verify implementation of agreed upon strategy.

Traffic

A-CIRC-1: Traffic. Flaggers will be used when construction vehicles ingress/egress State Route 166 and when lane closures are required.

2. Proj Des-2 Project Conformity

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

MITIGATION MEASURES FROM 11EIR-00000-00005:

3. SPEC-AG-1. Preservation of Off-Site Agricultural Land

Prior to issuance of zoning clearance, the applicant shall provide written evidence of completion of one or more of the following measures, within Santa Barbara County, to mitigate the loss of agricultural land (includes State defined Prime Farmland and Farmland of Statewide Importance) at a ratio of 1:1 for net acreage before conversion. Net acreage is to be calculated by excluding existing roads and areas already developed with structures. A plot plan shall be submitted substantiating the net acreage calculation along with written evidence of compliance.

- Funding and purchase of agricultural conservation easements (will be managed and maintained by an appropriate entity);
- Purchase of credits from an established agricultural farmland mitigation bank;
- Contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; or
- Participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above.

Mitigation includes lands of equal or higher agricultural quality that meets the definition of Prime Farmland or Farmland of Statewide Importance established by the State Department of Conservation. Completion of the selected measure(s) can be on qualifying land within the Cuyama Valley Rural Region or outside the region (but within Santa Barbara County) with written evidence that the same or equivalent crops can be produced on the mitigation land.

TIMING: The Owner/Applicant shall provide written evidence of completion of one or more mitigation measures to P&D for review and approval prior to issuance of zoning clearance.

MONITORING: P&D processing planner shall verify that written evidence conforms with the mitigation measure.

4. SPEC-AG-2. Demolition and Reclamation Plan

The Project owner/operator shall submit a Demolition and Reclamation Plan to allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time.

TIMING: The Owner/Applicant shall submit the Demolition and Reclamation Plan to P&D for review and approval prior to issuance of zoning clearance.

MONITORING: P&D staff shall perform site inspections throughout demolition and reclamation activities to ensure implementation and compliance of the approved Demolition and Reclamation Plan.

5. SPEC-AG-3. Financial Assurance for Demolition and Reclamation.

The Owner/Applicant shall submit to the Director:

- a. An itemized cost estimate for removal of all structures and equipment and reclamation of the project site and an estimate from a qualified party of the reclamation value of the solar facility infrastructure. The bases for all estimates shall be identified and documented. The estimates shall be revised and updated and resubmitted to P&D every five years.
- b. The Project owner/operator shall submit to the P&D a financial assurance mechanism acceptable to P&D for the cost of removal of structures and equipment and reclamation of the project site. The amount of the assurance shall be based on the itemized cost estimate. The financial security shall be in place for the life of the Project. P&D will release the security upon successful completion of structure and equipment removal and site reclamation, as determined by P&D.

TIMING: The financial assurance for demolition and reclamation shall be submitted to P&D for review and approval prior to issuance of zoning clearance. The permittee shall update and resubmit the financial assurance amount to P&D every five years.

MONITORING: P&D staff shall monitor successful completion of structure and equipment removal and site reclamation. County shall release financial assurance upon determination that all structures and equipment have been removed and the site reclaimed pursuant to the approved Demolition and Reclamation Plan.

6. Standard Mitigation Measure AG-05. Buyer Notification.

The Owner/Applicant shall record a buyer notification on a separate information sheet that reads as follows: "IMPORTANT: BUYER NOTIFICATION: This property is located adjacent to property zoned for agriculture and is located in an area that has been planned for agricultural uses. The Board of Supervisors has determined that it is in the public interest to preserve agricultural land and operations within the County of Santa Barbara and specifically to protect these lands for exclusive agricultural use. Any inconvenience or discomfort from properly conducted agricultural operations, including noise, odors, dust, and chemicals will not be deemed a nuisance per Section 3-23, Article V, Chapter 3 of the County Code."

TIMING: The Owner/Applicant shall record a buyer notification prior to zoning clearance.

MONITORING: P&D processing planner shall verify that the notification conforms to permit condition requirements.

7. Standard Mitigation Measure Air-01: Dust Control.

The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

- a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.

- b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
- c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
- d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
- e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
- f. Order increased watering as necessary to prevent transport of dust off- site.
- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:
 - i. Seed and water to re-vegetate graded areas; and/or
 - ii. Spread soil binders; and/or
 - iii. Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who shall have the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to issuance of grading permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building Department shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

8. SPEC-AV-1: Aesthetic Design Treatments

The exterior of the inverter boxes and the exterior of structures, lighting fixtures and poles, above ground transmission lines and poles/ towers will be factory treated with a non-specular dull finish or using standard environmental coloring to minimize contrast with the existing landscape to the extent feasible. Written proof of infeasibility shall be provided to NBAR and subject to NBAR approval.

All galvanized surfaces shall be treated to minimize reflective properties using poly bonded vinyl coating, powder coating, or special non-specular dulling treatment. Surfaces shall include, but not limited to fences, PV panel support structures, brackets and pins to the extent feasible.

PLAN REQUIREMENTS: The Owner/Applicant shall prepare an Aesthetic Design Treatment Plan, including sample materials and paint/treatment palettes, and submit that Plan to the North County Board of Architectural Review (NBAR) and P&D staff for review and approval.

TIMING: The Owner/Applicant shall submit the Aesthetic Design Treatment Plan to P&D staff and NBAR for review and approval prior to issuance of zoning clearance.

MONITORING: P&D staff shall ensure the plan is implemented prior to issuance of occupancy permits.

9. SPEC-AV-2: Low Intensity Lighting

All construction and operational lighting shall include use of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The minimum number of aviation warning lights required shall be implemented and strobe timing shall be the longest FAA permissible duration between flashes, as feasible.

PLAN REQUIREMENTS: The Owner/Applicant shall prepare a lighting plan depicting the low-intensity lighting specifications noted above.

TIMING: The lighting plan shall be submitted to P&D staff for review and approval prior to issuance of zoning clearance.

MONITORING: P&D staff shall confirm implementation of the low-intensity lighting plan prior to issuance of occupancy permits.

10. SPEC-AV-3: Minimize Glare

Solar panels and hardware shall be designed to minimize glare and spectral highlighting to the extent feasible.

PLAN REQUIREMENTS: This site plan shall include the specifications above.

TIMING: The Owner/Applicant shall submit site plans shall to P&D staff for review and approval prior to issuance of zoning clearance.

MONITORING: P&D staff shall confirm implementation of approved solar equipment prior to issuance of occupancy permits.

11. SPEC-BIO-1: Fencing for Animal Passage.

During project operations the minimum distance from ground level to any fence's first rung shall be 3.5 to 6 inches to allow free movement of wildlife species across the project site (including San Joaquin kit fox and smaller animals) as long as fencing exists on the property.

PLAN REQUIREMENTS: The condition shall be noted on any plans including fencing and shall be graphically depicted in fencing detail on plans.

TIMING: The Owner/Applicant shall record a buyer notification that repeats the condition requirements above prior to issuance of zoning clearance.

MONITORING: A P&D biologist shall review plans and confirm adequate space for wildlife passage. The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all Perimeter Fencing Requirements are in place as required.

12. SPEC-BIO-2. Conduct Nesting Bird Surveys.

If seasonal avoidance of nesting birds is not feasible and construction activities are scheduled to occur during the nesting season, a qualified biologist shall conduct a preconstruction survey of the Solar Facility site and the area within 100 feet of the project site, including denuded areas. A qualified biologist shall also conduct periodic surveys of the project site after the start of construction to ensure that no birds have begun nesting. If breeding ground-nesting birds are found within the survey area, an appropriate buffer around the nest shall be identified by the qualified biologist in order to ensure compliance with Fish and Game Code Sections 3503 and 3513, and no new activities would be allowed within the buffer until the young have fledged from the nest, as determined by the qualified biologist, or the nest fails for reasons unrelated to the Solar Facility.

PLAN REQUIREMENTS: The Owner/Applicant shall retain a qualified biologist to conduct nesting surveys prior to the start of construction. This condition shall be included on grading plans, and the results of the survey shall be submitted to P&D prior to initiation of grading activities. The name and contact information for the qualified biologist shall be provided to P&D prior to the survey.

TIMING: The surveys shall be conducted no sooner than 5 working days prior to the start of construction. P&D shall be notified prior to the survey of the proposed survey date. The nesting bird surveys shall be submitted to the P&D staff for review and approval prior to the initiation of grading activities.

MONITORING: P&D shall review the results of the survey prior to initiation of grading activities, and P&D staff shall confirm compliance in the field prior to initiation of grading activities.

13. SPEC-BIO-3. Prevent the Attraction of California Condor to the Project Facility.

The Owner/Applicant and/or their agents, representatives or contractors shall train workers on (1) what is microtrash; and (2) how to collect microtrash and waste from the Solar Facility site. In addition, to prevent condors from being attracted to the solar arrays after development, the Owner/Applicant and/or their agents shall remove animal carcasses (should they occur) from the project site within 48 hours.

PLAN REQUIREMENTS: Owner/Applicant shall prepare a worker education/training plan for all workers and contractors who will work at the site. The training plan shall include the above measures.

TIMING: The training plan shall be submitted to P&D staff for review and approval prior to issuance of zoning clearance.

MONITORING: P&D staff shall spot check in the field throughout the construction phase and operation of the project.

14. SPEC-BIO-4. Compliance with Most Current Avian Power Line Interaction Committee Guidelines for Overhead Power Line Spacing, Construction, and Work Procedures.

The proposed Gen Tie-Line shall space all overhead power line conductors to minimize potential for raptor electrocution using the most current Avian Power Line Interaction Committee (APLIC) guidelines for line spacing. Construction and work procedures shall also be consistent with the most current applicable APLIC guidelines. Any raptor fatalities shall be reported in writing to P&D within 30 days and additional protective measures identified and implemented in coordination with the P&D.

PLAN REQUIREMENTS: The condition shall be noted on and incorporated on any plans including the Gen Tie-Line and be graphically depicted in Gen Tie-Line detail on plans.

TIMING: The Owner/Applicant shall record a buyer notification that repeats the condition requirements above prior to issuance of zoning clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D staff prior to construction that Gen Tie-Line design and construction work procedures are consistent with all APLIC guidelines, as required.

15. SPEC-GEO-1: Implement Geotechnical Design Recommendations.

Owner/Applicant shall submit drainage and grading plans that provide appropriate foundation grading and design, appropriate removal and backfill of soil, sufficient drainage facilities, safe trenching and excavation methods, and adequate over excavation and

compaction of the soil to minimize seismic or other soil stability concerns that could expose people or structures to geologic hazards. The plans shall be designed in conformance with CPUC General Order 95, which provides Rules for Overhead Electric Line Construction.

TIMING: Owner/Applicant shall include the performance criteria above in the project design and submit to Building & Safety Division staff for review and approval prior to issuance of grading permits.

MONITORING: Building & Safety Division staff will review the documentation prior to issuance of grading permits. Grading and building inspectors will ensure compliance throughout the construction phase.

16. SPEC-HAZ-1: Prepare for Unknown Hazard Contingencies.

If unknown wastes or suspect materials are discovered by the contractor during grading/construction activities, which are believed to involve hazardous waste/materials, the contractor will take the following steps.

- Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area.
- Notify P&D staff.
- Secure the areas as directed by P&D staff.
- Notify the Santa Barbara County Fire Department's Hazardous Waste/Materials Coordinator.

PLAN REQUIREMENTS: Owner/Applicant shall state the provisions for unknown hazard contingencies on all grading plans.

TIMING: Grading plans identifying unknown hazard contingencies shall be submitted to P&D for review and approval prior to issuance of zoning clearance. The contingency measures shall be implemented during all construction activities involving earth disturbance.

MONITORING: P&D staff shall monitor compliance of this mitigation measure throughout the construction phase.

17. SPEC-NOI-1: Construction Hours.

The Owner/Applicant, including all contractors and subcontractors, shall limit noise generating construction activity (those activities exceeding 65 dBA (L_{eq} 10-min) at residences, including associated outside activity areas) within 1,600 feet of sensitive receptors, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. No noise generating construction activities shall occur on weekends or State holidays within 1,600 feet of sensitive receptors. Noise generating construction activities located farther than 1,600 feet from sensitive receptors

shall be limited to Monday through Friday, 7 a.m. to 6 p.m., from March 2 through October 31 and Monday through Friday, 7 a.m. to 5 p.m., from November 1 through March 1. Noise generating construction activity farther than 1,600 feet from sensitive receptors may be conducted on Saturdays, State holidays and during extended hours of 6 a.m. to 10 p.m. under the special circumstances described in Sec. 2.5.2.2 (Project Description, Construction Workers and Hours) of the Final Environmental Impact Report, subject to the restriction that noise generating construction outside the normal workdays and hours shall not exceed 15% of total construction hours for the project. Non-noise generating construction activities such as interior plumbing, electrical, drywall, painting, module installation and dust control activities are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post signs stating these restrictions at construction site entries. The 1,600 foot limit shall be printed on approved grading and building plans.

TIMING: The Owner/Applicant shall provide grading and building plans indicating the 1,600 foot limit to P&D staff for review and approval prior to issuance of zoning clearance. Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and P&D permit compliance staff shall confirm compliance in the field and respond to complaints.

18. SPEC NOI-2: Noise Reduction – Construction at the Solar Array Site.

The Owner/Applicant shall install temporary noise barriers such as noise attenuating shields, shrouds, or portable barriers or enclosures around the construction areas and loud equipment to mitigate noise impacts to occupied residences. The Applicant, in conjunction with a qualified acoustical consultant, shall develop a Noise Reduction Plan for the Solar Array site acceptable to P&D to ensure that construction noise does not exceed 65 dBA (L_{eq} 10-min) at residences, including associated outside activity areas, located within 1,600 feet of the eastern and southeastern boundaries of the Solar Array. The plan shall specify the type, location, and length of noise barriers, and the scheduling of placement of barriers in relation to the construction schedule, and shall include a construction noise monitoring program. The barriers shall be of sufficient height and length to effectively reduce the noise from loud equipment, including post-drivers. The Owner/Applicant shall demonstrate to P&D that the

barriers are in place prior to the commencement of construction activities within 1,600 feet of residences. To verify that the 65 dBA standard is met, the Owner/Applicant shall retain a qualified acoustical consultant to monitor noise during construction conducted within 1,600 feet of residences. Measurements shall be taken at the previous monitoring locations N-1 and N-2, as shown on Figure 3.10-1 in the Final Environmental Impact Report. If noise levels are found to exceed 65 dBA, the Owner/Applicant and contractors shall stop work immediately, notify P&D, and implement additional acoustical shielding measures. The Applicant shall demonstrate that the additional measures are adequate and shall obtain P&D approval before resuming work.

PLAN REQUIREMENTS: The Owner/Applicant shall submit the Noise Reduction Plan for the Solar Array site to P&D. The 1,600-foot noise mitigation zone shall be clearly shown on all approved grading and building plans. The plans shall describe the noise barriers and show their dimensions and location.

TIMING: The Owner/Applicant shall submit the Noise Reduction Plan to P&D staff for review and approval prior to issuance of zoning clearance. Noise barriers shall be installed prior to commencement of construction activities within 1,600 feet of residences and remain in the designated location during construction activities within the 1,600-foot zone.

MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities within 1,600 feet of residences. The Owner/Applicant shall inform P&D immediately if measured noise levels at N-1 or N-2 exceed 65 dBA. P&D staff shall perform site inspections throughout the construction phase to ensure compliance.

19. SPEC-NOI-3: Implement Noise-Reducing Features and Practices.

Prior to commencing work, the Owner/Applicant shall employ and clearly specify in its contractors' specifications the following noise-suppression techniques to minimize the impact of temporary noise associated with construction activities:

- Trucks and other engine-powered equipment shall be equipped with noise-reduction features, such as mufflers and engine shrouds, which are no less effective than those originally installed by the manufacturer.
- Trucks and other engine-powered equipment shall be operated in accordance with posted speed limits and engine idling shall be limited.
- The use of truck engine exhaust brakes shall be limited to emergencies.

- Back-up beepers for construction equipment and vehicles shall be adjusted to the lowest noise levels possible, provided that OSHA and Cal/OSHA safety requirements are not violated. These settings shall be retained for the duration of construction activities.
- Vehicle horns shall be used only when absolutely necessary, as specified in the contractors' specifications.

PLAN REQUIREMENTS: The Owner/Applicant shall print these measures on building and grading plans and shall explain them to workers at a pre-construction meeting and thereafter as needed to ensure compliance.

TIMING: The Owner/Applicant shall submit building and grading plans indicating noise reducing features and practices to P&D for review and approval prior to issuance of zoning clearance. The Owner/Applicant shall demonstrate to P&D staff that these measures have been implemented prior to the start of grading. The measures shall remain in effect throughout construction activities.

MONITORING: P&D compliance staff shall perform site inspections throughout the construction phase to ensure compliance.

20. SPEC-NOI-4: Provide Advance Notice of Construction. The Owner/Applicant shall provide advance notice for each phase of construction. Notice shall be provided to all owners and occupants of residences located within 1 mile of the project boundary as well as the principal of Cuyama Elementary School at least two weeks prior to construction activities. In addition, signs shall be posted at the project sites in areas that are accessible and visible to the public and along the Gen Tie-Line route. These announcements shall briefly describe planned construction activities, anticipated road closures, detours or delays, and permitted construction hours. The announcements shall provide a point of contact for any noise complaints. Within 24 hours of any complaint, the Owner/Applicant shall provide the County of Santa Barbara Planning and Development with a report that documents the complaint and a strategy for resolution, which may include limiting the hours of construction at a particular location, putting up temporary noise barriers, or implementing other means to resolve the issue, to the satisfaction of P&D staff.

PLAN REQUIREMENTS: The Owner/Applicant shall submit copies of the announcements, schedules and mailing list to P&D.

TIMING: Copies of the announcements, schedules and mailing list shall be submitted to P&D for review 10 days prior to initiation of any grading or construction activities.

MONITORING: P&D staff shall perform periodic site inspections to verify compliance with activity schedules and to verify implementation of complaint resolution measures throughout construction phase.

21. SPEC-NOI-5: Equipment Shielding – Construction.

Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded with appropriate acoustic shielding to P&D's satisfaction or shall be located at a minimum of 200 feet from occupied residences.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans.

TIMING: Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.

MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.

22. Standard Mitigation Measure Noise-05: Construction Routes.

Construction routes shall be limited to SR-166 and Kirschenmann Road. The Owner/Applicant shall provide all adjacent property owners with a construction activity schedule and construction routes 10 days in advance of construction activities. Any alterations or additions shall require 5-day notification.

PLAN REQUIREMENTS: The Owner/Applicant shall submit a copy of the mailing list and construction schedule identifying construction routes and mailing list to P&D permit compliance staff.

TIMING: Schedule and mailing list shall be submitted 10 days prior to initiation of any earth movement.

MONITORING: Permit compliance monitoring shall perform periodic site inspections to verify compliance with activity schedules.

23. Standard Mitigation Measure NPDES-23: SWQMP-Operation.

The Owner/Applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the drainage system after development. The SWQMP shall identify:

1. A combination of structural and non-structural BMPs from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods;
2. Potential pollutant sources that may affect the quality of the storm water discharges;
3. Design and placement of structural and non-structural BMPs to address identified pollutants;

4. Inspection and maintenance program;
5. Method for ensuring maintenance of all BMPs over the life of the project.

The Applicant has proposed to include small water quality treatment basins to reduce pollutants while detaining flows to minimize runoff from the site. Other treatment BMPs could also be used in conjunction with, or in lieu of, small water quality treatment basins.

PLAN REQUIREMENTS: The Owner/Applicant shall (1) submit the SWQMP to P&D for review and approval prior to final plan approval; (2) include design and field components on land use, grading and building plans as applicable; (3) post performance securities prior to final plan approval to ensure installation and maintenance.

TIMING: SWQMP measures shall be constructed and operational prior to Final Building Inspection Clearance. The Owner/Applicant shall maintain the SWQMP components for the life of the project and keep a record of maintenance and submit the maintenance record to P&D compliance monitoring staff annually between October 1 and 31. The Owner/Applicant shall record a buyer notification that states: "IMPORTANT: BUYER NOTIFICATION" and contains the maintenance requirement language above.

MONITORING: The Owner/Applicant shall demonstrate to Public Works, Water Resources Division that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.

24. Standard Mitigation Measure SolidW-02. Solid Waste-Recycle.

The Owner/Applicant and their contractors and subcontractors shall separate demolition and excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). The Owner/Applicant shall provide separate onsite bins as needed for recycling.

PLAN REQUIREMENTS: The Owner/Applicant shall print this requirement on all grading and construction plans. Owner shall provide P&D with receipts for recycled materials or for separate bins.

TIMING: Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall provide P&D compliance staff with receipts prior to Final Building Inspection Clearance.

25. Standard Mitigation Measure SolidW-03. Solid Waste-Construction Site.

The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete.

PLAN REQUIREMENTS: All plans shall contain notes that the site is to remain trash-free throughout construction.

TIMING: Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

MONITORING: Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

26. SPEC-TT-1: Traffic Control Plan.

The Owner/Applicant shall prepare and implement a traffic control plan to reduce construction-related impacts on roadway operation, safety hazards, alternative transportation, parking, and emergency access. Construction traffic control plans typically include the following.

1. A street layout showing the location of construction activity and surrounding streets to be used as detour routes, including special signage.
2. A tentative start date and construction duration period for each phase of construction.
3. The name, address, and emergency contact number for those responsible for maintaining the traffic control devices during the course of construction.
4. Written approval to implement traffic control from local agencies with jurisdiction, as needed.

Additionally, the construction traffic control plan will include the following stipulations.

1. Provide access for emergency vehicles at all times.
2. Avoid creating additional delay at intersections currently operating at congested conditions, either by choosing routes that avoid these locations or limiting construction activities to nonpeak hours.
3. Maintain access for driveways and private roads, except for brief periods of construction, in which case property owners will be notified.
4. Provide adequate off-street parking areas at designated staging areas for construction-related vehicles.

5. Maintain pedestrian and bicycle access and circulation during Project construction where safe to do so. If construction encroaches on a sidewalk, a safe detour will be provided for pedestrians at the nearest crosswalk. If construction encroaches on a bike lane, warning signs will be posted that indicate bicycles and vehicles are sharing the roadway.
6. Use traffic controls that include flag persons wearing Occupational Safety and Health Administration–approved vests and using a "Stop/Slow" paddle to warn motorists of construction activity.
7. Maintain access to transit services and ensure that public transit vehicles are detoured.
8. Post standard construction warning signs in advance of the construction area and at any intersection that provides access to the construction area.
9. Post construction warning signs in accordance with local standards or those set forth in the California MUTCD (Caltrans 2010) in advance of the construction area and at any intersection that provides access to the construction area.
10. During lane closures, notify local police and fire departments of construction locations to ensure that alternative evacuation and emergency routes are designed to maintain response times during construction periods, if necessary.
11. Provide written notification to contractors regarding appropriate routes to and from construction sites, and weight and speed limits for local roads used to access construction sites. Submit a copy of all such written notifications to the local agencies with jurisdiction.
12. Repair or restore the road right-of-way to its original condition or better upon completion of work.

PLAN REQUIREMENTS: A Construction Traffic Control Plan shall be prepared and submitted to P&D and Public Works.

TIMING: The Owner/Applicant shall submit the Traffic Control Plan to P&D and Public Works for review and approval prior to issuance of zoning clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D staff Traffic Control Plan implementation. Field inspection will be conducted by P&D staff to ensure that the plan is being implemented throughout the construction phase.

27. SPEC-TT-2. Roadway Pre-Construction Conditions Report

The Owner/Applicant shall prepare a Roadway Pre-Construction Conditions Report that shall contain photo-documentation of pavement conditions along the potentially affected portions of Kirschenmann Street and Foothill Road in order to record road conditions along the proposed haul route(s). The report shall include construction contractor procedures to ensure compliance with construction and maintenance vehicles requirements consistent with Caltrans General Rule 35550, which states: (a) The gross weight on any one axle shall not

exceed 20,000 pounds, and the gross weight upon any one wheel, or wheels, supporting one end of an axle, shall not exceed 10,500 pounds unless otherwise permitted by CalTrans. The Owner/Applicant shall provide County-approved performance bonds or other mechanisms to ensure that any necessary post-construction road repair related to Project construction activities occurs.

PLAN REQUIREMENTS: The Owner/Applicant shall prepare a Roadway Pre-Construction Conditions Report that shall contain photo-documentation of pavement conditions along the potentially affected portions of Kirschenmann Street and Foothill Road in order to record road conditions along the proposed haul route(s).

TIMING: Owner/Applicant shall submit the Roadway Pre-Construction Conditions Report to P&D and Public Works for review and approval prior to issuance of grading permits. The Owner/Applicant shall submit performance bonds or other mechanisms necessary to ensure post-construction road repair to P&D staff for review and approval prior to issuance of grading permits. Prior to P&D final site inspection, staff shall take identical photographs to document the damage associated with construction traffic. Prior to Final Building Inspection Clearance, P&D staff shall ensure that the Owner/Applicant performance bond or other mechanism has provided adequate funds to repair any roadway damage incurred.

MONITORING: The Owner/Applicant shall demonstrate to P&D post-construction repair of damaged roadways pursuant to the approved Roadway Pre-Construction Conditions Report.

28. Standard Mitigation Measure WatConv-01: Sediment and Contamination Containment.

The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

1. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
2. Apply concrete, asphalt, and seal coat only during dry weather.
3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
4. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans.

TIMING: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.

MONITORING: The Owner/Applicant shall demonstrate compliance with these measures to P&D compliance monitoring staff as requested during construction.

29. Standard Mitigation Measure WatConv-07: SWPPP.

The Owner/Applicant will submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.

TIMING: Prior to issuance of grading permit the Owner/Applicant will submit proof of exemption or a copy of the NOI and will provide a copy of the required SWPPP to Planning and Development. The Owner/Applicant will keep a copy of the SWPPP on the Project site during grading and construction activities.

MONITORING: The Planning and Development permit processing planner will review the documentation prior to approval of the grading permit. Planning and Development compliance monitoring staff will inspect the site during construction for compliance with the SWPPP.

PROJECT SPECIFIC CONDITIONS:

30. Aest-09 Construction Clean-up. The developer shall clear the project site of all excess construction debris.

PLAN REQUIREMENT: This requirement shall be noted on final building plans.

TIMING: Debris clearance shall occur prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff shall site inspect prior to Final Building Inspection Clearance.

31. CulRes-09 Stop Work at Encounter. The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant.

PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans.

MONITORING: P&D permit processing planner shall check plans prior to issuance of zoning clearance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

32. Erosion and Sediment Control Plan. Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements.

PLAN REQUIREMENTS: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized.

TIMING: The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.

MONITORING: P&D staff shall perform site inspections throughout the construction phase.

CONDITIONAL USE PERMIT CONDITIONS

33. Rules-01 Effective Date-Not Appealable to CCC. This Conditional Use Permit shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. [LUDC §35.82.020].

34. Rules-05 Acceptance of Conditions. The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.

- 35. Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required zoning clearance within the 18 months following the effective date of this Conditional Use Permit. If the required zoning clearance is not issued within 18 months following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the Land Use Development Code, and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.
- 36. Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.82.060(G)(4) of the Land Use Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any zoning clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].
- 37. Rules-21 CUP Revisions-Change of Use.** Any change of use in the proposed structure shall be subject to appropriate environmental analysis and review by the County including Building Code compliance.
- 38. Rules-23 Processing Fees Required.** Prior to issuance of zoning clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 39. Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

COUNTY RULES AND REGULATIONS

- 40. SPEC Rules-01 Agricultural Preserve/Land Conservation Contract.** Prior to zoning clearance, the Owner/Applicant shall record the Replacement Land Conservation Contract (Case No. 13AGP-00000-00024) for 76-AP-072.
- 41. SPEC Rules-02 Sale of Site.** Any sale, lease or financing of the project site and any portions thereof shall be in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.
- 42. SPEC Rules-03 EQAP Condition.** Prior to issuance of zoning clearance, an Environmental Quality Assurance Program (EQAP) shall be prepared according to procedures established

by P&D, paid for by the Owner/Applicant and submitted for review and approval by P&D. The EQAP shall include the following:

1. All conditions and mitigation measures imposed on this project and the impacts they are mitigating separated by subject area.
2. A plan for coordination and implementation of all measures and any additional plans and programs required therein.
3. A description of all measures the Owner/Applicant will take to assure compliance, including field monitoring, data collection, management and coordination of all field personnel and feedback to field personnel and affected County agencies including P&D.
4. A schedule for the EQAP monitor to be in the field, subject to revision based on changes in the project construction schedule and approved by Planning & Development staff.
5. Contractor feedback responsibilities shall include periodic reports (as specified in the conditions of approval, or otherwise agreed to by P&D, in consultation with the Owner/Applicant) to be prepared throughout grading and construction. These shall include status of development, status of conditions, incidents of non-compliance and their results and any other pertinent or requested data.
6. A contractor to carry out the EQAP shall be selected by P&D in consultation with the Owner/Applicant. The contractor(s) will be under contract and responsible to the County, with all appropriate costs to be funded by the Owner/Applicant. The monitor shall be responsible for overall monitoring and reporting to the County on the project compliance status and effectiveness of project conditions of approval during project grading and construction. In addition, the monitor has the authority and ability to ensure compliance with all project conditions and to stop work in an emergency.

The EQAP shall also provide for any appropriate procedures not specified in the conditions of approval to be carried out if they are necessary to avoid environmental impacts.

43. Rules-03 Additional Permits Required. The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

44. Rules-04 Additional Approvals Required. Approval of this Conditional Use Permit is subject to the Board of Supervisors approving the required Comprehensive Plan amendments; Land Use Development Code ordinance amendments; change in land use designation for 167 acres of APN 149-140-076 from Agriculture Commercial (AC) to A-II; applying a Utility-Scale Solar Photovoltaic Facility Overlay to APN's 149-150-029, 149-

150-030, 149-150-031, 149-150-032 and 167 acre portion of APN 149-140-076; and re-zoning APN's 149-150-029, 149-150-030, 149-150-031 and 149-150-032 from Unlimited Agriculture (U under Ordinance No. 661) to Agriculture II (AG-II-40).

45. Rules-09 Signs. No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Land Use Development Code.

46. Rules-20 Revisions to Related Plans. The Owner/Applicant shall request a revision for any proposed changes to the approved Storm Water Quality Management Plan (SWQMP) and Storm Water Pollution Prevention Plan (SWPPP). Substantial conformity shall be determined by the Director of P&D.

47. Rules-25 Signed Agreement to Comply. Prior to issuance of zoning clearance, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.

48. Rules-29 Other Dept Conditions. Compliance with Departmental/Division letters required as follows:

1. Air Pollution Control District letter dated April 22, 2010;
2. Fire Department letter dated June 13, 2014;
3. Flood control Water Agency letter dated April 15, 2010
4. Public Works, Transportation Division letter dated June 28, 2014

49. Rules-30 Plans Requirements. The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

50. Rules-32 Contractor and Subcontractor Notification. The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.

51. Rules-33 Indemnity and Separation. The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

52. Rules-35 Limits-Except DPs. This approval does not confer legal status on any existing structures(s) or use(s) on the property unless specifically authorized by this approval.



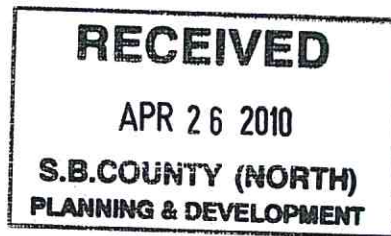
**Santa Barbara County
Air Pollution Control District**

Our Vision  Clean Air

April 22, 2010

John Day

Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101



Re: APCD comments on Cuyama Solar Array, 10CUP-00000-00008

Dear Mr. Day:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of installation of 45 solar panels, an on-site substation, and a 3-mile long tie-line cable to transmit power. Grading for the project is undetermined. The 320-acre project area, consisting of four parcels and a portion of a fifth parcel, are zoned AG-II-100 and Unlimited Agricultural District under Ordinance 661. The parcels are identified in the Assessor Parcel Map Book as APNs 149-150-029, -030, -031, -032 and 149-140-076 and are located at 596 Kirschenmann Road in the unincorporated Cuyama area.

The Air Pollution Control District offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
3. Prior to final building clearance, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.
4. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

April 22, 2010

Page 2

Sincerely,



Eric Gage,

Air Quality Specialist

Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Ken Borngrebe
Project File
TEA Chron File



ATTACHMENT A FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Memorandum

DATE: June 13, 2014

TO: Kathy Pfeifer
Planning and Development
Santa Maria

FROM: Dwight Pepin, Captain
Fire Department



SUBJECT: APN: 149-140-076, 149-150-029, -030, -031, -032; Permit #: 10CUP-00008
Site: 596 Kirschenmann Road, Cuyama
Project Description: Solar Photovoltaic Array

*This Development Letter Supersedes the Previous Incomplete Development Letter
Dated October 27, 2010*

All Conditions Remain the Same

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. Fire Protection Certificates will be required.

PRIOR TO CONSTRUCTION OF THE SOLAR ARRAYS THE FOLLOWING CONDITIONS MUST BE MET

2. Provide construction plan that addresses the phased installation, access and operation of the project.
3. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
4. All access ways shall conform to Santa Barbara County Fire Department Development Standards.
 - Access plans shall be approved by the fire department prior to any work being undertaken.
 - Access ways shall have a minimum width of 20 feet.
5. Fire lanes shall be provided around electrical vaults and transformers, etc.

6. Provide Vegetation Management plan for the project that addresses the removal or maintenance of natural vegetation on the property and under the solar panels.
7. Provide information that confirms there will be "NO" feedback to electric energy into the facility when the power is shut off inside during an emergency.
8. Provide containment design details for transformers.

**PRIOR TO OCCUPANCY CLEARANCE
THE FOLLOWING CONDITIONS MUST BE MET**

9. Portable fire extinguishers are required.
 - During construction all temporary buildings, guard shacks and equipment staging areas shall be equipped with fire extinguishers and a means of contacting 911 Emergency Dispatchers.
 - Properly sized fire extinguishers shall be required at all 1 mega watt conversion stations and for the main sub-station.
10. All electrical equipment, cables, conduit, etc. shall be properly labeled.
11. A recorded address is required and shall be posted as required by fire department.
12. Access way entrance gates shall conform to fire department standards.

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please telephone 805-681-5523 or 805-681-5500.

DP:mkb



Santa Barbara County Public Works Department
Flood Control & Water Agency

April 15, 2010

John Day, Planner
County of Santa Barbara
Planning & Development Department
123 E. Anapamu St.
Santa Barbara, CA 93101

**Re: 10CUP-00000-00008; Cuyama Solar Array Project;
APN: 149-150-029, -030, 031, 032, 149-140-076; Cuyama**

Dear Mr. Day:

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General

- a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated February 2010 (<http://www.countyofsb.org/uploadedFiles/pwd/Water/StdConditionsFeb2010.pdf>).
- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.


2. Prior to Final Zoning Clearance

- a. The applicant shall submit all site plans, grading and drainage plans, and drainage studies to the District for review and approval.
 - i. Project plans shall show the limits of the FEMA Special Flood Hazard Area (floodplain).
 - ii. All development within the floodplain shall meet the requirements of Chapter 15A (Floodplain Management) of the County Ordinance.
- b. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
- c. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies.

- d. The applicant shall submit to the District electronic drawings in PDF format of the approved site plans, grading plans and drainage plans, and drainage studies on a compact disc along with one hard copy of each.
3. Prior to Occupancy Clearance
 - a. The applicant shall submit an Elevation Certificate (FEMA Form 81-31) to the District's Floodplain Manager for any proposed structures located within a Special Flood Hazard Area.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: 
Nick Bruckbauer
Development Review Engineer

Cc: Bolthouse Properties, Inc., 2000 Oak Street, Suite 250, Bakersfield, CA 93301
Ken Borngrebe, First Solar, Inc., 18101 Von Karman Ave., Ste. 300, Irvine, CA 92612

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



June 28, 2014

TO: Kathy Pfeifer, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval Rev. 1**
Cuyama Solar Array Project
Cuyama
10CUP-00000-00008
APN: 149-140-076

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Cuyama Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is **\$0 (0 newly generated peak hour trips (PHT's) x \$550/PHT)**. Fractional PHT's are rounded. **Fees are due prior to zoning clearance and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

Sight Distance

2. Prior to zoning clearance, the developer shall design, and prior to occupancy, the developer shall provide intersection sight distance in a manner acceptable to the Department of Public Works Traffic Section.

When the criteria for sight distances cannot be met, the County may prohibit vehicle turning movements, require speed change lanes or require additional speed change lane lengths.

Driveways/Drive Aisles

3. Prior to zoning clearance, the developer shall design, and prior to occupancy the developer shall construct, all site ingress and egress points in a manner acceptable to the Department of Public Works Traffic Section. All driveway accesses shall be improved to include all necessary pavement or cross gutters to match adjacent improvements as required by the Department of Public Works Traffic and Permit Sections.

Street Sections/Pavement Traffic Index

4. Prior to zoning clearance or tract/parcel map approval, the developer shall design, and prior to occupancy, the developer shall construct pavement for all roadwork based on the appropriate road detail provided in the Santa Barbara County Engineering Design Standards. All designs and/or modifications shall be reviewed and approved by the Department of Public Works Traffic Section.
5. Prior to land use clearance, improvement plans shall include the following items, designed to the satisfaction of the County Traffic Engineer:
 - a) Design and re-construct any substandard County roadway improvements along the project frontage. All Construction shall conform to the County Engineering Design Standards. Any substandard modifications to these standards shall be approved by the County Traffic and Permit sections prior to occupancy.

Encroachment/Excavation/Haul Permit

7. An Excavation or Encroachment Permit shall be required for any work performed in the County right of way, including road construction, driveways, utilities, connections and hauling more than 1000 cubic yards of earthwork.

The developer shall comply will all applicable Public Works Standard Conditions of Approval and Engineering Design Standards, as determined by the Public Works Traffic or Permit Sections, prior to issuance of an Encroachment Permit.

Encroachment Permits and/or Santa Barbara Engineering Design Standards and Pubic Works Standard Conditions of Approval can be obtained at the following locations:

North County Permits Section
620 West Foster Road
Santa Maria, CA 93455
805-739-8788

South County Permits Section
4417 Cathedral Oaks Road
Santa Barbara, CA 93110
805-681-4967

Traffic Controls

8. Prior to zoning clearance, traffic circulation and control on adjacent streets shall be designed as required by the Department of Public Works Traffic Section. This shall include, but is not limited to, curb openings, turn lanes and control signs for regulation, warning, and guidance of traffic.

9. Prior to zoning clearance, traffic circulation and control onsite shall meet the approval of the Department of Public Works Traffic Section.
10. Prior to occupancy, all signs shall be installed, and prior to final clearance, the County may require the developer to add traffic safety devices, such as signing and striping, the need for which are not apparent at time of plan approval but which are warranted due to actual field conditions. The developer shall install the traffic safety devices prior to final clearance.
11. Prior to zoning clearance, if applicable, the applicant must apply for annexation of into the appropriate County Lighting District/County Service Area, and pay all fee's and costs for advertising public hearings in connection therewith.

Off-Site Road Improvements

12. Where off-site road improvements or a dedication of right of way for off-site improvements is required for which a need cannot be attributed to the project, the County shall deduct the value of construction or dedication from the payment that would otherwise be collected for Traffic Mitigation Fee's.

Improvements and dedication that are necessary to mitigate the specific impacts of a project on area roads are considered on-site and are not to be deducted from the Traffic Mitigation Fee's. If the value of the off-site road improvements or dedication exceeds the payment required, the County may:

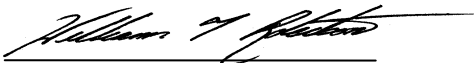
- a. Reimburse the applicant the difference between the amount of the payment and the value of the additional improvements and dedication, or
- b. Enter into an agreement with the applicant to establish a credit for the additional improvements and dedications.

Franchise Agreement

13. Prior to Zoning Clearance issuance, the applicant shall have, in place, a franchise agreement acceptable to Public Works and County Counsel.

If you have any questions, please contact me at 739-8785.

Sincerely,



William T. Robertson

cc: 10CUP-00000-00008

Gary Smart, Transportation Manager, County of Santa Barbara, Public Works Department

G:\Transportation\Traffic\Transportation Planning\Development Review\Cuyama\Cuyama Solar Project 10CUP-Rev Cond.doc

Santa Barbara County



Standard Conditions of Approval

October 2007

COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS

Standard Conditions for Tentative Tract Map Approval Ammended October, 2007

1. Construction of all improvements required by the Public Works Department in the approval of the Tentative Map shall be in accordance with County Subdivision Ordinance No. 1722, the Geometric Design Standards contained in the Engineering Design Standards Manual, the applicable portions of the California Department of Transportation Standard Specifications of current date and the Standard Detail contained in Appendix 4 of the Engineering Design Standards Manual.
2. Design of all improvements to be constructed as part of this development shall be performed by a Civil Engineer registered in the State of California. Specifications and plan and profile drawings, completed in accordance with Department of Public Works Standards shall be submitted to the Public Works Department and appropriate officials of other departments for their approval, and all bonds and fees shall be posted prior to recordation of the final development map.
3. Prior to recordation of the Final Map and start of any construction, the Developer shall designate to the Department of Public Works the road or roads he intends for construction access to the development to the extent to which subject roads will be used as haul roads. The Public Works Department may, at its option, designate an alternate off-site access or may require a security for the repair or reconstruction in the event subject road is damaged by construction traffic.
4. The Structural road section for all proposed public roads shall consist of the following:

Aggregate Base conforming to the provisions in Section 26, "Aggregate Bases", of the Standard Specifications shall be placed with a minimum thickness of 0.50 feet on all public roads. The actual thickness of the aggregate base shall be determined by "R" Values from Test Method 301- F, California Department of Transportation Specifications. When the Traffic Index is less than 5.5 the minimum section will be 0.2 feet of A.C. and 0.5 feet of A.B. When the Traffic Index is 5.5 or greater, the minimum section will be 0.3 feet A.C. and 0.5 feet Class II Base.
5. All underground utilities shall be extended to development boundaries and laterals stubbed out to the property lines clear of zone at each lot before the placement of concrete surfacing. Prior to release of the Road Improvement Security and acceptance of the roads within the development, it will be necessary for the Developer to have each utility company certify in writing that the above has been accomplished.
6. Prior to release of the Road Improvement Security, the Registered Civil Engineer or Licensed Land Surveyor who performed the construction staking for the development shall certify in writing, that all curbs, gutters, storm drains, and other related street work have been staked in the field accordance with the plan and profile drawings by the Director of Public Works.
7. Prior to approval of plan and profile drawings by the Department of Public Works, the Developer shall post Sureties and provide inspection fees in amounts to be determined by the Department of Public Works to insure required improvements within the road right of way

8. Hydraulic studies indicating drainage flows to be anticipated from the entire watershed within which the development is located shall be submitted to the Public Works Department and Flood Control Engineer for review and approval. Detailed hydraulic studies of storm water run-off to be carried in each gutter of each street shall be submitted by the Developer's Engineer for approval by the Public Works Department. The amount of storm water runoff to be carried in a street section shall be computed on the basis of a 10 year frequency storm. Special drainage facilities will be required when the capacity of the street section has been reached. The drainage facility design shall be prepared in conformance with Section 13 and Appendix 12 of the Engineering Design Standards Manual, and submitted for approval by the Department of Public Works and Flood Control Engineer. Design criteria for underground drainage facilities will be based on a minimum storm frequency of 25 years. Actual design frequency will be determined by the Department of Public Works or the Flood Control Engineer.
9. Developer shall furnish and install any required road name signs, traffic control signs. And striping to County standards. All traffic control signs shall be installed after roads are paved and prior to being opened up to traffic, including construction traffic.
10. All off-tract drainage and flood control facilities and installations shall be installed and completed prior to grading of subject development.
11. Developer shall offer for dedication as easement to the County, at no cost to the County, all road rights of way shown within the boundaries of subject development map, except roads proposed to be private roads. All road rights of way offered for dedication to the County shall be free and clear of any easements prior to recordation of the Final Map, unless approved otherwise by the Department of Public Works.
12. A denied access strip one foot wide shall be offered for dedication in fee to the County as a separate parcel of land, not part of the road right of way, and standard Public Works Department road barricades constructed across the end of all public roads extending to the tract boundaries of any unit of the tract, except where they are extensions of existing improved public roads.
13. Prior to approval of plan and profile drawings by the Public Works Department, the following utilities shall be shown on the plans and approved by an authorized representative of the utility:
 1. Sewer System
 2. Water Distribution System
 3. Gas Distribution System
 4. Storm Drains required by Flood Control

Additionally, a preliminary plan showing underground electrical, telephone and Cable T.V. service shall be submitted by each agency.

14. All plan and profile drawings presented to the Public Works Department for approval shall be in conformance with the requirements of the Engineering Design Standards Manual. All road widths shall be as specified in this Manual. Roadway classifications are as specified in the Circulation Element of the General Plan.
15. Water for compaction and dust control shall be made available within the boundaries of the development prior to starting any earth moving operations other than necessary for the installation of subject water source. Applicant shall provide a water availability letter from the appropriate water supply agency.

16. Prior to start of any earth moving or improvements within the development the Developer shall obtain a Road Excavation and Encroachment Permit from the Public Works Department as required by Board of Supervisors Ordinance No. 1491, dated November 26, 1963, and/or shall obtain a County Grading Permit per Santa Barbara County Ordinance No. 1795 dated May 20, 1967.
17. The program for reconstruction of any existing County road being used by public traffic shall be presented in writing to the Public Works Department a minimum of 4 working days ahead of the proposed starting date. The Progress Schedule of proposed work shall be approved prior to start of construction. After construction on any existing County road commences, the project shall be pursued continuously to completion. Any delay will provide good cause for issuance of a stop order on all other portions of the development.
18. The following utilities and services, both existing and proposed, shall be installed underground in the roads pursuant to Resolution No. 24416 and connected to each dwelling unit where housed are built, or stubbed out to each lot where lots only are sold: Gas, Water, Cable T.V., Telephone, Sanitary Sewer and Electrical Power.
19. After Sign-off by the Public Works Department Inspector, and prior to release of final security, the Developer's Engineer shall add "Record Drawing" information to the original tracings in red or orange ink and sign them as "RECORD DRAWING".
20. On any proposed streets where curbs, gutters and sidewalks are required, the sidewalks shall have a total distance from curb face to back of sidewalk as prescribed in the Standard Details contained in Appendix 3 and 4 of the Engineering Design Standards Manual. Existing streetlights or fire hydrants within the sidewalk area shall be relocated behind the sidewalk, and any proposed streetlights or fire hydrants placed behind the sidewalk.
21. Any double frontage lot (lots having a street both front and rear) shall have denied access to the rear street.
22. Concrete masonry block walls, if required by the Resource Management Department shall be constructed to the design and standards of the Building and Safety Division of the Public Works Department. Walls adjacent to road rights of way shall be shown on the Department of Public Works plan and profile drawings. A Building Permit may be required for such walls.
23. Developer shall comply with the Department of Public Works policy relating to Subdivision Street Trees and Utility Service Laterals on all subdivision streets.
24. Chain link fences, if required by the Resource Management Department of Flood Control, shall be constructed to Cal Trans Standard Plans. Subject fences shall be shown on the Department of Public Works plan and profile drawings if adjacent to County road rights of way.
25. Developer shall post Security and provide plan-checking fees in amounts to be determined by the Public Works Department to insure proper construction of all private streets within the development. Security will be released upon certification of a Civil Engineer registered in the State of California that subject streets have been constructed to approved standards.
26. Occupancy of any building within the development will be denied until all street improvements and drainage facilities are completed.

27. The developer's engineer of record, as specified in these conditions, shall certify to the Public Works Department prior to release of any securities that all private streets within the subject development are constructed according to approved plans prior to occupancy of any dwelling unit within the tract, and that all rough grading has been completed in substantial conformance with the tract grading plan.
28. Upon completion of construction and prior to occupancy, the entire road right of way abutting this project will be cleaned to allow Public Works Department Inspectors to check for damage to curbs, gutters, or sidewalks caused by construction traffic. Any damage will be repaired by the Developer prior to occupancy.
29. The Developer shall comply with the current Bikeway Element of the General Plan as to the dedication and construction of bikeways.
30. All roads shall be kept clear of mud and/or other construction debris during construction.
31. The Developer will be responsible for and fees required for materials retesting.
32. The Developer may be required by the Public Works Department to overlay or chip seal a road, as determined by the Public Works Department, after construction work has been completed if it is determined by the County that local patching is insufficient to mitigate project related construction and utility trenching damage.
33. Subdivider shall submit a Grading Plan acceptable to the Public Works Department for all streets and building pads prior to submitting the Final Map for approval. The Grading Plan shall show all lots draining to the street on which they front unless otherwise approved by the Public Works Department. The Grading Plan shall also show method and degree of compaction and proposed method of stabilizing exposed slopes. Subdivider shall plant and maintain all cut and fill slopes and maintenance shall be continued until the lot is occupied.
34. A preliminary Soils Report of the area, prepared by a Civil Engineer experienced in soil mechanics and slope stability, and registered in the State of California, will be required prior to the issuance of Grading Permits. The report shall include data regarding the distribution, stability and expansive nature of existing soils and conclusions and recommendations for grading procedures and design criteria for corrective measures.
35. All grading shall comply with the provisions of County Grading Ordinance No. 1795, and to Public Works Department standards.
36. Grading shall be designed so that natural drainage from off-tract property is not obstructed.
37. Provision shall be made to prevent off-tract drainage from being received by lots. Tract drainage shall not be drained to a public street gutter that does not have storm drainage inlets and where the tract drainage could, after being carried along the road gutter for some distance, be dumped into another tract.
38. No grading can be done prior to Final Map recordation except in compliance with County Code Chapter 21-8-C4.
39. All underground utility trench backfills on private property and in private roads shall be compacted and tested to a minimum of 90%, or to the satisfaction of the Public Works Director. Compaction test reports shall be submitted before and grading is finalized.

40. The Subdivider shall furnish one copy of the Final Tract Map to the Public Works Department prior to approval.
41. All debris, liter, and other construction waste generated by this development shall be removed from the site or adjacent property. Occupancy clearance of any building will be denied until debris removal is acceptable to the Public Works
42. Since certain areas of Santa Barbara County are prone to accelerated seasonal erosion by either wind or water, and acceptable Erosion Control Plan, with timing, may be required with the project Grading Plan.
43. Any tract which is to be graded out (mass graded) and developed as a Phased Build-Out will require a detailed engineered Erosion Control Plan which will apply to all graded areas which are not built out. This plan shall be maintained until the respective tract phases are built out. This condition shall also apply to Lot Sale Subdivisions.
44. On lot sale subdivisions, no building permits shall be issued for any lot until all required utilities, rough grading, drainage facilities, and street improvements have been completed, unless otherwise approved by the Director of Public Works. This condition must be shown on the Final Map, along with the time allowed by the Subdividers Contract for the developer to complete said improvements.
45. Prior to issuance of any road construction and/or grading permits, the applicant shall verify to the Department of Public Works, in writing, that a registered civil engineer has been retained to act as the Engineer of Record during construction and testing operations. This engineer shall be responsible for any and all observation during construction, which he deems necessary to certify those aspects of construction requiring certification pursuant to these conditions. Where possible, the engineer whose signature and stamp appear on the tract plans should be retained as the Engineer of Record.
46. Regardless of all review and/or acceptance of tract plans, specifications, calculations, and reports by Public Works or other County departments, the registered civil engineer whose signature and stamp appear on the tract grading and road improvement plans is responsible for the accuracy and integrity of the design and base information relating to the plans and calculations. Design conflicts which arise during construction may result in work being stopped until discrepancies are resolved.

ATTACHMENT C
CONDITIONS OF APPROVAL

LOT LINE ADJUSTMENT, CASE NO. 10LLA-00000-00004

1. Proj Des-01

This Lot Line Adjustment is based upon and limited to compliance with the project description, the location of the existing parcels presented in Exhibit 1 and the Lot Line Adjustment presented in Exhibit 2, the Board of Supervisor's hearing exhibits marked A-N, [date], and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations.

The project description is as follows:

The Lot Line Adjustment involves the following steps as shown in Exhibit 1 of these Conditions of Approval:

- 1. Adjust the lot line between existing parcels 149-140-076 and 149-150-029 to an east-west alignment.**
- 2. Shift the lot line between existing parcels 149-150-029 and 149-150-030 westward across Kirschenmann Road to the previous location of the lot line adjusted in Step 1 above.**

The three existing parcels of 493.4 gross acres (APN 149-140-076), 413.9 gross acres (APN 149--150-029) 39.7 gross acres, and (APN 149-150-030) 39.8 gross acres will be adjusted into three resultant parcels of 247.07 gross acres (Parcel 1), 166.83 gross acres (Parcel 2), and 79.52 gross acres (Parcel 3). Parcels 1 and 2 will be zoned AG-II-100 and will exceed the 100-acre minimum parcel size. Parcel 3 will be zoned AG-II-40 (pursuant to the Consistency Rezone) and will exceed the 40-acre minimum parcel size. Resultant Parcels 2 and 3, along with existing parcels 149-150-031 and -032 (approximately 40 acres each) will result in an approximate 327-acre Project area.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. Proj Des-2 Project Conformity

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree

Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

PROJECT SPECIFIC CONDITIONS

3. Recordation of Certificate of Cancellation - Land Conservation Contract 76-AP-072

Prior to recordation of the Lot Line Adjustment, the Certificate of Cancellation (10AGP-00000-00004) for Land Conservation contract 76-AP-072 shall be recorded. Subsequent to the recordation of the Lot Line Adjustment, the Replacement Land Conservation Contract (13AGP-00000-00024) shall be recorded.

LOT LINE ADJUSTMENT CONDITIONS

- 4. Map-01 Maps-Info.** Prior to recordation of the Lot Line Adjustment subject to Planning and Development approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Lot Line Adjustment. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
- 5. Map-04 LLA Submittals.** Prior to recordation of the Lot Line Adjustment map, the Owner/Applicant shall submit a Lot Line Adjustment documents prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Lot Line Adjustment documents shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
- 6. Map-15 LLA-Deed Recordation.** The following language shall be included on the deeds used to finalize the Lot Line Adjustment: "This deed (or document) arises from the Lot Line Adjustment County Case No. 10LLA-00000-00004 and defines a single parcel within the meaning of California Civil Code Section 1093 among three legal parcels created by Case No. 10LLA-00000-00004." The County Surveyor shall determine the appropriate documents necessary to record with the deeds.

COUNTY RULES AND REGULATIONS

- 7. Rules-19 Maps/LLA Revisions.** If the unrecorded Lot Line Adjustment is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Lot Line Adjustment.
- 8. Rules-23 Processing Fees Required.** Prior to recordation or filing of a Lot Line Adjustment, the Owner/Applicant shall pay all applicable Planning and Development permit processing fees in full as required by County ordinances and resolutions.

- 9. Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
- 10. Rules-36 Map/LLA Expiration.** This Lot Line Adjustment shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page-1

ATTACHMENT D: Summary of Impacts, Development Standard/Mitigation, and Residual Impacts

Impact	Development Standard/ Mitigation Measure	Residual Significance
AESTHETICS AND VISUAL RESOURCES		
CP/LUDC Amendments		
Impact AV-1. Impacts to Scenic Vistas and Recreational Resources from Possible Future Utility-Scale Solar Development in the CP/LUDC Area	Development Standard AV-1: Avoid Scenic Highways Utility-scale solar photovoltaic facilities shall be located to avoid significant visual impacts to designated or eligible designated scenic highways.	Significant (Class I)
Impact AV-2. Impacts on Visual Character from Possible Future Utility-Scale Solar Development in the CP/LUDC Area	Development Standard AV-2: Aesthetic Design Treatments Aesthetic design treatments shall be applied to and maintained for all structures, including fencing, onsite buildings and panel mounting structures, to minimize the impact on the existing visual character and quality, where needed. Aesthetic design treatments shall be considered, but not limited to fence slats, decorative walls, landscaping, painting and application of other finishes to camouflage structures and reduce glare.	Significant (Class I)
Impact AV-3. Increased Night Lighting from Possible Future Utility-Scale Solar Development in the CP/LUDC Area	Development Standard AV-3: Low-Intensity Lighting All construction and operational lighting shall be in compliance with Dark Sky standards, including low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots.	Significant (Class I)
Impact AV-4. Increased Daytime Glare from Possible Future Utility-Scale Solar Development in the CP/LUDC Area	Development Standard AV-4: Minimize Glare Solar panels and hardware shall be designed to minimize glare and spectral highlighting.	Significant (Class I)
Solar Facility		
Impact AV-5. Impacts to Scenic Vistas and Recreational Resources from the Proposed Solar Array	SPEC-AV-1: Aesthetic Design Treatments The exterior of the inverter boxes and the exterior of structures, lighting fixtures and poles, above ground transmission lines and poles/ towers will be factory treated with a non-specular dull finish or using standard environmental coloring to minimize contrast with the existing landscape where feasible. Written proof of infeasibility shall be provided to NBAR and subject to NBAR approval. All galvanized surfaces will be treated to minimize reflective properties using poly bonded vinyl coating, powder coating, or special non-specular dulling treatment. Surfaces shall include, but not limited to fences, PV panel support structures, brackets and pins, to the extent feasible.	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 2

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>PLAN REQUIREMENTS: The Owner/Applicant and/or their agents shall prepare a aesthetic design treatment plan including sample materials and paint/treatment palettes to the NBAR and County Planning & Development staff for review and approval.</p> <p>TIMING: The aesthetic design treatment plan shall be submitted to the County prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review the aesthetic design treatment plan prior to issuance of zoning clearance, and P&D compliance monitoring staff shall ensure the plan is implemented prior to issuance of final development permits/occupancy permits.</p> <p>SPEC-AV-2: Low-Intensity Lighting</p> <p>All construction and operational lighting shall consistent with Dark Sky guidelines, including being low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The minimum number of aviation warning lights required shall be implemented and strobe timing shall be the longest FAA permissible duration between flashes, as feasible.</p> <p>PLAN REQUIREMENTS: A lighting plan shall include the specifications above.</p> <p>TIMING: A lighting plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review and approve the lighting plan for inclusion of the low-intensity lighting mitigations prior to issuance of zoning clearance, and P&D compliance monitoring staff shall confirm implementation of the low-intensity lighting plan prior to issuance of final development/occupancy permits.</p> <p>SPEC-AV-3: Minimize Glare</p> <p>Solar panels and hardware shall be designed to minimize glare and spectral highlighting to the extent feasible.</p> <p>PLAN REQUIREMENTS: This site plan shall include the specifications above.</p> <p>TIMING: The site plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review and approve the site plan for inclusion of the specifications that ensure solar panels and hardware minimize glare and spectral highlighting to the extent feasible prior to issuance of zoning clearance, and P&D compliance monitoring staff shall confirm implementation of approved solar equipment prior to issuance of final development/occupancy permits.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 3

Impact	Development Standard/ Mitigation Measure	Residual Significance
Impact AV-6. Impact on Scenic Travel Corridors from the Proposed Solar Array	No mitigation required.	Less Than Significant (Class III)
Impact AV-7. Adverse Changes to Visual Character of the Project Area from the Solar Array	<p>SPEC-AV-1: Aesthetic Design Treatments</p> <p>The exterior of the inverter boxes and the exterior of structures, lighting fixtures and poles, above ground transmission lines and poles/ towers will be factory treated with a non-specular dull finish or using standard environmental coloring to minimize contrast with the existing landscape where feasible. Written proof of infeasibility shall be provided to NBAR and subject to NBAR approval.</p> <p>All galvanized surfaces will be treated to minimize reflective properties using poly bonded vinyl coating, powder coating, or special non-specular dulling treatment. Surfaces shall include, but not limited to fences, PV panel support structures, brackets and pins, to the extent feasible.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant and/or their agents shall prepare a aesthetic design treatment plan including sample materials and paint/treatment palettes to the NBAR and County Planning & Development staff for review and approval.</p> <p>TIMING: The aesthetic design treatment plan shall be submitted to the County prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review the aesthetic design treatment plan prior to issuance of zoning clearance, and P&D compliance monitoring staff shall ensure the plan is implemented prior to issuance of final development permits/occupancy permits.</p>	Significant (Class I)
Impact AV-8. Impacts from Nighttime Lighting from the Solar Array	<p>SPEC-AV-2: Low-Intensity Lighting</p> <p>All construction and operational lighting shall consistent with Dark Sky guidelines, including being low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The minimum number of aviation warning lights required shall be implemented and strobe timing shall be the longest FAA permissible duration between flashes, as feasible.</p> <p>PLAN REQUIREMENTS: A lighting plan shall include the specifications above.</p> <p>TIMING: The lighting plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review and approve the lighting plan for inclusion of the low-intensity lighting mitigations prior to issuance of zoning clearance, and P&D</p>	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 4

Impact	Development Standard/ Mitigation Measure	Residual Significance
	compliance monitoring staff shall confirm implementation of the low-intensity lighting plan prior to issuance of final development/occupancy permits.	
Impact AV-9. Impacts from Daytime Glare from the Solar Array	<p>SPEC-AV-3: Minimize Glare Solar panels and hardware shall be designed to minimize glare and spectral highlighting to the extent feasible.</p> <p>PLAN REQUIREMENTS: This site plan shall include the specifications above.</p> <p>TIMING: The site plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review and approve the site plan for inclusion of the specifications that ensure solar panels and hardware minimize glare and spectral highlighting to the extent feasible prior to issuance of zoning clearance, and P&D compliance monitoring staff shall confirm implementation of approved solar equipment prior to issuance of final development/occupancy permits.</p>	Significant (Class I)
Impact AV-10. Impact to Scenic Vistas from Stationary Locations and Travel Corridors from Gen Tie-Line and Switchyard	<p>SPEC-AV-1: Aesthetic Design Treatments The exterior of the inverter boxes and the exterior of structures, lighting fixtures and poles, above ground transmission lines and poles/ towers will be factory treated with a non-specular dull finish or using standard environmental coloring to minimize contrast with the existing landscape where feasible. Written proof of infeasibility shall be provided to NBAR and subject to NBAR approval.</p> <p>All galvanized surfaces will be treated to minimize reflective properties using poly bonded vinyl coating, powder coating, or special non-specular dulling treatment. Surfaces shall include, but not limited to fences, PV panel support structures, brackets and pins, to the extent feasible.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant and/or their agents shall prepare a aesthetic design treatment plan including sample materials and paint/treatment palettes to the NBAR and County Planning & Development staff for review and approval.</p> <p>TIMING: The aesthetic design treatment plan shall be submitted to the County prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review the aesthetic design treatment plan prior to issuance of zoning clearance, and P&D compliance monitoring staff shall ensure the plan is implemented prior to issuance of final development permits/occupancy permits.</p> <p>SPEC AV-2: Low-Intensity Lighting All construction and operational lighting shall consistent with Dark Sky guidelines,</p>	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 5

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>including being low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The minimum number of aviation warning lights required shall be implemented and strobe timing shall be the longest FAA permissible duration between flashes, as feasible.</p> <p>PLAN REQUIREMENTS: A lighting plan shall include the specifications above.</p> <p>TIMING: The lighting plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review and approve the lighting plan for inclusion of the low-intensity lighting mitigations prior to issuance of zoning clearance, and P&D compliance monitoring staff shall confirm implementation of the low-intensity lighting plan prior to issuance of final development/occupancy permits.</p>	
Impact AV-11. Impacts to the Visual Character of the Area from Gen Tie-Line and Switchyard	<p>SPEC-AV-1: Aesthetic Design Treatments</p> <p>The exterior of the inverter boxes and the exterior of structures, lighting fixtures and poles, above ground transmission lines and poles/ towers will be factory treated with a non-specular dull finish or using standard environmental coloring to minimize contrast with the existing landscape where feasible. Written proof of infeasibility shall be provided to NBAR and subject to NBAR approval.</p> <p>All galvanized surfaces will be treated to minimize reflective properties using poly bonded vinyl coating, powder coating, or special non-specular dulling treatment. Surfaces shall include, but not limited to fences, PV panel support structures, brackets and pins, to the extent feasible.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant and/or their agents shall prepare a aesthetic design treatment plan including sample materials and paint/treatment palettes to the NBAR and County Planning & Development staff for review and approval.</p> <p>TIMING: The aesthetic design treatment plan shall be submitted to the County prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review the aesthetic design treatment plan prior to issuance of zoning clearance, and P&D compliance monitoring staff shall ensure the plan is implemented prior to issuance of final development permits/occupancy permits.</p> <p>SPEC-AV-2: Low-Intensity Lighting</p> <p>All construction and operational lighting shall consistent with Dark Sky guidelines, including being low intensity, low glare design, minimum height, and shall be</p>	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 6

Impact	Development Standard/ Mitigation Measure	Residual Significance
	hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The minimum number of aviation warning lights required shall be implemented and strobe timing shall be the longest FAA permissible duration between flashes, as feasible. PLAN REQUIREMENTS: A lighting plan shall include the specifications above. TIMING: The lighting plan shall be submitted prior to issuance of zoning clearance. MONITORING: P&D shall review and approve the lighting plan for inclusion of the low-intensity lighting mitigations prior to issuance of zoning clearance, and P&D compliance monitoring staff shall confirm implementation of the low-intensity lighting plan prior to issuance of final development/occupancy permits.	
PG&E Cuyama Substation Additions		
Impact AV-12. Impact on Scenic Vistas From Stationary Locations and Travel Corridors from the PG&E Cuyama Substation Additions.	No mitigation required.	Less Than Significant (Class III)
Impact AV-13. Impacts to Visual Character of the Area from the PG&E Cuyama Substation Additions.	No mitigation required.	Less Than Significant (Class III)
AGRICULTURAL RESOURCES		
CP/LUDC Amendments		
Impact AG-1. The CP/LUDC would convert prime agricultural land to non-agricultural use or impair agricultural land productivity (whether prime or non-prime).	Development Standard AG-1. Preservation of Off-Site Agricultural Land Development of a Utility-Scale Solar Photovoltaic Facility that converts prime agricultural land/or Important Farmland to non-agricultural use or impairs of agricultural land productivity shall be mitigated through the following: Prior to issuance of any grading or building permit, the project proponent shall provide written evidence of the completion of the permanent preservation of off-site agricultural land of equal or better agricultural quality, at a ratio of 1:1 for net acreage before conversion, through one of the following methods: 1) funding and purchase of agricultural conservation easements; 2) purchase of credits from an established agricultural farmland mitigation bank; 3) contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; 4) participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above.	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 7

Impact	Development Standard/ Mitigation Measure	Residual Significance
	Development Standard AG-2. Demolition and Reclamation Plan Conversion of prime agricultural land to non-agricultural use or impairment of agricultural land productivity (includes State defined Prime Farmland and Farmland of Statewide Importance) through development of a utility-scale solar photovoltaic facility shall include preparation of a Demolition and Reclamation plan and financial assurances necessary to guarantee removal of the facility, including all of its components, to allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time.	
Solar Facility		
Impact AG-2. The Solar Array would convert onsite prime agricultural land to non-agricultural use or impair agricultural land productivity (whether prime or non-prime).	SPEC-AG-1. Preservation of Off-Site Agricultural Land Prior to issuance of any grading or building permits, the Applicant shall provide written evidence of completion of one or more of the following measures, within Santa Barbara County, to mitigate the loss of agricultural land (includes State defined Prime Farmland and Farmland of Statewide Importance) at a ratio of 1:1 for net acreage before conversion. Net acreage is to be calculated by excluding existing roads and areas already developed with structures. A plot plan shall be submitted substantiating the net acreage calculation along with written evidence of compliance. <ul style="list-style-type: none"> • Funding and purchase of agricultural conservation easements (will be managed and maintained by an appropriate entity); • Purchase of credits from an established agricultural farmland mitigation bank; • Contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; or • Participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above. Mitigation includes lands of equal or higher agricultural quality that meets the definition of Prime Farmland or Farmland of Statewide Importance established by the State Department of Conservation. Completion of the selected measure(s) can be on qualifying land within the Cuyama Valley Rural Region or outside the region (but within Santa Barbara County) with written evidence that the same or equivalent crops can be produced on the mitigation land. TIMING: The Owner/applicant shall provide written evidence of completion of one	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 8

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>or more mitigation measures prior to issuance of a grading permit.</p> <p>MONITORING: P&D processing planner shall verify that written evidence conforms with mitigation measure.</p> <p>SPEC-AG-2. Demolition and Reclamation Plan</p> <p>Upon abandonment of project operations, the Project owner/operator shall submit a Demolition and Reclamation Plan to allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time.</p> <p>TIMING: The project owner/operator shall submit the Demolition and Reclamation Plan to the County for review and approval within 180 days of abandonment of project operations.</p> <p>MONITORING: P&D staff shall review and approve the Demolition and Reclamation Plan and shall be implemented during County inspections of demolition and reclamation activities.</p> <p>SPEC-AG-3. Financial Assurance for Demolition and Reclamation.</p> <p>The Project owner/operator shall submit to the Director:</p> <ol style="list-style-type: none"> An itemized cost estimate for removal of all structures and equipment and reclamation of the project site and an estimate from a qualified party of the reclamation value of the solar facility infrastructure. The bases for all estimates shall be identified and documented. The estimates shall be revised and updated and resubmitted to P&D every five years. The Project owner/operator shall submit to the County a financial assurance mechanism acceptable to the County for the cost of removal of structures and equipment and reclamation of the project site. The amount of the assurance shall be based on the itemized cost estimate. The financial security shall be in place for the life of the Project. The County will release the security upon successful completion of structure and equipment removal and site reclamation, as determined by the County. <p>TIMING: The financial assurance for demolition and reclamation shall be submitted to the County for review and approval prior to issuance of a Final Building Inspection Clearance. The financial assurance shall be revisited every five years to update the amount.</p> <p>MONITORING: P&D staff shall review and approve the financial assurance for demolition and reclamation.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 9

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>Standard Mitigation Measure AG-05. Buyer Notification. The Owner/Applicant shall record a buyer notification on a separate information sheet that reads as follows: "IMPORTANT: BUYER NOTIFICATION: This property is located adjacent to property zoned for agriculture and is located in an area that has been planned for agricultural uses. The Board of Supervisors has determined that it is in the public interest to preserve agricultural land and operations within the County of Santa Barbara and specifically to protect these lands for exclusive agricultural use. Any inconvenience or discomfort from properly conducted agricultural operations, including noise, odors, dust, and chemicals will not be deemed a nuisance per Section 3-23, Article V, Chapter 3 of the County Code." TIMING: The Owner/applicant shall record a buyer notification at the time of zoning clearance. MONITORING: P&D processing planner shall verify that the notification conforms to permit condition requirements.</p> <p>Standard Mitigation Measure Air-01: Dust Control. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:</p> <ol style="list-style-type: none"> Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays. Order increased watering as necessary to prevent transport of dust off-site. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: 	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 10

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<ul style="list-style-type: none"> i. Seed and water to re-vegetate graded areas; and/or ii. Spread soil binders; and/or iii. Employ any other method(s) deemed appropriate by P&D or APCD. <p>PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.</p> <p>PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:</p> <ul style="list-style-type: none"> a. Assure all dust control requirements are complied with including those covering weekends and holidays. b. Order increased watering as necessary to prevent transport of dust offsite. c. Attend the pre-construction meeting. <p>TIMING: The dust monitor shall be designated prior to issuance of grading permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.</p> <p>MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.</p> <p>Standard Mitigation Measure WatConv-7: SWPPP</p> <p>The Owner/Applicant will submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.</p> <p>TIMING: Prior to issuance of grading permit the Owner/Applicant will submit proof of exemption or a copy of the NOI and will provide a copy of the required SWPPP to Planning and Development. The Owner/Applicant will keep a copy of the SWPPP on the project site during grading and construction activities.</p> <p>MONITORING: The Planning and Development permit processing planner will review the documentation prior to approval of the grading permit. Planning and Development compliance monitoring staff will inspect the site during construction for compliance with the SWPPP.</p>	
Impact AG-3. The Solar Array would convert offsite prime agricultural land to non-agricultural use or impair agricultural land productivity	<p>SPEC-AG-1. Preservation of Off-Site Agricultural Land</p> <p>Prior to issuance of any grading or building permits, the applicant shall provide written evidence of completion of one or more of the following measures, within</p>	Less than significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 11

Impact	Development Standard/ Mitigation Measure	Residual Significance
(whether prime or non-prime).	<p>Santa Barbara County, to mitigate the loss of agricultural land (includes State defined Prime Farmland and Farmland of Statewide Importance) at a ratio of 1:1 for net acreage before conversion. Net acreage is to be calculated by excluding existing roads and areas already developed with structures. A plot plan shall be submitted substantiating the net acreage calculation along with written evidence of compliance.</p> <ul style="list-style-type: none"> • Funding and purchase of agricultural conservation easements (will be managed and maintained by an appropriate entity); • Purchase of credits from an established agricultural farmland mitigation bank; • Contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; or • Participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above. <p>Mitigation includes lands of equal or higher agricultural quality that meets the definition of Prime Farmland or Farmland of Statewide Importance established by the State Department of Conservation. Completion of the selected measure(s) can be on qualifying land within the Cuyama Valley Rural Region or outside the region (but within Santa Barbara County) with written evidence that the same or equivalent crops can be produced on the mitigation land.</p> <p>TIMING: The Owner/applicant shall provide written evidence of completion of one or more mitigation measures prior to issuance of a grading permit.</p> <p>MONITORING: P&D processing planner shall verify that written evidence conforms with mitigation measure.</p> <p>SPEC-AG-2. Demolition and Reclamation Plan</p> <p>Upon abandonment of project operations the Project owner/operator shall submit a Demolition and Reclamation Plan to allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time.</p> <p>TIMING: The project owner/operator shall submit the Demolition and Reclamation Plan to the County for review and approval within 180 days of abandonment of project operations.</p> <p>MONITORING: P&D staff shall review and approve the Demolition and Reclamation Plan and shall be implemented during County inspections of demolition and reclamation activities.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 12

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>SPEC-AG-3. Financial Assurance for Demolition and Reclamation. The Project owner/operator shall submit to the Director:</p> <ul style="list-style-type: none"> c. An itemized cost estimate for removal of all structures and equipment and reclamation of the project site and an estimate from a qualified party of the reclamation value of the solar facility infrastructure. The bases for all estimates shall be identified and documented. The estimates shall be revised and updated and resubmitted to P&D every five years. d. The Project owner/operator shall submit to the County a financial assurance mechanism acceptable to the County for the cost of removal of structures and equipment and reclamation of the project site. The amount of the assurance shall be based on the itemized cost estimate. The financial security shall be in place for the life of the Project. The County will release the security upon successful completion of structure and equipment removal and site reclamation, as determined by the County. <p>TIMING: The financial assurance for demolition and reclamation shall be submitted to the County for review and approval prior to issuance of a Final Building Inspection Clearance. The financial assurance shall be revisited every five years to update the amount.</p> <p>MONITORING: P&D staff shall review and approve the financial assurance for demolition and reclamation.</p> <p>Standard Mitigation Measure AG-05. Buyer Notification. The Owner/Applicant shall record a buyer notification on a separate information sheet that reads as follows: "IMPORTANT: BUYER NOTIFICATION: This property is located adjacent to property zoned for agriculture and is located in an area that has been planned for agricultural uses. The Board of Supervisors has determined that it is in the public interest to preserve agricultural land and operations within the County of Santa Barbara and specifically to protect these lands for exclusive agricultural use. Any inconvenience or discomfort from properly conducted agricultural operations, including noise, odors, dust, and chemicals will not be deemed a nuisance per Section 3-23, Article V, Chapter 3 of the County Code." TIMING: The Owner/applicant shall record a buyer notification at the time of zoning clearance. MONITORING: P&D processing planner shall verify that the notification conforms to permit condition requirements.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 13

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>Standard Mitigation Measure Air-01: Dust Control.</p> <p>The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:</p> <ul style="list-style-type: none"> a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease. c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph. e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays. f. Order increased watering as necessary to prevent transport of dust off-site. g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed. h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: <ul style="list-style-type: none"> i. Seed and water to re-vegetate graded areas; and/or ii. Spread soil binders; and/or iii. Employ any other method(s) deemed appropriate by P&D or APCD. <p>PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.</p> <p>PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:</p> <ul style="list-style-type: none"> a. Assure all dust control requirements are complied with including those covering weekends and holidays. b. Order increased watering as necessary to prevent transport of dust offsite. c. Attend the pre-construction meeting. <p>TIMING: The dust monitor shall be designated prior to issuance of grading permit.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 14

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.</p> <p>MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.</p> <p>Standard Mitigation Measure WatConv-7: SWPPP</p> <p>The Owner/Applicant will submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.</p> <p>TIMING: Prior to issuance of grading permit the Owner/Applicant will submit proof of exemption or a copy of the NOI and will provide a copy of the required SWPPP to Planning and Development. The Owner/Applicant will keep a copy of the SWPPP on the project site during grading and construction.</p> <p>MONITORING: The Planning and Development permit processing planner will review the documentation prior to approval of the grading permit. Planning and Development compliance monitoring staff will inspect the site during construction for compliance with the SWPPP.</p>	
Impact AG-4. The Gen Tie-Line and Switchyard would convert prime agricultural land to non-agricultural use or impair agricultural land productivity (whether prime or non-prime).	<p>SPEC-AG-1. Preservation of Off-Site Agricultural Land</p> <p>Prior to issuance of any grading or building permits, the Applicant shall provide written evidence of completion of one or more of the following measures, within Santa Barbara County, to mitigate the loss of agricultural land (includes State defined Prime Farmland and Farmland of Statewide Importance) at a ratio of 1:1 for net acreage before conversion. Net acreage is to be calculated by excluding existing roads and areas already developed with structures. A plot plan shall be submitted substantiating the net acreage calculation along with written evidence of compliance.</p> <ul style="list-style-type: none"> • Funding and purchase of agricultural conservation easements (will be managed and maintained by an appropriate entity); • Purchase of credits from an established agricultural farmland mitigation bank; • Contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; or • Participation in any agricultural land mitigation program that provides 	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 15

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>equal or more effective mitigation than the measures listed above.</p> <p>Mitigation includes lands of equal or higher agricultural quality that meets the definition of Prime Farmland or Farmland of Statewide Importance established by the State Department of Conservation. Completion of the selected measure(s) can be on qualifying land within the Cuyama Valley Rural Region or outside the region (but within Santa Barbara County) with written evidence that the same or equivalent crops can be produced on the mitigation land.</p> <p>TIMING: The Owner/applicant shall provide written evidence of completion of one or more mitigation measures prior to issuance of a grading permit.</p> <p>MONITORING: P&D processing planner shall verify that written evidence conforms with mitigation measure.</p> <p>SPEC-AG-2. Demolition and Reclamation Plan</p> <p>Upon abandonment of project operations the Project owner/operator shall submit a Demolition and Reclamation Plan to allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time.</p> <p>TIMING: The project owner/operator shall submit the Demolition and Reclamation Plan to the County for review and approval within 180 days of abandonment of project operations.</p> <p>MONITORING: P&D staff shall review and approve the Demolition and Reclamation Plan and shall be implemented during County inspections of demolition and reclamation activities.</p> <p>SPEC-AG-3. Financial Assurance for Demolition and Reclamation.</p> <p>The Project owner/operator shall submit to the Director:</p> <ul style="list-style-type: none"> e. An itemized cost estimate for removal of all structures and equipment and reclamation of the project site and an estimate from a qualified party of the reclamation value of the solar facility infrastructure. The bases for all estimates shall be identified and documented. The estimates shall be revised and updated and resubmitted to P&D every five years. f. The Project owner/operator shall submit to the County a financial assurance mechanism acceptable to the County for the cost of removal of structures and equipment and reclamation of the project site. The amount of the assurance shall be based on the itemized cost estimate. The financial security shall be in place for the life of the Project. The County will release 	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 16

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>the security upon successful completion of structure and equipment removal and site reclamation, as determined by the County.</p> <p>TIMING: The financial assurance for demolition and reclamation shall be submitted to the County for review and approval prior to issuance of a Final Building Inspection Clearance. The financial assurance shall be revisited every five years to update the amount.</p> <p>MONITORING: P&D staff shall review and approve the financial assurance for demolition and reclamation.</p> <p>Standard Mitigation Measure AG-05. Buyer Notification. The Owner/Applicant shall record a buyer notification on a separate information sheet that reads as follows: "IMPORTANT: BUYER NOTIFICATION: This property is located adjacent to property zoned for agriculture and is located in an area that has been planned for agricultural uses. The Board of Supervisors has determined that it is in the public interest to preserve agricultural land and operations within the County of Santa Barbara and specifically to protect these lands for exclusive agricultural use. Any inconvenience or discomfort from properly conducted agricultural operations, including noise, odors, dust, and chemicals will not be deemed a nuisance per Section 3-23, Article V, Chapter 3 of the County Code." TIMING: The Owner/applicant shall record a buyer notification at the time of zoning clearance. MONITORING: P&D processing planner shall verify that the notification conforms to permit condition requirements.</p> <p>Standard Mitigation Measure Air-01: Dust Control. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:</p> <ol style="list-style-type: none"> Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph. 	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 17

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<ul style="list-style-type: none"> e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays. f. Order increased watering as necessary to prevent transport of dust off-site. g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed. h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: <ul style="list-style-type: none"> i. Seed and water to re-vegetate graded areas; and/or ii. Spread soil binders; and/or iii. Employ any other method(s) deemed appropriate by P&D or APCD. <p>PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.</p> <p>PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:</p> <ul style="list-style-type: none"> a. Assure all dust control requirements are complied with including those covering weekends and holidays. b. Order increased watering as necessary to prevent transport of dust offsite. c. Attend the pre-construction meeting. <p>TIMING: The dust monitor shall be designated prior to issuance of grading permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.</p> <p>MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.</p> <p>Standard Mitigation Measure WatConv-7: SWPPP</p> <p>The Owner/Applicant will submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.</p> <p>TIMING: Prior to issuance of grading permit the Owner/Applicant will submit proof of exemption or a copy of the NOI and will provide a copy of the required SWPPP to Planning and Development. The Owner/Applicant will keep a copy of the SWPPP on</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 18

Impact	Development Standard/ Mitigation Measure	Residual Significance
	the project site during grading and construction activities. MONITORING: The Planning and Development permit processing planner will review the documentation prior to approval of the grading permit. Planning and Development compliance monitoring staff will inspect the site during construction for compliance with the SWPPP.	
PG&E Substation Additions		
Impact AG-5. The PG&E Substation Additions would convert prime agricultural land to non-agricultural use or impair agricultural land productivity (whether prime or non-prime).	No mitigation required.	Less than Significant (Class III)
AIR QUALITY AND GREENHOUSE GAS EMISSIONS		
CP/LUDC Amendments		
Impact AQ-1. Air Quality Impacts From Construction and Operations of Future Solar Facilities under the CP/LUDC Amendments	No Development Standard required.	Less than Significant (Class III)
Impact AQ-2. Greenhouse Gas Emission Benefits from Future Solar Facilities under the CP/LUDC Amendments	No Development Standard required.	Beneficial (Class IV)
Solar Facility		
Impact AQ-3. Increased Air Emissions from Construction of the Proposed Solar Array	No mitigation required.	Less than Significant (Class III)
Impact AQ-4. Air Emissions from Operation of the Proposed Solar Array	No mitigation required.	Less than Significant (Class III)
Impact AQ-5. Greenhouse Gas Emission Benefits from Proposed Solar Array	No mitigation required.	Beneficial (Class IV)
Impact AQ-6. Consistency with the Air Quality Attainment Plan	No mitigation required.	Less than Significant (Class III)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 19

Impact	Development Standard/ Mitigation Measure	Residual Significance
Impact AQ-7. Air Quality Impacts From Construction of the Proposed Gen Tie-Line and Switchyard	No mitigation required.	Less than Significant (Class III)
Impact AQ-8. Greenhouse Gas Emissions from the Gen Tie-Line and Switchyard	No mitigation required.	Less than Significant (Class III)
PG&E Cuyama Substation Additions		
Impact AQ-9. Increased Air Emissions from Construction of the Proposed PG&E Cuyama Substation Additions	No mitigation required.	Less than Significant (Class III)
Impact AQ-10. Greenhouse Gas Emissions from the PG&E Cuyama Substation Additions	No mitigation required.	Less than Significant (Class III)
BIOLOGICAL RESOURCES		
CP/LUDC Amendments		
Impact BIO-1. Potential impacts to unique, rare, or threatened plant species and natural communities from future solar facilities under the CP/LUDC Amendments.	Development Standard BIO-1: Sensitive Biological Resources Shall Be Avoided during Project Design. New or modified Utility-Scale Solar Photovoltaic facilities shall be designed and located to avoid any significant adverse impacts to known sensitive natural communities, rare and special-status plant species, special-status wildlife species and their habitats, critical habitat connections, and nesting birds. Facilities shall also be designed to avoid native specimen trees unless infeasible, in which case a tree replacement plan shall be required in accordance with County standards.	Less than Significant (Class II)
Impact BIO-2. Potential Impacts to unique, rare, threatened, or endangered wildlife species and/or habitat that supports these species from future solar facilities under the CP/LUDC Amendments.	Development Standard BIO-1: Sensitive Biological Resources Shall Be Avoided during Project Design. New or modified Utility-Scale Solar Photovoltaic facilities shall be designed and located to avoid any significant adverse impacts to known sensitive natural communities, rare and special-status plant species, special-status wildlife species and their habitats, critical habitat connections, and nesting birds. Facilities shall also be designed to avoid native specimen trees unless infeasible, in which case a tree replacement plan shall be required in accordance with County standards.	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 20

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>Development Standard BIO-3: Compliance with Most Current Avian Power Line Interaction Committee Guidelines for Overhead Power Line Spacing, Construction, and Work Procedures.</p> <p>Space all overhead power line conductors to minimize potential for raptor electrocution using the most current Avian Power Line Interaction Committee (APLIC) guidelines for line spacing. Construction and work procedures shall also be consistent with the most current applicable APLIC guidelines. Any raptor fatalities shall be reported to the County and additional protective measures identified and implemented in coordination with the County.</p>	
Impact BIO-3. Introduction of barriers to movement could cause impacts to migratory species or patterns from future solar facilities under the CP/LUDC Amendments.	<p>Development Standard BIO-1: Sensitive Biological Resources Shall Be Avoided during Project Design.</p> <p>New or modified Utility-Scale Solar Photovoltaic facilities shall be designed and located to avoid any significant adverse impacts to known sensitive natural communities, rare and special-status plant species, special-status wildlife species and their habitats, critical habitat connections, and nesting birds. Facilities shall also be designed to avoid native specimen trees unless infeasible, in which case a tree replacement plan shall be required in accordance with County standards.</p>	Less than Significant (Class II)
Impact BIO-4. Potential loss of healthy native specimen trees from future solar facilities under the CP/LUDC Amendments.	<p>Development Standard BIO-1: Sensitive Biological Resources Shall Be Avoided during Project Design.</p> <p>New or modified Utility-Scale Solar Photovoltaic facilities shall be designed and located to avoid any significant adverse impacts to known sensitive natural communities, rare and special-status plant species, special-status wildlife species and their habitats, critical habitat connections, and nesting birds. Facilities shall also be designed to avoid native specimen trees unless infeasible, in which case a tree replacement plan shall be required in accordance with County standards.</p>	Less than Significant (Class II)
Impact BIO-5. Introduction or spread of non-native vegetation from future solar facilities under the CP/LUDC Amendments.	<p>Development Standard BIO-2: A Site-Specific Integrated Pest and Weed Management Plan Shall Be Prepared as a Part of the Project Design.</p> <p>Plans for new or modified Utility-Scale Solar Photovoltaic facilities shall include a site-specific Integrated Pest and Weed Management Plan (IPWMP) that would be prepared for County approval. The plan shall require use of Santa Barbara County approved herbicides, mechanical weed removal methods, or grazing animals (e.g., goats) depending on which is most appropriate for the suppression or eradication of the weed species and their locations. The IPWMP would describe when</p>	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 21

Impact	Development Standard/ Mitigation Measure	Residual Significance
	herbicides would be used, factors that would prohibit use of herbicides (such as high wind), and the specific type of herbicides proposed. The IPWMP would also document measures that would be used for pest control, as applicable. The use of rodenticides shall be prohibited on the Project site. The plan shall be implemented during facility installation and would continue to be implemented throughout the life of the facilities.	
Impact BIO-6. Potential impacts to water quality may result in indirect impacts to unique, rare, threatened, or endangered wildlife species from future solar facilities under the CP/LUDC Amendments.	Development Standard GEO-3: Reduce Erosion Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental degradation during facility construction and operation. Where grading and alteration of natural drainages, watersheds, or hillsides is required to carry forth a project, adequate mitigation, including compliance with applicable standards, shall be required, including use of temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to the maximum extent feasible through adequate erosion and sediment controls, including containment of loose soil.	Less than Significant (Class II)
Solar Facility		
Impact BIO-7. Solar Facility and PG&E Cuyama Substation Additions impacts to foraging habitat of unique, rare, threatened, or endangered wildlife species, especially raptors.	No mitigation required.	Less than Significant (Class III)
Impact BIO-8: Introduction or spread of non-native vegetation from the Solar Facility.	No mitigation required.	Less than Significant (Class III)
Impact BIO-9. Kit Fox: Installation of chain link barrier fencing around the Solar Array site could result in barriers to kit fox movement.	SPEC-BIO-1: Fencing for Animal Passage. The minimum distance from ground level to any fence's first rung shall be 3.5-inches to 6-inches to allow free movement of wildlife species across the project site (including San Joaquin kit fox and smaller animals). PLAN REQUIREMENTS: The condition shall be noted on any plans including fencing and shall be graphically depicted in fencing detail on plans.	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 22

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>TIMING: The Owner/Applicant shall record a buyer notification that repeats the condition requirements above prior to issuance of development permits.</p> <p>MONITORING: County of Santa Barbara biologists shall review plans and confirm adequate space for wildlife passage. The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all Perimeter Fencing Requirements are in place as required.</p>	
Impact BIO-10. Horned Larks: Solar facility construction would result in disruption of horned lark nesting.	<p>SPEC-BIO-2. Conduct Nesting Bird Surveys.</p> <p>If seasonal avoidance of nesting birds is not feasible and construction activities are scheduled to occur during the nesting season, a qualified biologist shall conduct a preconstruction survey of the Solar Facility site and the area within 100 feet of the project site, including denuded areas. Biologists shall also conduct periodic surveys of the project site after the start of construction to ensure that no birds have begun nesting. If breeding ground-nesting birds are found within the survey area, an appropriate buffer compliant with Fish and Game Code Sections 3503 and 3513 shall be established around the nest, and no new activities would be allowed within the buffer until the young have fledged from the nest, as determined by the qualified biologist, or the nest fails for reasons unrelated to the Solar Facility.</p> <p>PLAN REQUIREMENTS: This condition shall require the Owner/Applicant and/or their agents to retain a qualified biologist to conduct nesting surveys prior to the start of construction. This condition shall be included on grading plans, and the results of the survey shall be submitted to P&D prior to initiation of grading activities. The name and contact information for the qualified biologist shall be provided to P&D prior to the survey.</p> <p>TIMING: The surveys shall be conducted within 72 hours prior to the start of construction. P&D shall be notified prior to the survey of the proposed survey date.</p> <p>MONITORING: P&D shall review the results of the survey prior to initiation of grading activities, and P&D compliance monitoring staff shall spot check in the field prior to initiation of grading activities.</p>	Less than Significant (Class II)
Impact BIO-11: Disruption of nesting behavior of ground-dwelling birds from construction of the Solar Facility.	<p>SPEC-BIO-2. Conduct Nesting Bird Surveys.</p> <p>If seasonal avoidance of nesting birds is not feasible and construction activities are scheduled to occur during the nesting season, a qualified biologist shall conduct a preconstruction survey of the Solar Facility site and the area within 100 feet of the project site, including denuded areas. Biologists shall also conduct periodic surveys of the project site after the start of construction to ensure that no birds have begun nesting. If breeding ground-nesting birds are found within the survey</p>	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 23

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>area, an appropriate buffer compliant with Fish and Game Code Sections 3503 and 3513 shall be established around the nest, and no new activities would be allowed within the buffer until the young have fledged from the nest, as determined by the qualified biologist, or the nest fails for reasons unrelated to the Solar Facility.</p> <p>PLAN REQUIREMENTS: This condition shall require the Owner/Applicant and/or their agents to retain a qualified biologist to conduct nesting surveys prior to the start of construction. This condition shall be included on grading plans, and the results of the survey shall be submitted to P&D prior to initiation of grading activities. The name and contact information for the qualified biologist shall be provided to P&D prior to the survey.</p> <p>TIMING: The surveys shall be conducted within 72 hours prior to the start of construction. P&D shall be notified prior to the survey of the proposed survey date.</p> <p>MONITORING: P&D shall review the results of the survey prior to initiation of grading activities, and P&D compliance monitoring staff shall spot check in the field prior to initiation of grading activities.</p>	
<p>Impact BIO-12: CA Condor: Potential loss of California Condor due to ingestion of microtrash at Solar facility site.</p>	<p>SPEC-BIO-3. Prevent the Attraction of California Condor to the Project Facility.</p> <p>The Owner/Applicant and/or their agents, representatives or contractors shall train workers on (1) what is microtrash; and (2) how to collect microtrash and waste from the Solar Facility site. In addition, to prevent condors from being attracted to the solar arrays after development, the Owner/Applicant and/or their agents shall remove animal carcasses (should they occur) from the project site within 48 hours.</p> <p>PLAN REQUIREMENTS: This condition shall require the Owner/Applicant and/or their agents to prepare a worker education/training plan for all workers. The training plan shall include the measures above.</p> <p>TIMING: The training plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review the training plan prior to issuance of zoning clearance, and P&D compliance monitoring staff shall spot check in the field throughout operation of the project.</p>	<p>Less than Significant (Class II)</p>
<p>Impact BIO-13: The Gen Tie-Line could cause bird, especially raptor, collisions, causing an increase in risk of electrocution.</p>	<p>SPEC-BIO-4. Compliance with Most Current Avian Power Line Interaction Committee Guidelines for Overhead Power Line Spacing, Construction, and Work Procedures.</p> <p>The proposed Gen Tie-Line shall space all overhead power line conductors to</p>	<p>Less than Significant (Class II)</p>

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 24

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>minimize potential for raptor electrocution using the most current Avian Power Line Interaction Committee (APLIC) guidelines for line spacing. Construction and work procedures shall also be consistent with the most current applicable APLIC guidelines. Any raptor fatalities shall be reported to the County and additional protective measures identified and implemented in coordination with the County.</p> <p>PLAN REQUIREMENTS: The condition shall be noted on and incorporated on any plans including the Gen Tie-Line and be graphically depicted in Gen Tie-Line detail on plans.</p> <p>TIMING: The Owner/Applicant shall record a buyer notification that repeats the condition requirements above prior to issuance of development permits.</p> <p>MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that Gen Tie-Line design and construction work procedures are consistent with all APLIC guidelines, as required.</p>	
Impact BIO-14: The solar arrays could cause bird, especially waterfowl, collisions.	No mitigation required.	Less than Significant (Class III)
PG&E Cuyama Substation Additions		
See Impact BIO-7		
CULTURAL RESOURCES		
CP/LUDC Amendments		
Impact CR-1. Disruption, alteration, destruction, or adverse effect on archaeological resources, ethnic resources or human remains would not result from future solar facilities under the CP/LUDC Amendments.	None required. Compliance with existing policies, ordinances, standards, regulations, and guidelines would be required in the unlikely event that resources are identified during construction.	Less than Significant (Class III)
Impact CR-2. Impacts to built historical resources would not result from future solar facilities under the CP/LUDC Amendments.	None required. Compliance with existing policies, ordinances, standards, regulations, and guidelines would be required in the unlikely event that resources are identified during construction.	Less than Significant (Class III)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 25

Impact	Development Standard/ Mitigation Measure	Residual Significance
Solar Facility		
Impact CR-3. No impacts to cultural resources would occur from construction of the Solar Facility, Gen-Tie Line, and/or Switchyard.	None required. Compliance with existing policies, ordinances, standards, regulations, and guidelines would be required in the unlikely event that resources are identified during construction.	Less than Significant (Class III)
PG&E Cuyama Substation Additions		
Impact CR-4. No impacts to cultural resources would occur from construction of the PG&E Cuyama Substation Additions.	None required. Compliance with existing policies, ordinances, standards, regulations, and guidelines would be required in the unlikely event that resources are identified during construction.	Less than Significant (Class III)
GEOLOGY AND SOILS		
CP/LUDC Amendments		
Impact GEO-1. Impacts from exposure to unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure, or other hazards from future solar facilities under the CP/LUDC Amendments.	Development Standard GEO-1: Avoid Geologic Hazards Utility-scale commercial solar PV power-generating facilities shall be sited and designed to avoid significant geologic impacts, considering soil types, soil and groundwater conditions, geologic and seismic hazards identified in geologic and soils engineering studies.	Less than Significant (Class II)
Impact GEO-2. Impacts from extensive grading on land subject to future solar facilities under the CP/LUDC Amendments.	Development Standard GEO-2: Avoid Siting on Steep Slopes and Minimize Steep Cut Slopes Land with slopes that exceed 20%, or require slope cuts of 15 feet or greater shall be avoided for siting of solar facilities.	Less than Significant (Class II)
Impact GEO-3. Impacts from erosion of soils on lands subject to future solar facilities under the CP/LUDC Amendments.	Development Standard GEO-3: Reduce Erosion Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental degradation during facility construction and operation. Where grading and alteration of natural drainages, watersheds, or hillsides is required to carry forth a project, adequate mitigation, including compliance with applicable standards, shall be required, including use of temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to the maximum extent feasible through adequate erosion and sediment controls, including containment of loose soil.	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 26

Impact	Development Standard/ Mitigation Measure	Residual Significance
Solar Facility		
Impact GEO-4. Impacts from exposure to unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure, or other hazards on the Solar Array site.	<p>SPEC-GEO-1: Implement Geotechnical Design Recommendations. Owner/Applicant shall submit drainage and grading plans that provide appropriate foundation grading and design, appropriate removal and backfill of soil, sufficient drainage facilities, safe trenching and excavation methods, and adequate overexcavation and compaction of the soil to minimize seismic or other soil stability concerns that could expose people or structures to geologic hazards. The plans shall be designed in conformance with CPUC General Order 95, which provides Rules for Overhead Electric Line Construction.</p> <p>TIMING: Prior to final approval of grading plans and issuance of grading permit the performance criteria above shall be included in the project design and verified by Building & Safety staff.</p> <p>MONITORING: The Building & Safety staff will review the documentation prior to approval of the grading permit. Grading and building inspectors will ensure compliance in the field.</p>	Less than Significant (Class II)
Impact GEO-5. Impacts from extensive grading on the Solar Array site.	<p>SPEC-GEO-1: Implement Geotechnical Design Recommendations. Owner/Applicant shall submit drainage and grading plans that provide appropriate foundation grading and design, appropriate removal and backfill of soil, sufficient drainage facilities, safe trenching and excavation methods, and adequate overexcavation and compaction of the soil to minimize seismic or other soil stability concerns that could expose people or structures to geologic hazards. The plans shall be designed in conformance with CPUC General Order 95, which provides Rules for Overhead Electric Line Construction.</p> <p>TIMING: Prior to final approval of grading plans and issuance of grading permit the performance criteria above shall be included in the project design and verified by Building & Safety staff.</p> <p>MONITORING: The Building & Safety staff will review the documentation prior to approval of the grading permit. Grading and building inspectors will ensure compliance in the field.</p>	Less than Significant (Class II)
Impact GEO-6. Impacts from erosion of soils, either on or off the Solar Array site.	<p>Standard Mitigation Measure WatConv-07: SWPPP. The Owner/Applicant will submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.</p> <p>TIMING: Prior to issuance of grading permit the Owner/Applicant will submit proof</p>	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 27

Impact	Development Standard/ Mitigation Measure	Residual Significance
	of exemption or a copy of the NOI and will provide a copy of the required SWPPP to Planning and Development. The Owner/Applicant will keep a copy of the SWPPP on the project site during grading and construction activities. MONITORING: The Planning and Development permit processing planner will review the documentation prior to approval of the grading permit. Planning and Development compliance monitoring staff will inspect the site during construction for compliance with the SWPPP.	
Impact GEO-7. Impacts from exposure to unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure, or other hazards from the Gen Tie-Line and Switchyard.	Standard Mitigation Measure WatConv-07: SWPPP. The Owner/Applicant will submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB. TIMING: Prior to issuance of grading permit the Owner/Applicant will submit proof of exemption or a copy of the NOI and will provide a copy of the required SWPPP to Planning and Development. The Owner/Applicant will keep a copy of the SWPPP on the project site during grading and construction activities. MONITORING: The Planning and Development permit processing planner will review the documentation prior to approval of the grading permit. Planning and Development compliance monitoring staff will inspect the site during construction for compliance with the SWPPP.	Less than Significant (Class II)
Impact GEO-8. Impacts from grading for the Gen Tie-Line and Switchyard.	No mitigation required.	Less than Significant (Class III)
Impact GEO-9. Impacts from erosion of soils from Gen Tie-Line and Switchyard.	No mitigation required.	Less than Significant (Class III)
PG&E Cuyama Substation Additions		
Impact GEO-10. Impacts from exposure to unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure, or other hazards from PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
Impact GEO-11. Impacts from grading and erosion	No mitigation required.	Less than Significant (Class

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 28

Impact	Development Standard/ Mitigation Measure	Residual Significance
of soils from PG&E Cuyama Substation Additions.		III)
HAZARDS		
CP/LUDC Amendments		
Impact HAZ-1. Potential Increase in Fire Hazards from future Solar Facilities under the CP/LUDC Amendments.	Development Standard HAZ-1: Fire Prevention and Protection Plan. All solar facilities must include a fire prevention plan to identify source of fire hazards and methods to mitigate fire hazards during construction and throughout operation of the project.	Less than Significant (Class II)
Impact HAZ-2. Potential Impacts from Prior Use, Storage, or Discharge of Hazardous Materials on Lands Subject to future Solar Facilities under the CP/LUDC Amendments	Development Standard HAZ-2: Avoidance and Remediation of Contaminated Sites. Sites that are known to be contaminated or are listed on agency databases as contaminated requiring clean-up action shall be avoided for development of solar facilities. Should such sites not be avoidable, contamination shall be appropriately evaluated, characterized, and remediated in accordance with County, Regional Water Quality Control Board, and California Department of Toxic Substances Control standards.	Less than Significant (Class II)
Impact HAZ-3. Potential Impacts from Former oil or gas pipelines or well facilities on lands subject to Future Solar Facilities under the CP/LUDC Amendments.	No development standards required.	Less than Significant (Class III)
Impact HAZ-4. Potential Impacts from use, storage, or distribution of hazardous or toxic materials for future Solar Facilities Under the CP/LUDC Amendments.	No development standards required.	Less than Significant (Class III)
Solar Facility		
Impact HAZ-5. Fire Hazards from the Solar Array.	No mitigation required.	Less than Significant (Class III)
Impact HAZ-6. Potential Impacts from Prior Use, Storage, or Discharge of Hazardous Materials on the Solar Array Site.	SPEC-HAZ-1: Prepare for Unknown Hazard Contingencies. If unknown wastes or suspect materials are discovered by the contractor during grading/construction activities, which are believed to involve hazardous waste/materials, the contractor will take the following steps.	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 29

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<ul style="list-style-type: none"> • Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area. • Notify the County's Project Engineer. • Secure the areas as directed by the County Project Engineer. • Notify the Santa Barbara County Fire Department's Hazardous Waste/Materials Coordinator. <p>PLAN REQUIREMENTS: The contractor shall state the provisions for contingencies on all grading plans.</p> <p>TIMING: The contingency measures shall be implemented during all construction activities involving earth disturbance.</p> <p>MONITORING: P&D permit processing planner shall ensure measures are on plans prior to issuance of grading permits.</p>	
Impact HAZ-7. Potential Impacts from Use, Storage, or Distribution of Hazardous or Toxic Materials on the Solar Array site.	<p>Standard Mitigation Measure NPDES-23: SWQMP-Operation.</p> <p>The Owner/Applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the drainage system after development. The SWQMP shall identify:</p> <ol style="list-style-type: none"> 1. A combination of structural and non-structural BMPs from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods; 2. Potential pollutant sources that may affect the quality of the storm water discharges; 3. Design and placement of structural and non-structural BMPs to address identified pollutants; 4. Inspection and maintenance program; 5. Method for ensuring maintenance of all BMPs over the life of the project. <p>The Applicant has proposed to include small water quality treatment basins to reduce pollutants while detaining flows to minimize runoff from the site. Other treatment BMPs could also be used in conjunction with, or in lieu of, small water quality treatment basins.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall (1) submit the SWQMP to P&D for review and approval prior to final plan approval; (2) include design and field components on land use, grading and building plans as applicable; (3) post performance securities prior to final plan approval to ensure installation and maintenance.</p>	Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 30

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>TIMING: SWQMP measures shall be constructed and operational prior to Final Building Inspection Clearance. The Owner/Applicant shall maintain the SWQMP components for the life of the project and keep a record of maintenance and submit the maintenance record to P&D compliance monitoring staff annually between October 1 and 31. The Owner/Applicant shall record a buyer notification that states: "IMPORTANT: BUYER NOTIFICATION" and contains the maintenance requirement language above.</p> <p>MONITORING: The Owner/Applicant shall demonstrate to Public Works, Water Resources Division that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.</p>	
Impact HAZ-8. Impacts from Former Oil or Gas Pipelines or Well Facilities on the Solar Array Site.	No mitigation required.	Less than Significant (Class III)
Impact HAZ-9. Fire Hazards from the Proposed Gen Tie-Line and Switchyard	No mitigation required.	Less than Significant (Class III)
Impact HAZ-10. Electromagnetic Field Hazards from the Proposed Gen Tie-Line	No mitigation required.	Less than Significant (Class III)
Impact HAZ-11. Impacts from Prior Use, Storage, or Discharge of Hazardous Materials within the Gen Tie-Line Alignment and Switchyard	No mitigation required.	Less than Significant (Class III)
Impact HAZ-12. Potential Impacts from Use, Storage, or Distribution of Hazardous or Toxic Materials during Construction of the Gen Tie-Line and Switchyard.	No mitigation required.	Less than Significant (Class III)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 31

Impact	Development Standard/ Mitigation Measure	Residual Significance
PG&E Cuyama Substation Additions		
Impact HAZ-13. Fire Hazards from the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
Impact HAZ-14. Impacts from Prior Use, Storage, or Discharge of Hazardous Materials within PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
Impact HAZ-15. Potential Impacts from Use, Storage, or Distribution of Hazardous or Toxic Materials during Construction of the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
Impact HAZ-16. Impacts from Former Oil or Gas Pipelines or Well Facilities on the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
HYDROLOGY AND WATER QUALITY		
CP/LUDC Amendments		
Impact HWQ-1. Impacts to water quality in drainage facilities and surface waters from construction related to future solar facilities under the CP/LUDC Amendments.	Development Standard GEO-3: Reduce Erosion Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental degradation during facility construction and operation. Where grading and alteration of natural drainages, watersheds, or hillsides is required to carry forth a project, adequate mitigation, including compliance with applicable standards, shall be required, including use of temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to the maximum extent feasible through adequate erosion and sediment controls, including containment of loose soil.	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 32

Impact	Development Standard/ Mitigation Measure	Residual Significance
Impact HWQ-2. Impacts to water quality in drainage facilities and surface waters from operations related to future solar facilities under the CP/LUDC Amendments.	Development Standard GEO-3: Reduce Erosion Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental degradation during facility construction and operation. Where grading and alteration of natural drainages, watersheds, or hillsides is required to carry forth a project, adequate mitigation, including compliance with applicable standards, shall be required, including use of temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to the maximum extent feasible through adequate erosion and sediment controls, including containment of loose soil.	Less than Significant (Class II)
Impact HWQ-3. Impacts from increased flooding from future solar facilities under the CP/LUDC Amendments.	Development Standard GEO-3: Reduce Erosion Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental degradation during facility construction and operation. Where grading and alteration of natural drainages, watersheds, or hillsides is required to carry forth a project, adequate mitigation, including compliance with applicable standards, shall be required, including use of temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to the maximum extent feasible through adequate erosion and sediment controls, including containment of loose soil.	Less than Significant (Class II)
Impact HWQ-4. Impacts to groundwater quantity or quality from future solar facilities under the CP/LUDC Amendments.	No development standard required.	Beneficial (Class IV)
Solar Facility		
Impact HWQ-5. Impacts to water quality in drainages and surface waters from construction of the Solar Array.	Standard Mitigation Measure WatConv-01: Sediment and Contamination Containment. The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 33

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<ol style="list-style-type: none"> 1. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping. 2. Apply concrete, asphalt, and seal coat only during dry weather. 3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc. 4. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination. <p>PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans.</p> <p>TIMING: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.</p> <p>MONITORING: The Owner/Applicant shall demonstrate compliance with these measures to P&D compliance monitoring staff as requested during construction.</p> <p>WatConv-07: SWPPP.</p> <p>The Owner/Applicant will submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.</p> <p>TIMING: Prior to issuance of grading permit the Owner/Applicant will submit proof of exemption or a copy of the NOI and will provide a copy of the required SWPPP to Planning and Development. The Owner/Applicant will keep a copy of the SWPPP on the project site during grading and construction activities.</p> <p>MONITORING: The Planning and Development permit processing planner will review the documentation prior to approval of the grading permit. Planning and Development compliance monitoring staff will inspect the site during construction for compliance with the SWPPP.</p>	
Impact HWQ-6. Impacts to water quality in drainages and surface waters from operation of the Solar Array.	<p>Standard Mitigation Measure NPDES-23: SWQMP-Operation.</p> <p>The Owner/Applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the drainage system after development. The SWQMP shall identify:</p>	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 34

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<ol style="list-style-type: none"> 1. A combination of structural and non-structural BMPs from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods; 2. Potential pollutant sources that may affect the quality of the storm water discharges; 3. Design and placement of structural and non-structural BMPs to address identified pollutants; 4. Inspection and maintenance program; 5. Method for ensuring maintenance of all BMPs over the life of the project. <p>The Applicant has proposed to include small water quality treatment basins to reduce pollutants while detaining flows to minimize runoff from the site. Other treatment BMPs could also be used in conjunction with, or in lieu of, small water quality treatment basins.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall (1) submit the SWQMP to P&D for review and approval prior to final plan approval; (2) include design and field components on land use, grading and building plans as applicable; (3) post performance securities prior to final plan approval to ensure installation and maintenance.</p> <p>TIMING: SWQMP measures shall be constructed and operational prior to Final Building Inspection Clearance. The Owner/Applicant shall maintain the SWQMP components for the life of the project and keep a record of maintenance and submit the maintenance record to P&D compliance monitoring staff annually between October 1 and 31. The Owner/Applicant shall record a buyer notification that states: "IMPORTANT: BUYER NOTIFICATION" and contains the maintenance requirement language above.</p> <p>MONITORING: The Owner/Applicant shall demonstrate to Public Works, Water Resources Division that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.</p>	
Impact HWQ-7. Impacts from increased flooding on the Solar Array site	<p>Standard Mitigation Measure NPDES-23: SWQMP-Operation.</p> <p>The Owner/Applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the</p>	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 35

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>project site into the drainage system after development. The SWQMP shall identify:</p> <ol style="list-style-type: none"> 1. A combination of structural and non-structural BMPs from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods; 2. Potential pollutant sources that may affect the quality of the storm water discharges; 3. Design and placement of structural and non-structural BMPs to address identified pollutants; 4. Inspection and maintenance program; 5. Method for ensuring maintenance of all BMPs over the life of the project. <p>The Applicant has proposed to include small water quality treatment basins to reduce pollutants while detaining flows to minimize runoff from the site. Other treatment BMPs could also be used in conjunction with, or in lieu of, small water quality treatment basins.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall (1) submit the SWQMP to P&D for review and approval prior to final plan approval; (2) include design and field components on land use, grading and building plans as applicable; (3) post performance securities prior to final plan approval to ensure installation and maintenance.</p> <p>TIMING: SWQMP measures shall be constructed and operational prior to Final Building Inspection Clearance. The Owner/Applicant shall maintain the SWQMP components for the life of the project and keep a record of maintenance and submit the maintenance record to P&D compliance monitoring staff annually between October 1 and 31. The Owner/Applicant shall record a buyer notification that states: "IMPORTANT: BUYER NOTIFICATION" and contains the maintenance requirement language above.</p> <p>MONITORING: The Owner/Applicant shall demonstrate to Public Works, Water Resources Division that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 36

Impact	Development Standard/ Mitigation Measure	Residual Significance
Impact HWQ-8. Impacts to groundwater quantity or quality from the Solar Array.	No mitigation required.	Beneficial (Class IV)
Impact HWQ-9. Impacts to water quality in drainages and surface water from construction of the Gen Tie-Line and Switchyard.	No mitigation required.	Less than Significant (Class III)
PG&E Cuyama Substation Additions		
Impact HWQ-10. Impacts to water quality in drainages and surface water from construction of the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
Impact HWQ-11. Impacts to water quality in drainages and surface water from operation of the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
Impact HWQ-12. Impacts from increased flooding on the PG&E Cuyama Substation Additions site.	No mitigation required.	Less than Significant (Class III)
Impact HWQ-13. Impacts to groundwater quantity or quality from the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
LAND USE AND PLANNING		
CP/LUDC Amendments		
Impact LU-1. Incompatible Development and/or Land Use with Surrounding Land Uses would result from Future Solar Facilities under the CP/LUDC Amendments	Development Standard AV-1: Avoid Scenic Highways Utility-scale solar photovoltaic facilities shall be located to avoid significant visual impacts to designated or eligible designated scenic highways. Development Standard AV-2: Aesthetic Design Treatments Aesthetic design treatments shall be applied to and maintained for all structures, including fencing, onsite buildings and panel mounting structures, to minimize the impact on the existing visual character and quality, where needed. Aesthetic design treatments shall be considered, but not limited to fence slats, decorative walls, landscaping, painting and application of other finishes to camouflage structures and reduce glare.	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 37

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>Development Standard AV-3: Low-Intensity Lighting All construction and operational lighting shall be low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots.</p> <p>Development Standard AV-4: Minimize Glare Solar panels and hardware shall be designed to minimize glare and spectral highlighting.</p> <p>Development Standard AG-1. Preservation of Off-Site Agricultural Land Development of a Utility-Scale Solar Photovoltaic Facility that converts prime agricultural land and/or Important Farmland to non-agricultural use or impairs of agricultural land productivity shall be mitigated through the following: Prior to issuance of any grading or building permit, the project proponent shall provide written evidence of the completion of the permanent preservation of off-site agricultural land of equal or better agricultural quality, at a ratio of 1:1 for net acreage before conversion, through one of the following methods: 1) funding and purchase of agricultural conservation easements; 2) purchase of credits from an established agricultural farmland mitigation bank; 3) contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; 4) participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above.</p> <p>Development Standard AG-2. Demolition and Reclamation Plan Conversion of prime agricultural land to non-agricultural use or impairment of agricultural land productivity (includes State defined Prime Farmland and Farmland of Statewide Importance) through development of a utility-scale solar photovoltaic facility shall include preparation of a Demolition and Reclamation plan and financial assurances necessary to guarantee removal of the facility, including all of its components, to allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time.</p> <p>Development Standard GEO-3 (also addresses Hydrology and Water Quality): Reduce Erosion Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 38

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>degradation during facility construction and operation. Where grading and alteration of natural drainages, watersheds, or hillsides is required to carry forth a project, adequate mitigation, including compliance with applicable standards, shall be required, including use of temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to the maximum extent feasible through adequate erosion and sediment controls, including containment of loose soil.</p> <p>Development Standard HAZ-1: Fire Prevention and Protection Plan. All solar facilities must include a fire prevention plan to identify source of fire hazards and methods to mitigate fire hazards during construction and throughout operation of the project.</p> <p>Development Standard HAZ-2: Avoidance and Remediation of Contaminated Sites. Sites that are known to be contaminated or are listed on agency databases as contaminated requiring clean-up action shall be avoided for development of solar facilities. Should such sites not be avoidable, contamination shall be appropriately evaluated, characterized, and remediated in accordance with County, Regional Water Quality Control Board, and California Department of Toxic Substances Control standards.</p> <p>Development Standard NOI-1: Noise Impacts New or modified facilities shall be designed, located, and constructed to avoid any significant adverse construction or operational noise impacts to residences or other sensitive receptors.</p> <p>Development Standard TT-1: Minimize Construction Traffic Hazards Where applicable, adequate traffic control measures shall be identified in a Traffic Control Plan and implemented during construction to avoid significant adverse impacts/conflicts with vehicles and pedestrians, and ingress/egress visibility.</p>	
Impact LU-2. Future solar facilities under the CP/LUDC Amendments would not induce substantial growth or concentration of population and/or result in the extension of sewer trunk	No mitigation required.	Less than Significant (Class III)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 39

Impact	Development Standard/ Mitigation Measure	Residual Significance
lines or access roads with capacity to serve new development beyond the Proposed Project.		
Solar Facility		
Impact LU-3. Incompatible Development and/or Land Use with Surrounding Land Uses from the Solar Facility.	<p>SPEC -AV-1: Aesthetic Design Treatments</p> <p>The exterior of the inverter boxes and the exterior of structures, lighting fixtures and poles, above ground transmission lines and poles/ towers will be factory treated with a non-specular dull finish or using standard environmental coloring to minimize contrast with the existing landscape where feasible. Written proof of infeasibility shall be provided to NBAR and subject to NBAR approval.</p> <p>All galvanized surfaces will be treated to minimize reflective properties using poly bonded vinyl coating, powder coating, or special non-specular dulling treatment. Surfaces shall include, but not limited to fences, PV panel support structures, brackets and pins, to the extent feasible.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant and/or their agents shall prepare a aesthetic design treatment plan including sample materials and paint/treatment palettes to the NBAR and County Planning & Development staff for review and approval.</p> <p>TIMING: The aesthetic design treatment plan shall be submitted to the County prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review the aesthetic design treatment plan prior to issuance of any development permits for the CUP, and P&D compliance monitoring staff shall ensure the plan is implemented prior to issuance of zoning clearance.</p> <p>SPEC AV-2: Low-Intensity Lighting</p> <p>All construction and operational lighting shall consistent with Dark Sky guidelines, including being low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The minimum number of aviation warning lights required shall be implemented and strobe timing shall be the longest FAA permissible duration between flashes, as feasible.</p> <p>PLAN REQUIREMENTS: A lighting plan shall include the specifications above.</p> <p>TIMING: The lighting plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review and approve the lighting plan for inclusion of the low-intensity lighting mitigations prior to issuance of zoning clearance, and P&D compliance monitoring staff shall confirm implementation of the low-intensity</p>	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 40

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>lighting plan prior to issuance of final development/occupancy permits.</p> <p>SPEC-AV-3: Minimize Glare Solar panels and hardware shall be designed to minimize glare and spectral highlighting to the extent feasible.</p> <p>PLAN REQUIREMENTS: This site plan shall include the specifications above.</p> <p>TIMING: The site plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review and approve the site plan for inclusion of the specifications that ensure solar panels and hardware minimize glare and spectral highlighting prior to issuance of zoning clearance, and P&D compliance monitoring staff shall confirm implementation of approved solar equipment prior to issuance of final development/occupancy permits.</p> <p>SPEC-AG-1. Preservation of Off-Site Agricultural Land Prior to issuance of any grading or building permits, the applicant shall provide written evidence of completion of one or more of the following measures, within Santa Barbara County, to mitigate the loss of agricultural land (includes State defined Prime Farmland and Farmland of Statewide Importance) at a ratio of 1:1 for net acreage before conversion. Net acreage is to be calculated by excluding existing roads and areas already developed with structures. A plot plan shall be submitted substantiating the net acreage calculation along with written evidence of compliance.</p> <ul style="list-style-type: none"> • Funding and purchase of agricultural conservation easements (will be managed and maintained by an appropriate entity); • Purchase of credits from an established agricultural farmland mitigation bank; • Contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland; or • Participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above. <p>Mitigation includes lands of equal or higher agricultural quality that meets the definition of Prime Farmland or Farmland of Statewide Importance established by the State Department of Conservation. Completion of the selected measure(s) can be on qualifying land within the Cuyama Valley Rural Region or outside the region (but within Santa Barbara County) with written evidence that the same or equivalent crops can be produced on the mitigation land.</p> <p>TIMING: The Owner/applicant shall provide written evidence of completion of one</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 41

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>or more mitigation measures.</p> <p>MONITORING: P&D processing planner shall verify that written evidence conforms with mitigation measure prior to issuance of a grading permit.</p> <p>SPEC-AG-2. Demolition and Reclamation Plan</p> <p>Upon abandonment of project operations, the Project owner/operator shall submit a Demolition and Reclamation Plan to allow the use of the land to return to agricultural uses or be consistent with current land use plans, policies, and zoning requirements in place at the time.</p> <p>TIMING: The project owner/operator shall submit the Demolition and Reclamation Plan to the County for review and approval within 180 days of abandonment of project operations.</p> <p>MONITORING: P&D staff shall review and approve the Demolition and Reclamation Plan and shall be implemented during County inspections of demolition and reclamation activities.</p> <p>SPEC-AG-3. Financial Assurance for Demolition and Reclamation.</p> <p>The Project owner/operator shall submit to the Director:</p> <ul style="list-style-type: none"> g. An itemized cost estimate for removal of all structures and equipment and reclamation of the project site and an estimate from a qualified party of the reclamation value of the solar facility infrastructure. The bases for all estimates shall be identified and documented. The estimates shall be revised and updated and resubmitted to P&D every five years. h. The Project owner/operator shall submit to the County a financial assurance mechanism acceptable to the County for the cost of removal of structures and equipment and reclamation of the project site. The amount of the assurance shall be based on the itemized cost estimate. The financial security shall be in place for the life of the Project. The County will release the security upon successful completion of structure and equipment removal and site reclamation, as determined by the County. <p>TIMING: The financial assurance for demolition and reclamation shall be submitted to the County for review and approval prior to issuance of a Final Building Inspection Clearance. The financial assurance shall be revisited every five years to update the amount.</p> <p>MONITORING: P&D staff shall review and approve the financial assurance for demolition and reclamation.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 42

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>Standard Mitigation Measure AG-05. Buyer Notification.</p> <p>The Owner/Applicant shall record a buyer notification on a separate information sheet that reads as follows: "IMPORTANT: BUYER NOTIFICATION: This property is located adjacent to property zoned for agriculture and is located in an area that has been planned for agricultural uses. The Board of Supervisors has determined that it is in the public interest to preserve agricultural land and operations within the County of Santa Barbara and specifically to protect these lands for exclusive agricultural use. Any inconvenience or discomfort from properly conducted agricultural operations, including noise, odors, dust, and chemicals will not be deemed a nuisance per Section 3-23, Article V, Chapter 3 of the County Code."</p> <p>TIMING: The Owner/applicant shall record a buyer notification at the time of zoning clearance.</p> <p>MONITORING: P&D processing planner shall verify that the notification conforms to permit condition requirements.</p>	
Impact LU-4. Induce substantial growth or concentration of population and/or result in the extension of sewer trunk lines or access roads with capacity to serve new development beyond the Solar Facility.	No mitigation required.	Less than Significant (Class III)
Impact LU-5. Incompatible Development and/or Land Use with Surrounding Land Uses from the Gen Tie-Line	<p>SPEC AV-1: Aesthetic Design Treatments</p> <p>The exterior of the inverter boxes and the exterior of structures, lighting fixtures and poles, above ground transmission lines and poles/ towers will be factory treated with a non-specular dull finish or using standard environmental coloring to minimize contrast with the existing landscape where feasible. Written proof of infeasibility shall be provided to NBAR and subject to NBAR approval.</p> <p>All galvanized surfaces will be treated to minimize reflective properties using poly bonded vinyl coating, powder coating, or special non-specular dulling treatment. Surfaces shall include, but not limited to fences, PV panel support structures, brackets and pins, to the extent feasible.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant and/or their agents shall prepare a aesthetic design treatment plan including sample materials and paint/treatment palettes to the NBAR and County Planning & Development staff for review and approval.</p>	Significant (Class I)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 43

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>TIMING: The aesthetic design treatment plan shall be submitted to the County prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review the aesthetic design treatment plan prior to issuance of zoning clearance , and P&D compliance monitoring staff shall ensure the plan is implemented prior to issuance of final development permits/occupancy permits.</p> <p>SPEC AV-2: Low-Intensity Lighting</p> <p>All construction and operational lighting shall consistent with Dark Sky guidelines, including being low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The minimum number of aviation warning lights required shall be implemented and strobe timing shall be the longest FAA permissible duration between flashes, as feasible.</p> <p>PLAN REQUIREMENTS: A lighting plan shall include the specifications above.</p> <p>TIMING: The lighting plan shall be submitted prior to issuance of zoning clearance.</p> <p>MONITORING: P&D shall review and approve the lighting plan for inclusion of the low-intensity lighting mitigations prior to issuance of zoning clearance, and P&D compliance monitoring staff shall confirm implementation of the low-intensity lighting plan prior to issuance of final development/occupancy permits.</p>	
Impact LU-6. Induce substantial growth or concentration of population and/or result in the extension of sewer trunk lines or access roads with capacity to serve new development beyond the Gen Tie-Line.	No mitigation required.	Less than Significant (Class III)
PG&E Cuyama Substation Additions		
Impact LU-7. The PG&E Cuyama Substation Additions would result in development and/or land uses incompatible with existing land use.	No mitigation required.	Less than Significant (Class III)
Impact LU-8. The PG&E Cuyama Substation Additions would induce substantial growth or concentration of population and/or result in the extension of sewer trunk lines or access roads with capacity to serve new development beyond	No mitigation required.	Less than Significant (Class III)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 44

Impact	Development Standard/ Mitigation Measure	Residual Significance
the Proposed Project.		
NOISE		
CP/LUDC Amendments		
Impact NOI-1. Long-Term Operational Noise Impacts from future solar facilities under the CP/LUDC Amendments	Development Standard NOI-1: Noise Impacts. New or modified facilities shall be designed, located, and constructed to avoid any significant adverse construction or operational noise impacts to residences or other sensitive receptors.	Less than Significant (Class II)
Impact NOI-2. Short-term Increase in Construction Noise from future solar facilities under the CP/LUDC Amendments	Development Standard NOI-1: Noise Impacts. New or modified facilities shall be designed, located, and constructed to avoid any significant adverse construction or operational noise impacts to residences or other sensitive receptors.	Less than Significant (Class II)
Solar Facility		
Impact NOI-3. Long-Term Operational Noise Impacts from Maintenance Activities at the Solar Facility	No mitigation required.	Less than Significant (Class III)
Impact NOI-4. Long-Term Operational Noise Impacts from Solar Array Electrical Equipment and Transformers	No mitigation required.	Less than Significant (Class III)
Impact NOI-5. Long-Term Operational Noise Impacts from Solar Array Tracker Motors	No mitigation required.	Less than Significant (Class III)
Impact NOI-6. Long-Term Operational Noise Impacts from Gen Tie-Line Corona Discharge	No mitigation required.	Less than Significant (Class III)
Impact NOI-7. Short-term Construction Noise from the Solar Array	Standard Mitigation Measure Noise-05: Construction Routes. Construction routes shall be limited to SR-166 and Kirschenmann Road. The Owner/Applicant shall provide all adjacent property owners with a construction activity schedule and construction routes 10 days in advance of construction activities. Any alterations or additions shall require 5-day notification. PLAN REQUIREMENTS: The Owner/Applicant shall submit a copy of the schedule and mailing list to P&D permit compliance staff.	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 45

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>TIMING: Schedule and mailing list shall be submitted 10 days prior to initiation of any earth movement.</p> <p>MONITORING: Permit compliance monitoring staff shall perform periodic site inspections to verify compliance with activity schedules.</p> <p>SPEC-NOI-1: Construction Hours. The Owner/Applicant, including all contractors and subcontractors, shall limit construction activity within 1,600 feet of sensitive receptors, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. No noise generating construction activities shall occur on weekends or State holidays within 1,600 feet of sensitive receptors. Construction activities located farther than 1,600 feet from sensitive receptors shall be limited to Monday through Friday, 7 a.m. to 6 p.m., from March 2 through October 31 and Monday through Friday, 7 a.m. to 5 p.m., from November 1 through March 1. Construction activity farther than 1,600 feet from sensitive receptors may be conducted on Saturdays, State holidays and during extended hours of 6 a.m. to 10 p.m. under the special circumstances described in Sec. 2.5.2.2 (Project Description, <i>Construction Workers and Hours</i>), subject to the restriction that construction outside the normal workdays and hours shall not exceed 15% of total construction hours for the project. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall provide and post signs stating these restrictions at construction site entries. The 1,600 foot limit shall be printed on approved grading and building plans.</p> <p>TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.</p> <p>MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and P&D permit compliance staff shall spot check and respond to complaints.</p> <p>SPEC NOI-2: Noise Reduction – Construction at the Solar Array Site. The Owner/Applicant shall install temporary noise barriers such as noise attenuating shields, shrouds, or portable barriers or enclosures around the</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 46

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>construction areas and loud equipment to mitigate noise impacts to occupied residences. The Applicant, in conjunction with a qualified acoustical consultant, shall develop a Noise Reduction Plan for the Solar Array site acceptable to P&D to ensure that construction noise does not exceed 65 dBA (Leq 10-min) at residences, including associated outside activity areas, located within 1,600 feet of the eastern and southeastern boundaries of the Solar Array. The plan shall specify the type, location, and length of noise barriers, and the scheduling of placement of barriers in relation to the construction schedule, and shall include a construction noise monitoring program. The barriers shall be of sufficient height and length to effectively reduce the noise from loud equipment, including post-drivers. The Owner/Applicant shall demonstrate to P&D that the barriers are in place prior to the commencement of construction activities within 1,600 feet of residences. To verify that the 65 dBA standard is met, the Owner/Applicant shall retain a qualified acoustical consultant to monitor noise during construction conducted within 1,600 feet of residences. Measurements shall be taken at the previous monitoring locations N-1 and N-2, as shown on Figure 3.10-1. If noise levels are found to exceed 65 dBA, the Owner/Applicant and contractors shall stop work immediately, notify P&D, and implement additional acoustical shielding measures. The Applicant shall demonstrate that the additional measures are adequate and shall obtain P&D approval before resuming work.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall submit the Noise Reduction Plan for the Solar Array site to P&D for approval. The 1,600-foot noise mitigation zone shall be clearly shown on all approved grading and building plans. The plans shall describe the noise barriers and show their dimensions and location.</p> <p>TIMING: Noise barriers shall be installed prior to commencement of construction activities within 1,600 feet of residences and remain in the designated location during construction activities within the 1,600-foot zone.</p> <p>MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities within 1,600 feet of residences. The Owner/Applicant shall inform P&D immediately if measured noise levels at N-1 or N-2 exceed 65 dBA. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.</p> <p>SPEC-NOI-3: Implement Noise-Reducing Features and Practices. Prior to commencing work, the Owner/Applicant shall employ and clearly specify in its contractors' specifications the following noise-suppression techniques to minimize the impact of temporary noise associated with construction activities:</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 47

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>Trucks and other engine-powered equipment shall be equipped with noise-reduction features, such as mufflers and engine shrouds, which are no less effective than those originally installed by the manufacturer.</p> <p>Trucks and other engine-powered equipment shall be operated in accordance with posted speed limits and engine idling shall be limited.</p> <p>The use of truck engine exhaust brakes shall be limited to emergencies.</p> <p>Back-up beepers for construction equipment and vehicles shall be adjusted to the lowest noise levels possible, provided that OSHA and Cal/OSHA safety requirements are not violated. These settings shall be retained for the duration of construction activities.</p> <p>Vehicle horns shall be used only when absolutely necessary, as specified in the contractors' specifications.</p> <p>Radios and other "personal equipment" shall be kept at a low volume.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall print these measures on building and grading plans and shall explain them to workers at a pre-construction meeting and thereafter as needed to ensure compliance.</p> <p>TIMING: The Owner/Applicant shall demonstrate to P&D staff that these measures have been implemented prior to start of grading. The measures shall remain in effect throughout construction activities.</p> <p>MONITORING: P&D compliance staff shall perform site inspections throughout construction to ensure compliance.</p> <p>SPEC-NOI-4: Provide Advance Notice of Construction.</p> <p>The Owner/Applicant shall provide advance notice for each phase of construction. Notice shall be provided to all owners and occupants of residences located within 1 mile of the project boundary as well as the principal of Cuyama Elementary School 2 to 4 weeks prior to construction activities. In addition, signs shall be posted at the project sites in areas that are accessible and visible to the public and along the Gen Tie-Line route. These announcements shall briefly describe planned construction activities, anticipated road closures, detours or delays, and permitted construction hours. The announcements shall provide a point of contact for any noise complaints. Within 24 hours of any complaint, the Owner/Applicant shall provide the County of Santa Barbara Planning and Development with a report that documents the complaint and a strategy for resolution, which may include limiting the hours of construction at a particular location, putting up temporary noise barriers, or implementing other means to resolve the issue, to the satisfaction of P&D staff.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 48

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>PLAN REQUIREMENTS: The Owner/Applicant shall submit copies of the announcements, schedules and mailing list to P&D permit compliance staff.</p> <p>TIMING: Copies of the announcements, schedules and mailing list shall be submitted 10 days prior to initiation of any grading or construction activities.</p> <p>MONITORING: Permit compliance monitoring staff shall perform periodic site inspections to verify compliance with activity schedules and to verify implementation of complaint resolution measures.</p> <p>SPEC-NOI-05: Equipment Shielding – Construction.</p> <p>Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded with appropriate acoustic shielding to P&D's satisfaction or shall be located at a minimum of 200 feet from occupied residences.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans.</p> <p>TIMING: Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.</p> <p>MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.</p>	
Impact NOI-8. Short-term Construction Noise from the Gen Tie-Line, Switchyard	<p>Standard Mitigation Measure Noise-05: Construction Routes.</p> <p>Construction routes shall be limited to SR-166 and Kirschenmann Road. The Owner/Applicant shall provide all adjacent property owners with a construction activity schedule and construction routes 10 days in advance of construction activities. Any alterations or additions shall require 5-day notification.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall submit a copy of the schedule and mailing list to P&D permit compliance staff.</p> <p>TIMING: Schedule and mailing list shall be submitted 10 days prior to initiation of any earth movement.</p> <p>MONITORING: Permit compliance monitoring staff shall perform periodic site inspections to verify compliance with activity schedules.</p> <p>SPEC-NOI-1: Construction Hours.</p> <p>The Owner/Applicant, including all contractors and subcontractors, shall limit construction activity within 1,600 feet of sensitive receptors, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m.,</p>	<p>Less than Significant for Gen Tie-Line (Class II)</p> <p>Less than Significant for Switchyard (Class III)</p>

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 49

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>Monday through Friday. No noise generating construction activities shall occur on weekends or State holidays within 1,600 feet of sensitive receptors. Construction activities located farther than 1,600 feet from sensitive receptors shall be limited to Monday through Friday, 7 a.m. to 6 p.m., from March 2 through October 31 and Monday through Friday, 7 a.m. to 5 p.m., from November 1 through March 1. Construction activity farther than 1,600 feet from sensitive receptors may be conducted on Saturdays, State holidays and during extended hours of 6 a.m. to 10 p.m. under the special circumstances described in Sec. 2.5.2.2 (Project Description, <i>Construction Workers and Hours</i>), subject to the restriction that construction outside the normal workdays and hours shall not exceed 15% of total construction hours for the project. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall provide and post signs stating these restrictions at construction site entries. The 1,600 foot limit shall be printed on approved grading and building plans.</p> <p>TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.</p> <p>MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and P&D permit compliance staff shall spot check and respond to complaints.</p> <p>SPEC-NOI-3: Implement Noise-Reducing Features and Practices.</p> <p>Prior to commencing work, the Owner/Applicant shall employ and clearly specify in its contractors' specifications the following noise-suppression techniques to minimize the impact of temporary noise associated with construction activities:</p> <p>Trucks and other engine-powered equipment shall be equipped with noise-reduction features, such as mufflers and engine shrouds, which are no less effective than those originally installed by the manufacturer.</p> <p>Trucks and other engine-powered equipment shall be operated in accordance with posted speed limits and engine idling shall be limited.</p> <p>The use of truck engine exhaust brakes shall be limited to emergencies.</p> <p>Back-up beepers for construction equipment and vehicles shall be adjusted to the</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 50

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>lowest noise levels possible, provided that OSHA and Cal/OSHA safety requirements are not violated. These settings shall be retained for the duration of construction activities.</p> <p>Vehicle horns shall be used only when absolutely necessary, as specified in the contractors' specifications.</p> <p>Radios and other "personal equipment" shall be kept at a low volume.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall print these measures on building and grading plans and shall explain them to workers at a pre-construction meeting and thereafter as needed to ensure compliance.</p> <p>TIMING: The Owner/Applicant shall demonstrate to P&D staff that these measures have been implemented prior to start of grading. The measures shall remain in effect throughout construction activities.</p> <p>MONITORING: P&D compliance staff shall perform site inspections throughout construction to ensure compliance.</p> <p>SPEC-NOI-4: Provide Advance Notice of Construction.</p> <p>The Owner/Applicant shall provide advance notice for each phase of construction. Notice shall be provided to all owners and occupants of residences located within 1 mile of the project boundary as well as the principal of Cuyama Elementary School 2 to 4 weeks prior to construction activities. In addition, signs shall be posted at the project sites in areas that are accessible and visible to the public and along the Gen Tie-Line route. These announcements shall briefly describe planned construction activities, anticipated road closures, detours or delays, and permitted construction hours. The announcements shall provide a point of contact for any noise complaints. Within 24 hours of any complaint, the Owner/Applicant shall provide the County of Santa Barbara Planning and Development with a report that documents the complaint and a strategy for resolution, which may include limiting the hours of construction at a particular location, putting up temporary noise barriers, or implementing other means to resolve the issue, to the satisfaction of P&D staff.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall submit copies of the announcements, schedules and mailing list to P&D permit compliance staff.</p> <p>TIMING: Copies of the announcements, schedules and mailing list shall be submitted 10 days prior to initiation of any grading or construction activities.</p> <p>MONITORING: Permit compliance monitoring staff shall perform periodic site inspections to verify compliance with activity schedules and to verify implementation of complaint resolution measures.</p>	

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 51

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>SPEC-NOI-05: Equipment Shielding – Construction. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded with appropriate acoustic shielding to P&D's satisfaction or shall be located at a minimum of 200 feet from occupied residences.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans.</p> <p>TIMING: Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.</p> <p>MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.</p>	
PG&E Cuyama Substation Additions		
Impact NOI-9. Long-Term Operational Noise Impacts from Maintenance Activities at the PG&E Cuyama Substation Additions	No mitigation required.	Less than Significant (Class III)
Impact NOI-10. Short-term Construction Noise from the PG&E Cuyama Substation Additions	No mitigation required.	Less than Significant (Class III)
TRANSPORTATION AND TRAFFIC		
CP/LUDC Amendments		
Impact TT-1. Traffic congestion impacts from future solar facilities under the CP/LUDC Amendments	<p>Development Standard TT-1: Minimize Construction Traffic Hazards. Where applicable, adequate traffic control measures shall be identified in a Traffic Control Plan and implemented during construction to avoid significant adverse impacts/conflicts with vehicles and pedestrians, and ingress/egress visibility.</p>	Less than Significant (Class II)
Impact TT-2. Traffic hazards to motor vehicles, bicyclists, or pedestrians from future solar facilities under the CP/LUDC Amendments.	<p>Development Standard TT-1: Minimize Construction Traffic Hazards. Where applicable, adequate traffic control measures shall be identified in a Traffic Control Plan and implemented during construction to avoid significant adverse impacts/conflicts with vehicles and pedestrians, and ingress/egress visibility.</p>	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 52

Impact	Development Standard/ Mitigation Measure	Residual Significance
Solar Facility		
Impact TT-3. Traffic congestion impacts from Construction of the Proposed Solar Array.	No mitigation is required.	Less than Significant (Class III)
Impact TT-4. Traffic Impacts from Operation of the Proposed Solar Array.	No mitigation is required.	Less than Significant (Class III)
Impact TT-5. Parking Impacts at the Solar Array	No mitigation is required.	Less than Significant (Class III)
Impact TT-6. Traffic hazards to motor vehicles, bicyclists, or pedestrians from the Solar Array.	<p>SPEC-TT-1: Traffic Control Plan.</p> <p>The Owner/Applicant shall prepare and implement a traffic control plan to reduce construction-related impacts on roadway operation, safety hazards, alternative transportation, parking, and emergency access. Construction traffic control plans typically include the following.</p> <ol style="list-style-type: none"> 1. A street layout showing the location of construction activity and surrounding streets to be used as detour routes, including special signage. 2. A tentative start date and construction duration period for each phase of construction. 3. The name, address, and emergency contact number for those responsible for maintaining the traffic control devices during the course of construction. 4. Written approval to implement traffic control from local agencies with jurisdiction, as needed. <p>Additionally, the traffic control plan will include the following stipulations.</p> <ol style="list-style-type: none"> 5. Provide access for emergency vehicles at all times. 6. Avoid creating additional delay at intersections currently operating at congested conditions, either by choosing routes that avoid these locations or limiting construction activities to nonpeak hours. 7. Maintain access for driveways and private roads, except for brief periods of construction, in which case property owners will be notified. 8. Provide adequate off-street parking areas at designated staging areas for construction-related vehicles. 9. Maintain pedestrian and bicycle access and circulation during project 	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 53

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>construction where safe to do so. If construction encroaches on a sidewalk, a safe detour will be provided for pedestrians at the nearest crosswalk. If construction encroaches on a bike lane, warning signs will be posted that indicate bicycles and vehicles are sharing the roadway.</p> <ol style="list-style-type: none"> 10. Use traffic controls that include flag persons wearing Occupational Safety and Health Administration–approved vests and using a "Stop/Slow" paddle to warn motorists of construction activity. 11. Maintain access to transit services and ensure that public transit vehicles are detoured. 12. Post standard construction warning signs in advance of the construction area and at any intersection that provides access to the construction area. 13. Post construction warning signs in accordance with local standards or those set forth in the California MUTCD (Caltrans 2010) in advance of the construction area and at any intersection that provides access to the construction area. 14. During lane closures, notify local police and fire departments of construction locations to ensure that alternative evacuation and emergency routes are designed to maintain response times during construction periods, if necessary. 15. Provide written notification to contractors regarding appropriate routes to and from construction sites, and weight and speed limits for local roads used to access construction sites. Submit a copy of all such written notifications to the local agencies with jurisdiction. 16. Repair or restore the road right-of-way to its original condition or better upon completion of work. <p>PLAN REQUIREMENTS: A Construction Traffic Control Plan shall be prepared and submitted to the County's P&D Department, and be subject to approval by the County Traffic Engineer.</p> <p>TIMING: The Owner/Applicant shall prepare the Traffic Control Plan prior to final plan approval, and approval shall be received prior to issuance of grading plan.</p> <p>MONITORING: The Owner/Applicant shall demonstrate to County Planning and Development compliance monitoring with the Traffic Control Plan. Field inspection will be conducted by Planning and Development Staff to ensure that the plan is being implemented.</p>	
Impact TT-7. Roadway Degradation.	<p>SPEC-TT-2. Roadway Pre-Construction Conditions Report</p> <p>The Owner/Applicant shall prepare a Roadway Pre-Construction Conditions Report that shall contain photo-documentation of pavement conditions along the</p>	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 54

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>potentially affected portions of Kirschenmann Street and Foothill Road in order to record road conditions along the proposed haul route(s). The report shall include construction contractor procedures to ensure compliance with construction and maintenance vehicles requirements consistent with Caltrans General Rule 35550, which states: (a) The gross weight on any one axle shall not exceed 20,000 pounds, and the gross weight upon any one wheel, or wheels, supporting one end of an axle, shall not exceed 10,500 pounds. The Owner/Applicant shall provide County-approved performance bonds or other mechanisms to ensure that any necessary post-construction road repair related to Project construction activities occurs.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall prepare a Roadway Pre-Construction Conditions Report that shall contain photo-documentation of pavement conditions along the potentially affected portions of Kirschenmann Street and Foothill Road in order to record road conditions along the proposed haul route(s).</p> <p>TIMING: Prior to issuance of any permits for development, including grading, the Owner/Applicant shall submit a Roadway Pre-Construction Conditions Report to the County Department of Public Works, Road Division. Prior to Planning & Development final site inspection, the County shall take identical photographs to document the damage associated with construction traffic. Prior to final approval, County Planning & Development shall ensure that the Owner/Applicant has provided funds to repair any damage incurred.</p> <p>MONITORING: The Owner/Applicant shall demonstrate to Planning and Development compliance monitoring with the Roadway Pre-Construction Conditions Report. County Planning & Development shall ensure that the Owner/Applicant has provided funds to repair any damage incurred.</p>	
Impact TT-8. Traffic impacts from construction of the Gen Tie-Line and Switchyard	No mitigation required.	Less than Significant (Class III)
Impact TT-9. Potential traffic hazards during construction of the Gen Tie-Line and Switchyard.	No mitigation required.	Less than Significant (Class III)
PG&E Cuyama Substation Additions		
Impact TT-10. Traffic Impacts from Construction of the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 55

Impact	Development Standard/ Mitigation Measure	Residual Significance
		(Class III)
Impact TT-11. Potential traffic hazards during construction of the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)
ENERGY AND PUBLIC FACILITIES		
CP/LUDC Amendments		
Impact EPF-1. Impacts on energy demand and supplies from future solar facilities under the CP/LUDC Amendments.	No development standards required.	Beneficial (Class IV)
Impact EPF-2. Impacts to police, fire, and health care services from future solar facilities under the CP/LUDC Amendments.	No development standards required.	Less than Significant (Class III)
Impact EPF-3. Impacts to solid waste disposal services and landfill capacity from future solar facilities under the CP/LUDC Amendments.	Development Standard EPF-1. Recycling Plan. Waste generated by construction and operation of a utility-scale solar facility shall be minimized to reduce landfill capacity. All waste that can be recycled shall be recycled, including solar panels.	Less than Significant (Class II)
Impact EPF-4. Impacts to sewer system facilities from future solar facilities under the CP/LUDC Amendments.	No development standards required.	Less than Significant (Class III)
Impact EPF-5. Impacts on stormwater drainage facilities from future solar facilities under the CP/LUDC Amendments.	Development Standard GEO-3: Reduce Erosion. Grading and alteration of natural drainages, watersheds, and hillsides shall be minimized to control erosion, minimize flooding, and minimize environmental degradation during facility construction and operation. Where grading and alteration of natural drainages, watersheds, or hillsides is required to carry forth a project, adequate mitigation, including compliance with applicable standards, shall be required, including use of temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices. Significant impacts to surface water due to short-term sedimentation of streams shall be mitigated to the maximum extent feasible through adequate erosion and sediment controls, including containment of loose soil.	Less than Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 56

Impact	Development Standard/ Mitigation Measure	Residual Significance
Solar Facility		
Impact EPF-6. Impacts on energy demands and supplies from the Solar Array.	No mitigation required.	Beneficial (Class IV)
Impact EPF-7. Impacts to police, fire, and health care services from the Solar Array.	No mitigation required.	Less than Significant (Class III)
Impact EPF-8. Impacts to solid waste disposal services and landfill capacity from the Solar Array.	<p>Standard Mitigation Measure SolidW-02. Solid Waste-Recycle.</p> <p>The Owner/Applicant and their contractors and subcontractors shall separate demolition and excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). The Owner/Applicant shall provide separate onsite bins as needed for recycling.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall print this requirement on all grading and construction plans. Owner shall provide P&D with receipts for recycled materials or for separate bins.</p> <p>TIMING: Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to Final Building Inspection Clearance.</p> <p>MONITORING: The Owner/Applicant shall provide P&D compliance staff with receipts prior to Final Building Inspection Clearance.</p> <p>SolidW-03. Solid Waste-Construction Site.</p> <p>The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete.</p> <p>PLAN REQUIREMENTS: All plans shall contain notes that the site is to remain trash-free throughout construction.</p> <p>TIMING: Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.</p> <p>MONITORING: Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.</p>	Less than Significant (Class II)
Impact EPF-9. Impacts to stormwater drainage	Standard Mitigation Measure WatConv-07: SWPPP.	Less than

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 57

Impact	Development Standard/ Mitigation Measure	Residual Significance
facilities from the Solar Array.	<p>The Owner/Applicant will submit proof of exemption or a copy of the NOI to obtain coverage under the Construction General Permit of the NPDES issued by the RWQCB.</p> <p>TIMING: Prior to issuance of grading permit the Owner/Applicant will submit proof of exemption or a copy of the NOI and will provide a copy of the required SWPPP to Planning and Development. The Owner/Applicant will keep a copy of the SWPPP on the project site during grading and construction activities.</p> <p>MONITORING: The Planning and Development permit processing planner will review the documentation prior to approval of the grading permit. Planning and Development compliance monitoring staff will inspect the site during construction for compliance with the SWPPP.</p> <p>NPDES-23: SWQMP-Operation.</p> <p>The Owner/Applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the drainage system after development. The SWQMP shall identify:</p> <ol style="list-style-type: none"> 1. A combination of structural and non-structural Best Management Practices (BMPs) from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods; 2. Potential pollutant sources that may affect the quality of the storm water discharges; 3. Design and placement of structural and non-structural BMPs to address identified pollutants; 4. Inspection and maintenance program; 5. Method for ensuring maintenance of all BMPs over the life of the project. <p>The Applicant has proposed to include small water quality treatment basins to reduce pollutants while detaining flows to minimize runoff from the site. Other treatment BMPs could also be used in conjunction with, or in lieu of, small water quality treatment basins.</p> <p>PLAN REQUIREMENTS: The Owner/Applicant shall (1) submit the SWQMP to P&D for review and approval prior to final plan approval; (2) include design and field components on land use, grading and building plans as applicable; (3) post performance securities prior to final plan approval to ensure installation and maintenance.</p> <p>TIMING: SWQMP measures shall be constructed and operational prior to Final</p>	Significant (Class II)

Cuyama Solar Project

Case #'s: 13GPA-00000-00002; 10ORD-00000-00001; 13GPA-00000-00001;
10RZN-00000-00001; 10AGP-00000-00002; 10LLA-00000-00004;
13AGP-00000-00024; 10CUP-00000-00008; 14GOV-00000-00006

July 22, 2014

ATTACHMENT D Page- 58

Impact	Development Standard/ Mitigation Measure	Residual Significance
	<p>Building Inspection Clearance. The Owner/Applicant shall maintain the SWQMP components for the life of the project and keep a record of maintenance and submit the maintenance record to P&D compliance monitoring staff annually between Oct 1 and 31. The Owner/Applicant shall record a buyer notification that states: "IMPORTANT: BUYER NOTIFICATION" and contains the maintenance requirement language above.</p> <p>MONITORING: The Owner/Applicant shall demonstrate to Public Works, Water Resources Division that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.</p>	
Impact EPF-10. Impacts from energy demand and supply from the Gen Tie-Line and Switchyard.	No mitigation required.	Beneficial (Class IV)
Impact EPF-11. Impacts to solid waste and landfill capacity from the Gen Tie-Line and Switchyard.	No mitigation required.	Less than Significant (Class III)
PG&E Cuyama Substation Additions		
Impact EPF-12. Impacts from energy demand and supply from the PG&E Cuyama Substation Additions.	No mitigation required.	Beneficial (Class IV)
Impact EPF-13. Impacts to solid waste and landfill capacity from the PG&E Cuyama Substation Additions.	No mitigation required.	Less than Significant (Class III)

COUNTY OF SANTA BARBARA



NORTH BOARD OF ARCHITECTURAL REVIEW APPROVED MINUTES Meeting Date: March 21, 2014

**Public Works Department
Conference Room A
620 West Foster Road
Santa Maria, CA 93455
(805) 934-6250**

Vacant
Robert W. Jones
Michael C. Maglinte **Vice-Chair**
Vivek J. Harris
Kevin J. Small, **Chair**

James King, **Alternate**
Vacant, **Alternate**
John Karamitsos, **Supervising Planner**
Leticia I. Miguel, **NBAR Secretary**

The regular meeting of the Santa Barbara County North Board of Architectural Review was called to order by the Chair, Kevin Small, at 9:02 A.M., in the Public Works Department, Conference Room A, 620 West Foster Road, Santa Maria, California.

BOARD MEMBERS PRESENT:

Kevin J. Small	- Chair
Robert W. Jones	
Michael C. Maglinte	- Vice Chair
James King	- Alternate
Vivek J. Harris	

STAFF MEMBERS PRESENT:

Leticia I. Miguel	- Board Assistant Specialist
John Karamitsos	- Supervising Planner, Development Review North
John Zorovich	- Planner, Development Review North

REPORTERS: None.

NUMBER OF INTERESTED PERSONS: None.

ADMINISTRATIVE AGENDA:

I. PUBLIC COMMENT: One.

II. AGENDA STATUS REPORT: Jones moved, seconded by King and carried by a vote of 3 to 0 (Harris recused) (Small absent) to adopt the following changes to the agenda:

Item No. 5 – Coastal Growers Evora (14BAR-00000-00039) – By the request of the applicant, item will be continued to the NBAR meeting of April 25, 2014.

III. MINUTES: Maglinte moved, seconded by Jones and carried by a vote of 3 to 0 (Harris and King recused) to approve the Minutes of February 28, 2014.

IV. NBAR MEMBERS INFORMATIONAL BRIEFINGS:
Kevin Small welcomed two new BAR members, Mr. James King and Mr. Vivek Harris.

V. **STAFF UPDATE:** None.

VI. **STANDARD AGENDA:**

1. **14BAR-000000- 00056 Rice Ranch Community, LLC Residence Development Orcutt**
14SPP-00000-00001 (John Zorovich, Planner) **Ridgeline: DVP**

Request of Rice Ranch Community, LLC, agent for Rich Ranch Ventures, LLC, to consider Case No. 14BAR-00000-00056 for **conceptual review of new residential floor plans ranging from approximately 1,400 to 4,000 square feet residential and new clubhouse of approximately 5,000 square feet.** The proposed project will require 674,800 cubic yards of cut and 674,300 cubic yards of fill. The property is a 497.4 acre parcel zoned PRD and shown as Assessor's Parcel Number 101-380-002, 101-400-001, 101-400-002, 101-390-007 located at the southern terminus of Bradley Road, in the **Orcutt area**, Fourth Supervisorial District.

PUBLIC COMMENT:

- Mrs. Peggy Payne. No position stated.

NBAR COMMENTS:

Clubhouses

- Provide thoughtful cross-sections which include Bradley Road to provide broader context for grading and impacts on viewsheds. Consider providing criteria for protection of views in the CC&Rs.
- The use of level ground structures on sloping lots is discouraged.
- Suggest simplicity in the use of materials.
- The Clubhouse design should include some element to tie with the surrounding residential neighborhoods. Depict all support structures, and methods for hiding equipment on plans. Incorporate eco-friendly design features.
- On Sheet 11.13, the stone lintel is out of place over the garage door.

Residential with Duplex

- On Sheet 10.7, express the gable element on the side elevation, and align the materials with the form.
- Duplex plans may have too much massing; explore options for reduction of tile. Unit 1.b. has a nice front elevation.
- The Meadow north is nice.
- Continue materials and details on front and side elevations to rear of structures.
- The headers over doors should appear to be functional.
- The fascias should have more mass, particularly on the rolled edge tile roofs and turrets.
- The use of false glass windows should be used sparingly.

Project received conceptual review only. No action taken. Applicant may return for further conceptual review.

2. **14BAR-00000-00026 Cuyama Solar Array @ Kirschenmann Road Cuyama**
10CUP-00000-00008 (Kathryn Pfeifer, Planner) **Jurisdiction: Rural**
13GPA-00000-00001
13GPA-00000-00002
10ORD-00000-00001
10RZN-00000-00001
10AGP-00000-00002
13AGP-00000-00024
10LLA-00000-00004

Request of Laurel Perez, SEPPS, Inc, agent for the applicant, Brian Kunz, Cuyama Solar, LLC to consider Case No. 14BAR-00000-00026 for **conceptual review for installation of a 40 MW utility-scale solar photovoltaic power generating facility, including a three-mile power line and switchyard**. The site is currently farmed. The proposed project will require approximately 155,000 cubic yards of cut and approximately 124,000 cubic yards of fill. The subject properties, including, a 327.00 acre site, are zoned AG-II-100 and U, shown as Assessor's Parcel Numbers 149-150-029, -030, -031, -032, 149-140-076, 149-150-039, 149-140-041, 149-330-001, 149-010-049 and 149-010-036. The project site is located at **596 Kirchenmann Road** and runs along Kirschenmann Road and Washington Street, in the Cuyama area, First Supervisorial District. (Continued from 02/28/14)

NBAR COMMENTS:

- a. **OK to return for Preliminary Review.**
- b. **Provide photos of building colors and location of existing PG&E facility at the next meeting.**
- c. **Consider providing some treatment of the project entrance on Kirschenmann Road.**
- d. **The micro-wave towers and dish need to be painted.**
- e. **The fence should be galvanized only, with no paint.**
- f. **Landscaping on the perimeter of the site would draw undue attention to the site and impose an unnecessary burden on the applicant.**
- g. **The tower and fencing create an industrial feeling; the panels and cabinets do not. The NBAR is unable to identify options for addressing this issue.**

Project received conceptual review only. No action taken. Applicant may return for preliminary/final approval.

- | | | | |
|-----------|--|---|--------------------------------------|
| 3. | 14BAR-00000-00041 | Courtney Single Family Dwelling and Garage | Orcutt |
| | 14LUP-00000-00062 (Kimberlee, Probert) | | Jurisdiction: Old Town Orcutt |

Request of George Courtney, owner, to consider Case No. 14BAR-00000-00041 for **conceptual review and preliminary approval of a new single family dwelling with attached garage of approximately 2,200 square feet**. No structures currently exist on the parcel. The proposed project will require approximately 50 cubic yards of cut and fill. The subject property is a 0.14 acre site zoned OT-R-14 and shown as Assessor's Parcel Number 105-105-006 located at **545 Union Avenue**, in the Orcutt area, Fourth Supervisorial District.

NBAR COMMENTS:

- a. **OK to return for Preliminary Review.**
- b. **The project is consistent with the character of Orcutt and the Old Town Guidelines.**
- c. **The NBAR supports moving the structure closer to the street.**
- d. **Provide photos of the surrounding development.**
- e. **Develop a Landscape and Fencing Plan**
- f. **Study the Living room pop-out gable element.**
- g. **Provide additional garage door details consistent with the overall design.**
- h. **Gable corbels would look better in larger dimensions than 4"x4".**
- i. **Consider increasing the mass of the rafter tails.**

Project received conceptual review only. No action taken. Applicant may return for preliminary approval.

- | | | | |
|-----------|---|-------------------------------------|------------------------------------|
| 4. | 12BAR-00000-00045 | Johnson Truck Service Center | Santa Maria |
| | 14LUP-00000-00013 (Joyce Gerber, Planner) | | Jurisdiction: Zone District |

Request of David Swenk, agent for the owner, Terry Johnson, to consider Case No. 12BAR-00000-00045 for **preliminary/final approval of (1) a two story shop and office building of approximately 14,390 square feet (consisting of a 2,500 square feet service bay, 6,600 square feet service/shop area and 2,670 square feet office area on the first floor and 2,720 square feet of office area on the second floor) and (2) a hay barn of approximately 4,000 square feet.** No structures currently exist on the parcel. The proposed project will require approximately 5,500 cubic yards of cut and fill. The property is a 9.82 acre parcel zoned M-2 and shown as Assessor's Parcel Number 111-030-018, located at **1860 Betteravia Road**, in the Santa Maria area, Fourth Supervisorial District. (Continued from 04/27/12, 06/28/13, 07/26/13, and 02/28/14)

NBAR COMMENT:

Planner to confirm square footage references are correct.

ACTION: Maglinte moved, seconded by Jones, and carried by a vote of 4 to 0 (Harris recused) to grant final approval of 12BAR-00000-00045.

5. **14BAR-00000-00039 Coastal Growers Evora II Commercial Buildings Orcutt**
14LUP-00000-00059 (Joyce Gerber, Planner) **Jurisdiction: Ridgeline**

Request of Darren Huebner, owner, to consider Case No. 14BAR-00000-00039 for **conceptual review and preliminary approval of 2 new agricultural/equipment storage metal storage buildings of approximately 10,500 square feet and 17,220 square feet.** No structures currently exist on the parcel. The proposed project will require 30,500 cubic yards of fill. The property is a 4.82 acre parcel zoned M-2 and shown as Assessor's Parcel Number 111-020-014 located at **2261 Evora Way** in the Orcutt area, Fourth Supervisorial District. (Continued from 02/28/14)

ACTION: Jones moved, seconded by King (Harris and Small recused), and carried by a vote of 3 to 0 to continue 14BAR-00000-00039 to the NBAR meeting of April 25, 2014. (See agenda status report.)

6. **13BAR-00000-00215 Verizon Wireless New Facility Orcutt**
13CUP-00000-00019 (John Zorovich, Planner) **Jurisdiction: N/A**

Request of Jay Higgins, agent for the applicant, Verizon Wireless, to consider Case No. 13BAR-00000-00215 for **further conceptual review of a new telecommunication facility consisting of 12 antennas mounted on a faux pine tree monopole which would be approximately 78 feet in height. The project also includes a 12' x 18' prefabricated equipment building.** There are no structures located on this portion of the project. Most of the project site is used for the existing Hanson mining operations. The proposed project will require grading for the proposed access road and undergrounding the utilities. The property is a 87.20 acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 129-110-016, located at **5240 Foxen Canyon Road**, in the Santa Maria area, Fifth Supervisorial District. (Continued from 11/22/13, 12/20/13 & 01/24/14)

NBAR COMMENTS:

- a. **OK to return for Preliminary Review.**
- b. **Consistent with the applicant's preference, the NBAR prefers the monopine proposal. Based on the increased visibility of the monopole from extended distances, the monopone lends itself more to the surrounding natural environment.**

Project received further conceptual review only. No action taken. Small recused.
Applicant may return for preliminary approval.

7. 13BAR-00000-00021 Heritage II Low-Income Senior Apartments Lompoc
13DVP-00000-00002 (Florence Trotter-Cadena, Planner) Jurisdiction: DVP

Request of Russell A.Khouri, agent for the owner, Heritage II, L.P, to consider Case No. 13BAR-00000-00021 for **preliminary/final approval of a new 80 unit multi- family senior apartment development consisting of 11 buildings (44, 1 bedroom units) of approximately 2,532 square feet each and 9 buildings (36, 2 bedroom units) of approximately 4,832 square feet each, for a total development of approximately 71,340 square feet.** No structures currently exist on the parcel. The proposed project will require approximately 8,600 cubic yards of cut, approximately 13,000 cubic yards of fill, and approximately 4,400 cubic yards of import. The subject property is a 19.23 acre site zoned DR-20 and shown as Assessor's Parcel Number 097-371-045 located at **Circle/Burton Mesa Blvd**, in the Lompoc area, Third Supervisorial District. (Continued from 02/22/13)

ACTION: Jones moved, seconded by King, and carried by a vote of 3 to 0 (Harris and Small recused) to grant preliminary/final approval of 13BAR-00000-00021.

There being no further business to come before the North Board of Architectural Review, Board Member Jones moved, seconded by Maglinte, and carried by a vote of 3 to 0 to (Harris recused)(Small absent) adjourn the meeting until 9:00 A.M. on Friday, April 25, 2014 in the Public Works Department, Conference Room A, Santa Maria, CA 93455.

Meeting adjourned at 11:49 A.M.

ATTACHMENT F

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE)
BOARD OF SUPERVISORS THE ADOPTION OF)
AMENDMENTS TO THE LAND USE ELEMENT OF THE)
SANTA BARBARA COUNTY COMPREHENSIVE PLAN)
BY ADDING A UTILITY-SCALE SOLAR)
PHOTOVOLTAIC FACILITY POLICY AND OVERLAY;)
AMENDING THE CUYAMA VALLEY RURAL REGION)
LAND USE DESIGNATIONS MAP BY CHANGING THE) RESOLUTION NO. 14-_____
LAND USE DESIGNATION OF A 167 ACRE PORTION)
OF ASSESSOR'S PARCEL NO.149-140-076 FROM) CASE NOS: 13GPA-00000-00001
COMMERCIAL AGRICULTURE (CA) TO) 13GPA-00000-00002
AGRICULTURE-II; AND AMENDING THE)
COMPREHENSIVE PLAN LAND ELEMENT MAP FOR)
THE CUYAMA VALLEY (COMP-9) TO APPLY THE)
UTILITY-SCALE SOLAR PHOTOVOLTAIC FACILITY)
OVERLAY TO ASSESSOR'S PARCELS NOS.149-150-029,)
149-150-030, 149-150-031, 149-150-032 AND A 167 ACRE)
PORTION OF 149-140-076.)

WITH REFERENCE TO THE FOLLOWING:

- A. On December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted the Comprehensive Plan (General Plan) for the County of Santa Barbara.
- B. On April 12, 2011, the Board of Supervisors adopted Resolution No. 11-178 and Resolution 11-179 initiating amendments to Section 35-1, the County Land Use Development Code, of Chapter 35, Zoning, of the County Code, to allow for large and small scale solar photovoltaic projects to be located on land zoned Agriculture-II, 40 acre minimum lot area (AG-II-40).
- C. During the environmental analysis of the above-referenced initiated amendments to the Land Use Development Code, the proposed Comprehensive Plan amendments and the limitation of utility-scale solar photovoltaic facilities on up to 600 acres of land zoned Agriculture-II (AG-II) in the Cuyama Valley Rural Region were developed in order to comply with Government Code Section 65860 that requires that County zoning ordinances shall be consistent with the General Plan.
- D. The proposed amendments are consistent with the Santa Barbara County Comprehensive Plan and the requirements of California Planning, Zoning, and Development laws.
- E. Public agencies, California Native American Indian Tribes, civic, education, and other community groups, public utility companies, and citizens have been provided the opportunity for involvement pursuant to Section 65351 of the Government Code.
- F. The County conducted consultations with Native American tribes as required by Government Code Section 65352.3 and 65352.4.
- G. This County Planning Commission has held a duly noticed hearing, as required by Section 65353 of the Government Code on the proposed amendment at which hearing the amendments were explained and comments invited from the persons in attendance and has endorsed and transmitted a written recommendation to the Board of Supervisors pursuant to Government Code Section 65354.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The Planning Commission now finds that it is in of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt a Resolution (Case Nos. 13GPA-00000-00001 and 13GPA-00000-00002) amending the Land Use Element of the Comprehensive Plan, Land Use Element to add policies and regulations regarding the development of utility-scale solar photovoltaic facilities, amend the Cuyama Valley Rural Region Land Use Designations Map to change the land use designation for a 167 acre portion of Assessor's Parcel No. 149-140-076 from Agriculture Commercial (AC) to Agriculture II, 100 acre minimum lot size (A-II-100), and amend the Cuyama Valley Area (COMP-9) Map to designate Assessor's Parcel Nos. 149-150-029, 149-150-030, 149-150-031, 149-150-032, and 167 acre portion of 149-140-076 with the Utility-Scale Solar Photovoltaic Facility Overlay.

Said Resolution is attached hereto as Attachment 1 and is incorporated by reference.

3. This County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment A of the Planning Commission Staff report dated July 15, 2014.
4. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
5. The Chair of this Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this July 22, 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DANIEL BLOUGH, Chair
Santa Barbara County Planning Commission

ATTEST:

DIANNE BLACK
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

ATTACHMENT:

1. Board of Supervisors Resolution

ATTACHMENT 1

**RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT 1

RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF ADOPTING AMENDMENTS TO)
THE LAND USE ELEMENT OF THE SANTA BARBARA) RESOLUTION NO. 14-_____
COUNTY COMPREHENSIVE PLAN BY ADDING A)
UTILITY-SCALE SOLAR PHOTOVOLTAIC FACILITY)
POLICY AND OVERLAY; AMENDING THE CUYAMA) CASE NOS:
VALLEY RURAL REGION LAND USE DESIGNATIONS) 13GPA-00000-00001
MAP BY CHANGING THE LAND USE DESIGNATION) 13GPA-00000-00002
OF A 167 ACRE PORTION OF ASSESSOR'S PARCEL NO.)
149-140-076 FROM COMMERCIAL AGRICULTURE (CA))
TO AGRICULTURE-II; AND AMENDING THE)
COMPREHENSIVE PLAN LAND ELEMENT MAP FOR)
THE CUYAMA VALLEY (COMP-9) TO APPLY THE)
UTILITY-SCALE SOLAR PHOTOVOLTAIC FACILITY)
OVERLAY TO ASSESSOR'S PARCELS NOS.)
149-150-029, 149-150-030, 149-150-031, 149-150-032 AND)
A 167 ACRE PORTION OF 149-140-076.)

WITH REFERENCE TO THE FOLLOWING:

- A. On December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted the Comprehensive Plan (General Plan) for the County of Santa Barbara.
- B. On April 12, 2011, the Board of Supervisors adopted Resolution No. 11-178 and Resolution 11-179 initiating amendments to Section 35-1, the County Land Use Development Code, of Chapter 35, Zoning, of the County Code, to allow for large and small scale solar photovoltaic projects to be located on land zoned Agriculture-II, 40 acre minimum lot area (AG-II-40).
- C. During the environmental analysis of the above-referenced initiated amendments to the Land Use Development Code, the proposed Comprehensive Plan amendments and the limitation of utility-scale solar photovoltaic facilities on up to 600 acres of land zoned Agriculture-II (AG-II) in the Cuyama Valley Rural Region were developed in order to comply with Government Code Section 65860 that requires that County zoning ordinances shall be consistent with the General Plan.
- D. The proposed amendments are consistent with the Santa Barbara County Comprehensive Plan and the requirements of California Planning, Zoning, and Development laws.
- E. Public agencies, California Native American Indian Tribes, civic, education, and other community groups, public utility companies, and citizens have been provided the opportunity for involvement pursuant to Section 65351 of the Government Code.

- F. The County conducted consultations with Native American tribes as required by Government Code Section 65352.3 and 65352.4.
- G. The County Planning Commission held a duly noticed hearing, as required by Section 65353 of the Government Code on the proposed amendment at which hearing the amendments were explained and comments invited from the persons in attendance and has endorsed and transmitted a written recommendation to the Board of Supervisors pursuant to Government Code Section 65354.
- H. This Board has held a duly noticed public hearing, as required by Section 65355 of the Government Code on the proposed amendments, at which hearing the proposed amendments were explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. Whereas the Board of Supervisors now finds consistent with the authority of Government Code Section 65358 that it is in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County to amend the Land Use Element of the Santa Barbara County Comprehensive Plan's as follows:

- A. Amend the Alternate Energy and Land Use section of the Land Use and Energy section of Section III, Major Issues, to add the following text as a final paragraph:

In 2005, the Governor of California issued Executive Order S-3-50 setting a goal of reducing the State's greenhouse gas emissions 80 percent below 1990 levels by 2050. The Legislature followed with adoption of the California Renewable Energy Resources Act of 2006 requiring all California utilities to generate 33 percent of their electricity from renewable sources by 2020, with intermediate targets of a 20 percent reduction by the end of 2013 and 25 percent by end of 2016. The County has initiated a number of programs which collectively encourage local reduction of greenhouse gas emissions and support the State's greenhouse gas emission mandates.

- B. Amend Section IV, Goals and Policies by adding the following policy section as a new Policy 13 of the Land Use Development Policies:

13. Utility-Scale Solar Photovoltaic Facility Policy.

As the Cuyama Valley Rural Region has the highest level of solar insolation in the County, conversion of agricultural lands for the development of Utility-Scale Solar Photovoltaic Facilities in the Rural Area of the Cuyama Valley Rural Region shall be allowed as a means of balancing Comprehensive Plan goals and policies that encourage the use of renewable energy and preservation of agricultural lands. To limit agricultural conversions, utility-scale solar photovoltaic facilities are limited to 600 acres by the electrical transmission/distribution system capacity available as of the date of adoption of this policy.

Implementing Procedures:

- a) Utility-Scale Solar Photovoltaic Facilities may be conditionally allowed with discretionary approval of a Utility-Scale Solar Photovoltaic Facility Overlay, on Agricultural II (A-II) and Agricultural Commercial (AC) land use designated lands, in the Agriculture II (AG-II) zone, within the Rural Area of the Cuyama Valley Rural Region, consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones, and in conformance with the Land Use Development Code permit approvals and related development standards.
- b) The extent of such conversion is limited to a maximum of 600 acres on Agricultural II (A-II) and Agricultural Commercial (AC) land use designated lands, in the Agriculture II (AG-II) zone within the Rural Area of the Cuyama Valley Rural Region.

- C. Amend the Overlay Symbols for Rural Areas Only section of Land Use Definitions to add the following new overlay:

Utility-Scale Solar Photovoltaic Facility Overlay - The purpose of this overlay is to conditionally allow Utility-Scale Solar Photovoltaic Facilities on land with an Agricultural II (A-II) or Agricultural Commercial (AC) land use designation in the designated rural areas of the Cuyama Valley, not including Existing Rural Developed Neighborhoods. The Overlay furthers the *Comprehensive Plan, Energy Element Goal 5* and Policies 5.2, 5.4, 5.13 and 5.13.2 that encourage the use of alternative/renewable energy and the development of related businesses in Santa Barbara County.

Any application or proposal for a Comprehensive Plan amendment to designate an area on eligible land in the Cuyama Valley as Utility-Scale Solar Photovoltaic Facility Overlay shall satisfy the following criteria:

- 1. The application or proposal shall be accompanied by an application for a Conditional Use Permit for solar photovoltaic energy production in compliance with all applicable zoning ordinances.
- 2. The proposed site shall be located within the Rural Area of the Cuyama Valley Rural Region on land designated Agriculture II (A-II), or Agricultural Commercial (AC) if consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones, and zoned Agricultural II (AG-II).

- D. Amend the existing definition of Rural Area in the Boundary Lines section of Land Use Definitions to read as follows:

Rural Area: An area shown on the land use map within which development is limited to agriculture and related uses, mineral (including oil) extraction and related uses and activities, Utility-Scale Solar Photovoltaic Facilities if located in the Rural Area of the Cuyama Valley Rural Region, recreation (public or private), low density residential and related uses and uses of a public or quasi-public nature. The minimum lot size permitted within this area is 40 acres, with the sole exception of any parcel(s) to be owned and used solely by a public agency, consistent with the “Public Facilities” Policies of this Element. Existing smaller lot neighborhood developments are permitted within the Rural Area only in designated locations.

- E. Amend Subsection a) of the existing definition of Urbanization or Urban Development in the Other Definitions section of Land Use Definitions to read as follows:
- a) Any type of commercial or industrial use, excepting only those limited uses which may be permitted within the Rural and Inner-Rural Areas under the Coastal Dependent Industry designation, the "Overlay Symbols" of Mineral Resource Area or Spa, any of the "Overlay Symbols for Rural Areas Only" (Mineral Resource Industry, Agricultural Industry, Waste Disposal Facility, Petroleum Resource Industry, Utility-Scale Solar Photovoltaic Facilities if located in the Rural Area of the Cuyama Valley Rural Region), and/or the Conditional Use Permit provisions of the applicable County Zoning Ordinance (which explicitly require a finding of consistency with the Comprehensive Plan);
- F. Amend the Other Definitions section of Land Use Definitions to add the following new definitions to read as follows:
- Solar Photovoltaic System - A type of Solar Energy System that uses semiconductor technology to directly convert sunlight into electricity, including thin film and crystalline silicon technology.
- Utility-Scale Solar Photovoltaic Facilities - Facilities that are connected to the electrical grid on the utility side of the electric meter and are built for the primary purpose of generating and selling wholesale power. The electricity generated by the facility is not primarily used for on-site activities (such as farming or domestic water heating).
- G. Amend the Cuyama Valley Rural Region Land Use Designations Map to change the land use designation for a 167 acre portion of Assessor's Parcel No. 149-140-076 from Agriculture Commercial (AC) to Agriculture II, 100 acre minimum lot size (A-II-100) as shown on attached Exhibit A.
- H. Amend the Cuyama Valley Area (COMP-9) Map to designate Assessor's Parcel Nos. 149-150-029, 149-150-030, 149-150-031, 149-150-032, and 167 acre portion of 149-140-076 with the Utility-Scale Solar Photovoltaic Facility Overlay as shown on attached Exhibit B.
3. In compliance with the provisions of Section 65356 of the Government Code, the above described changes are hereby adopted as amendments to the Land Use Element of the Santa Barbara County Comprehensive Plan.
4. Pursuant to provisions of Government Code Section 65357(a), the Clerk of the Board is hereby directed to send copies of the documents amending the Santa Barbara County Comprehensive Plan, including the diagrams and text, to all public entities specified in Government Code Section 65352 and any other public entities that submitted comments on the amendment to the general plan during its preparation.
5. Pursuant to provisions of Government Code Section 65357(b), the Clerk of the Board is hereby directed to make the documents amending the Santa Barbara County Comprehensive Plan, including the diagrams and text, available to the public for inspection.

6. The Chair and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to reflect the above described action by the Board.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

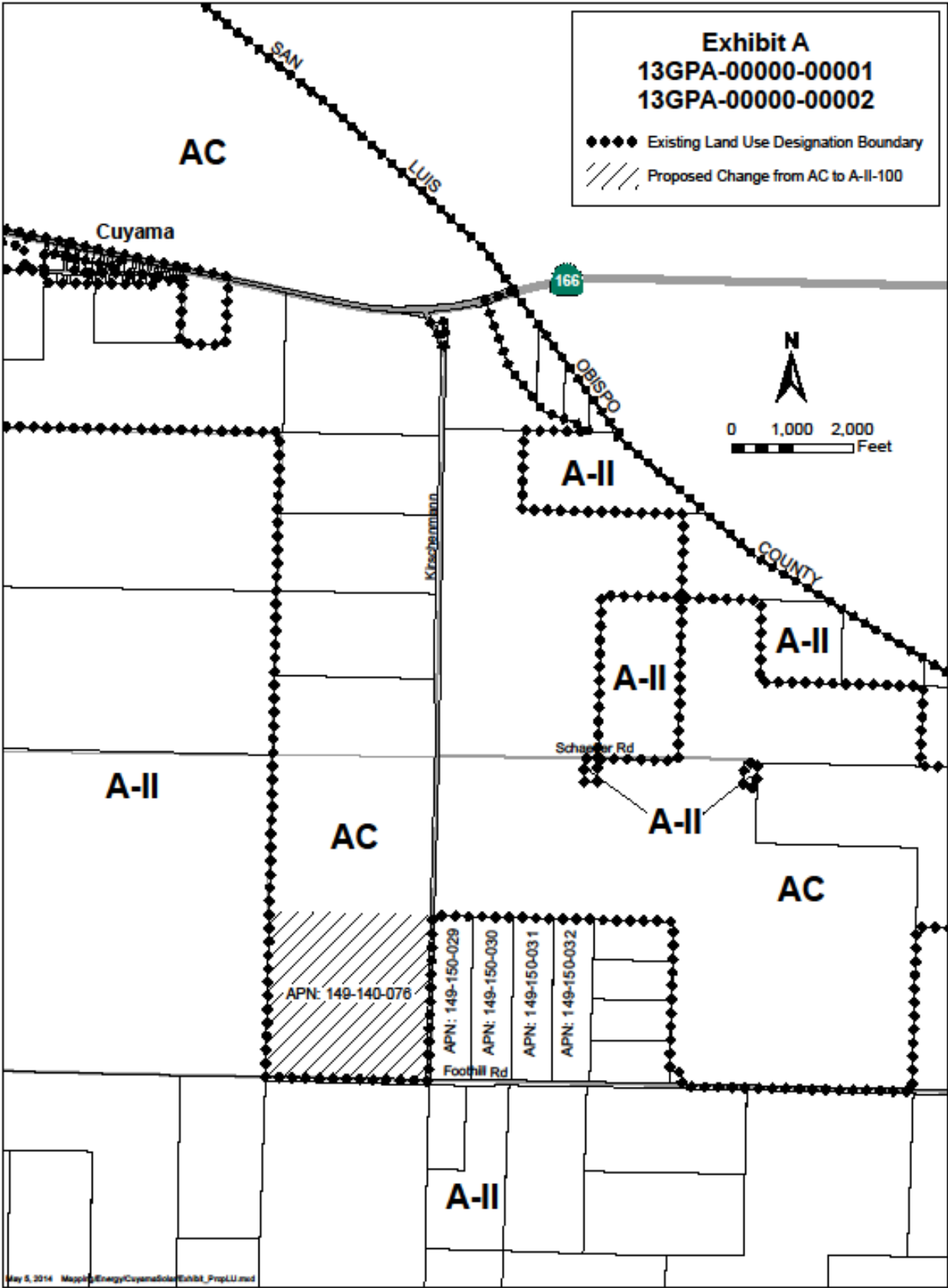
- A. 13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Rural Region Land Use Map
- B. 13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Area (COMP-9) Map

EXHIBIT A:

13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Rural Region Land Use Map

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A:
13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Rural Region Land Use Map



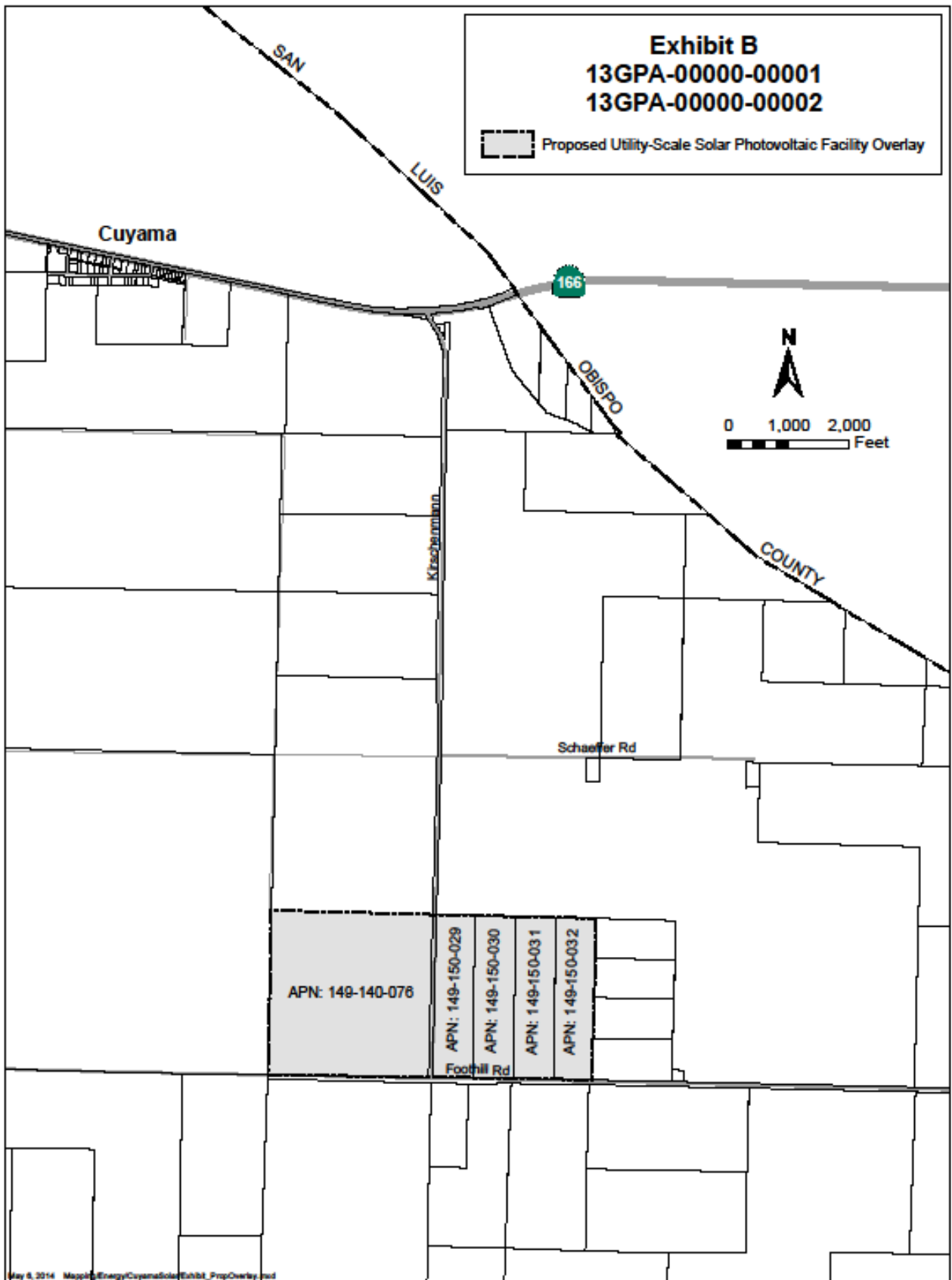
THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT B:

13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Area (COMP-9) Map

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT B:
13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Area (COMP-9) Map



THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT G

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE)
BOARD OF SUPERVISORS THE ADOPTION OF AN)
ORDINANCE AMENDING SECTION 35-1, THE)
SANTA BARBARA COUNTY LAND USE AND)
DEVELOPMENT CODE, OF CHAPTER 35, ZONING,)
OF THE COUNTY CODE, BY AMENDING)
ARTICLE 35.2, ZONES AND ALLOWABLE LAND) RESOLUTION NO. 14-_____
USES, ARTICLE 35.5, OIL AND GAS, WIND)
ENERGY AND COGENERATION FACILITIES,) CASE NOS 10ORD-00000-00001
AND ARTICLE 35.11, GLOSSARY, TO ADD) 10RZN-00000-00001
REGULATIONS REGARDING THE)
DEVELOPMENT OF UTILITY-SCALE SOLAR)
PHOTOVOLTAIC FACILITIES, AND TO AMEND)
THE COUNTY ZONING MAP BY CHANGING THE)
ZONING OF CERTAIN PROPERTIES TO)
AGRICULTURE II.)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 46-60, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Land Use Development Code, Section 35-1 of Chapter 35 of the Santa Barbara County Code.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case Nos. 10ORD-00000-00001 and 10RZN-00000-00001) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, to add regulations regarding the development of utility-scale solar photovoltaic facilities and to amend the County Zoning Map by changing the zoning of Assessor Parcel Numbers 149-150-029, 149-150-030, 149-150-031 and 149-150-032 from Unlimited Agriculture (U) under Ordinance No. 661 to Agriculture-II, 40 acre minimum lot size (AG-II-40) under Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code.

Said Ordinance is attached hereto as Attachment 1 and is incorporated by reference.
3. The proposed Ordinance is consistent with the Santa Barbara County Comprehensive Plan including the Community and Area Plans, and the requirements of the State Planning, Zoning and Development Laws.
4. The proposed Ordinance is in the interest of the general community welfare since it will serve to add regulations that allow for the development of utility-scale solar photovoltaic facilities that will reduce carbon emissions and greenhouse gasses without compromising community values, environmental quality, or the public health or safety.

5. This County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed zoning ordinance at which hearing the proposed zoning ordinance was explained and comments invited from the persons in attendance.
6. In compliance with the provisions of Section 65855 of the Government Code, this Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this County Planning Commission, based on the findings included as Attachment A of the Planning Commission Staff report dated July 15, 2014.
7. A certified copy of this Resolution shall be transmitted to the Board of Supervisors.
8. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the County Planning Commission.

PASSED, APPROVED AND ADOPTED this July 22, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

DANIEL BLOUGH, Chair
Santa Barbara County Planning Commission

ATTEST:

DIANNE BLACK
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

ATTACHMENT:

1. Board of Supervisors Ordinance

ATTACHMENT 1

BOARD OF SUPERVISORS ORDINANCE

THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE, BY AMENDING ARTICLE 35.2, ZONES AND ALLOWABLE LAND USES, ARTICLE 35.5, OIL AND GAS, WIND ENERGY AND COGENERATION FACILITIES, AND ARTICLE 35.11, GLOSSARY, TO ADD REGULATIONS REGARDING THE DEVELOPMENT OF UTILITY-SCALE SOLAR PHOTOVOLTAIC FACILITIES, AND TO AMEND THE COUNTY ZONING MAP BY CHANGING THE ZONING OF CERTAIN PROPERTIES TO AGRICULTURE II.

Case Nos. 10ORD-00000-00001 & 10RZN-00000-00001

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

SECTION 1:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend the Agricultural, Mining, and Energy Facilities section of Table 2-1, Allowed Land Uses and Permit Requirements for Agricultural Zones, of Section 35.21.030, Agricultural Zones Allowable Land Uses, of Chapter 35.21, Agricultural Zones, to read as follows:

Table 2-1 Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	AG-I	AG-I CZ	AG-II	AG-II CZ	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	P	35.42.020
Agricultural processing - On-premise products	P	P	P	P	35.42.040
Agricultural processing - Off-premise products	—	CUP	CUP	CUP	35.42.040
Agricultural processing - Extensive	—	—	CUP(3)	—	35.42.040
Animal keeping (except equestrian facilities, see RECREATION)	S	S	S	S	35.42.060
Aquaculture	—	—	CUP	CUP	35.42.070
Cultivated agriculture, orchard, vineyard	E	E	E	E	
Grazing	E	E	E	E	
Greenhouse	P	P	P	P	35.42.140
Mining - Agricultural soil export	—	—	MCUP	—	35.82.160
Mining, extracting & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	35.82.160
Mining- Surface, less than 1,000 cubic yards	P(4)	CUP	P(4)	P	35.82.160
Mining- Surface, 1,000 cubic yards or more	CUP	CUP	CUP	P	35.82.160
Oil and gas uses	S	S	S	S	35.5
Utility-scale photovoltaic facilities	—	—	CUP	—	35.59
Winery	S	—	S	CUP	35.42.280

Key to Zone symbols

AG-I	Agriculture I	CZ	Coastal Zone
AG-II	Agriculture II		

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.21.030.C](#).
- (3) Use limited to areas designated on the Land Use Element Maps with the “Agricultural Industry overlay.”
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

SECTION 2:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Chapter titled “Utility-Scale Solar Photovoltaic Facilities” and to read as follows:

CHAPTER 35.59 – Utility-Scale Solar Photovoltaic Facilities

Sections:

- [35.59.010 – Purpose and Intent](#)
- [35.59.020 - Applicability](#)
- [35.59.030 - Allowed Locations](#)
- [35.59.040 - Development Standards](#)
- [35.59.050 - Post Approval Procedures](#)

35.59.010 - Purpose and Intent

This Chapter identifies utility-scale solar photovoltaic facilities that are allowed in the County and the locations and zones in which they are allowed; identifies the required types of permits, and provides regulations for the operation of such facilities. These provisions are intended to encourage utility-scale solar photovoltaic development while protecting public health and safety.

35.59.020 - Applicability

The regulations contained in this Chapter shall apply to utility-scale solar photovoltaic facilities used for electrical power generation located in the Cuyama Valley Rural Region.

35.59.030 – Allowed Locations

Utility-scale solar photovoltaic facilities may only be allowed on no more than 600 acres located within the Cuyama Valley Rural Region designated with the Utility-scale Solar Photovoltaic Overlay as designated on the Comprehensive Plan maps.

35.59.040 - Development Standards

All utility-scale solar photovoltaic facilities shall comply with the following standards. Additionally, such facilities shall also comply with all the requirements established by other sections of this Development Code that are not in conflict with the requirements contained in this Chapter 35.59 (Utility-Scale Solar Photovoltaic Facilities).

A. View protection. Utility-scale solar photovoltaic facilities shall be designed and located in a manner to minimize adverse visual impacts from public viewing areas (e.g., scenic highways, recreational trails, public parks). To the greatest extent feasible, the utility-scale solar photovoltaic facility shall:

1. Avoid significant visual impacts to designated or eligible designated scenic highways.
2. Apply aesthetic design treatments to and maintain all structures, including fencing, onsite buildings and panel mounting structures where needed, to minimize visual impacts to the existing visual character of the project area. Aesthetic design treatments include fence slats, decorative walls, landscaping, painting and application of other finishes to reduce the visibility of structures and reduce glare.

3. Minimize night lighting by only utilizing construction and operational lighting that is of low intensity, low glare design, located at a minimum height, and hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots.
4. Minimize glare and spectral lighting from solar panels and hardware.

B. Protection of agricultural land. Utility-scale solar photovoltaic facilities shall minimize adverse agricultural impacts by permanently preserving off-site agricultural land if the project requires the conversion of prime agricultural land and/or Important Farmland shown on the Department of Conservation's Important Farmland Maps to non-agricultural use, or impairs agricultural productivity. The applicant of utility-scale solar photovoltaic facilities shall:

1. Prior to issuance of any grading or building permit, provide written evidence to P&D of the completion of the permanent preservation of off-site agricultural land of equal or better agricultural quality at a ratio of 1:1 for each acre that is either converted or impaired through one of the following methods:
 - a. Funding and purchase of agricultural conservation easements.
 - b. Purchase of credits from an established agricultural farmland mitigation bank.
 - c. Contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland.
 - d. Participation in any agricultural land mitigation program that provides equal or more effective mitigation than the measures listed above.
2. Prior to issuance of any grading or building permit, submit a site-specific Integrated Pest and Weed Management Plan to the Department in a form that is acceptable to the Department.
 - a. The Integrated Pest and Weed Management Plan shall:
 - (1) Require use of County approved herbicides or mechanical weed removal methods or grazing animals (e.g., goats) depending on which is most appropriate for the suppression or eradication of the weed species and their locations.
 - (2) Describe when herbicides would be used, factors that would prohibit use of herbicides (such as high wind), and the specific type of herbicides proposed.
 - (3) Document measures that would be used for pest control, as applicable; however the use of rodenticides shall be prohibited on the project site.
 - b. The plan shall be implemented during facility installation and throughout the life of the facilities.
3. Prior to issuance of zoning clearance, submit a Demolition and Reclamation Plan with associated financial assurance to the Department in a form that is acceptable to the Department. The financial assurance shall be sufficient to guarantee the removal of the facility, including all of its components, upon the completion of facility operations, in order to allow the land to be utilized for agricultural uses or uses consistent with current land use plans, policies, and zoning requirements in place at the time of completion of facility operations.

C. Sensitive biological resource protection. Utility-scale solar photovoltaic facilities shall be designed and located in a manner so as to minimize any adverse biological impacts. The utility-scale solar photovoltaic facility shall:

1. Be designed and located in order to avoid any significant adverse impacts to known sensitive natural communities, rare and special-status plant species, special-status wildlife species and their habitats, critical habitat corridors, and nesting birds. Facilities shall also be designed to avoid the removal of any native specimen trees unless determined to be infeasible, in which case a tree replacement plan shall be required in accordance with County standards.

2. Minimize the potential for raptor electrocution by utilizing the recommendations contained in the most current “Avian Protection Plan Guidelines” and “Reducing Avian Collisions with Power Lines” as promulgated by the Edison Electric Institute’s Avian Power Line Interaction Committee regarding power line spacing and construction and work procedures.

D. Geologic hazards avoidance. Utility-scale solar photovoltaic facilities shall be designed and located in a manner to minimize adverse geologic impacts. The utility-scale solar photovoltaic facility shall:

1. Be sited and designed to avoid significant geologic impacts considering soil types, soil and groundwater conditions and geologic and seismic hazards.
2. Avoid areas with slopes that exceed 20 percent, or require cut slopes having a height of 15 feet or greater.
3. Control erosion, minimize flooding, and minimize degradation of water quality during facility construction and operation. Measures shall include use of temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices. Impacts to surface water due to sedimentation of streams shall be mitigated to the maximum extent feasible through adequate erosion and sediment controls.

E. Fire prevention. Utility-scale solar photovoltaic facilities shall include a fire prevention plan to identify sources of fire hazards and methods to mitigate fire hazards during construction and throughout operation of the project. Prior to issuance of any grading or building permit a County Fire Department-approved plan shall be submitted to the Department.

F. Hazardous material avoidance. Utility-scale solar photovoltaic facilities shall be located to avoid sites that are known to be contaminated or are listed on agency databases as requiring clean-up action. If avoidance is not feasible, then any contamination shall be appropriately evaluated, characterized, and remediated in accordance with County, State Regional Water Quality Control Board, and California Department of Toxic Substances Control standards prior to construction of the utility-scale photovoltaic facilities.

G. Noise level reduction. Utility-scale solar photovoltaic facilities shall be designed and located in a manner to avoid any significant adverse construction and operational noise impacts to noise sensitive uses as determined by the Noise Element of the Comprehensive Plan.

H. Traffic hazard prevention. Utility-scale solar photovoltaic facilities shall minimize traffic hazards by implementing a project-specific Traffic Control Plan. Prior to the issuance of any zoning clearance, a County Traffic Engineer-approved Traffic Control Plan shall be submitted to identify adequate traffic control measures during construction to avoid significant impacts with vehicles and pedestrians.

I. Waste reduction. Utility-scale solar photovoltaic facilities shall minimize waste generated during construction and operation.

35.59.050 - Post Approval Procedures

The procedures and requirements in Chapter 35.84 (Post Approval Procedures) and those related to appeals in Article 35.10 (Land Use and Development Code Administration) shall apply following the decision on an application for a Conditional Use Permit.

SECTION 3:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to add the following new definitions of “Solar Photovoltaic System” and Utility-scale Solar Photovoltaic Facilities” read as follows:

Solar Photovoltaic System. A type of Solar Energy System that uses semiconductor technology to directly convert sunlight into electricity, including thin film and crystalline silicon technology.

Utility-Scale Solar Photovoltaic Facilities. Facilities that are connected to the electrical grid on the utility side of the electric meter and are built for the primary purpose of generating and selling wholesale power. The electricity generated by the facility is not primarily used for on-site activities (such as farming or domestic water heating).

SECTION 4:

The County Zoning Map within the area regulated by Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code shall be amended by changing the zoning on Assessor Parcel Nos. 149-150-029, 149-150-030, 149-150-031 and 149-150-032 located within the unincorporated portion of Santa Barbara County from Unlimited Agriculture (U) under Ordinance No. 661 to Agriculture II, 40 acres minimum lot area (AG-II-40) as shown in Exhibit A of this Ordinance.

SECTION 5:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 6:

Except as amended by this Ordinance, Articles 35.2, 35.5, and 35.11 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 7:

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit A to show that said map has been adopted by this Board.

SECTION 8:

This ordinance shall take effect and be in force 30 days from the date of its passage, and before the expiration of 15 days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
Deputy County Counsel

EXHIBIT:

A. Zoning Map

EXHIBIT A

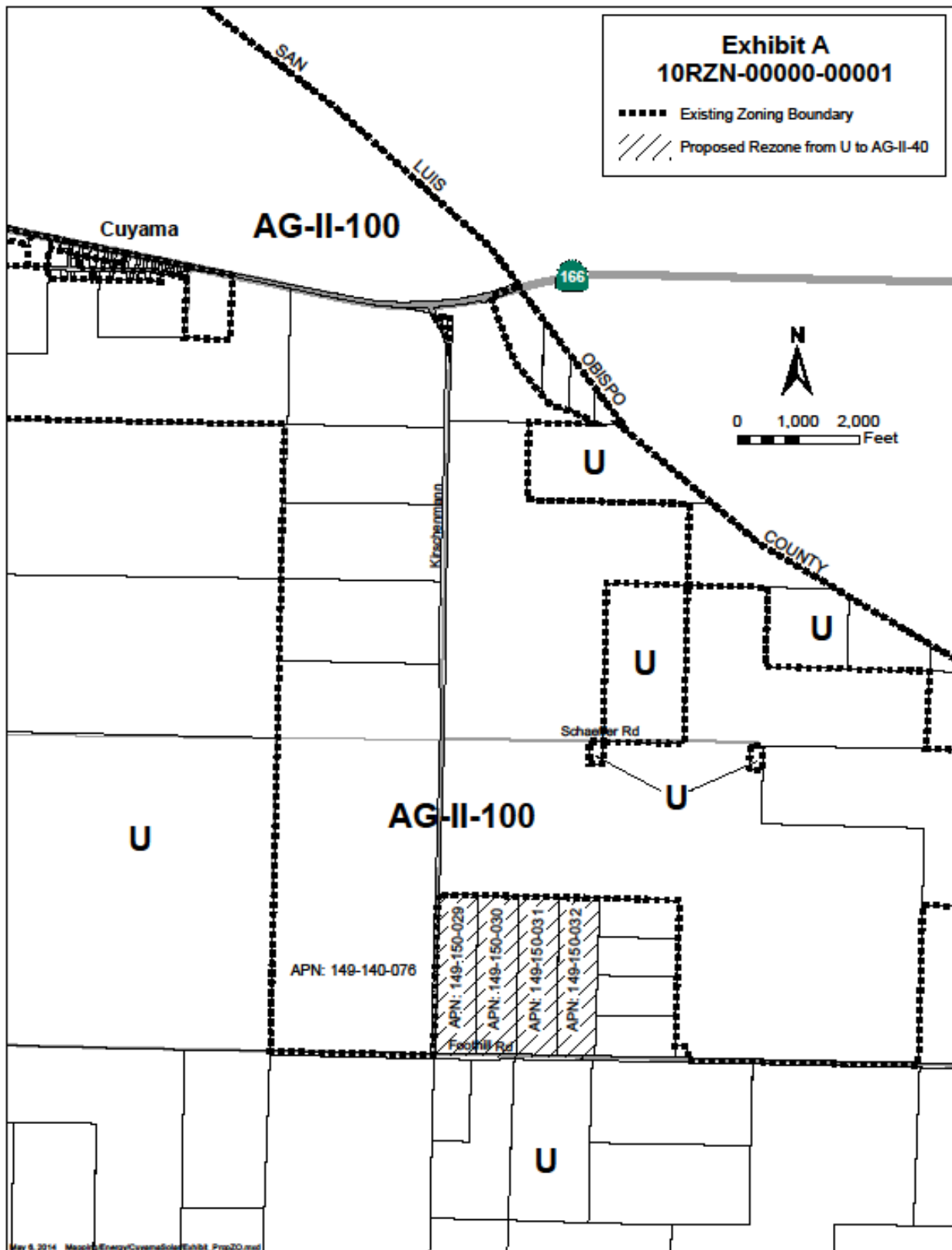
ZONING MAP

Rezoning Assessor's Parcel Nos. 149-150-029, 149-150-030, 149-150-031 and 149-150-032 from Unlimited Agriculture (U) under Ordinance No. 661, to AG-II, 40 acre minimum lot area, (AG-II-40), under Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

ZONING MAP



THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT H

RESOLUTION FOR WILLIAMSON ACT
CONTRACT CANCELLATION

ATTACHMENT H

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING THAT)	RESOLUTION NO. 14-_____
THE BOARD OF SUPERVISORS ISSUE A)	CASE NOS:10AGP-00000-00002
CERTIFICATE OF TENTATIVE)	13AGP-00000-00024
CANCELLATION AND CERTIFICATE OF)	
CANCELLTION UPON MEETING ALL)	
CONDITIONS AND CONTINGENCIES FOR)	
LAND CONSERVATION CONTRACT)	
NUMBER 76-AP-072)	

WITH REFERENCE TO THE FOLLOWING:

- A. Pursuant to the California Land Conservation Act of 1965 (Government Code Sections 51200 *et seq.*), counties are authorized to establish agricultural preserves and to establish local procedures for creating, altering and terminating agricultural preserves.
- B. The Uniform Rules for Agricultural Preserves and Farmland Security Zones were adopted by the Santa Barbara County Board of Supervisors in 1971, and amended by the Board of Supervisors on September 25, 2007, October 8, 1994 and August 10, 1999.
- C. On February 7, 2014, the Agricultural Preserve Advisory Committee (APAC) held a duly noticed public hearing and issued a report and comment, to the Board of Supervisors on the proposed Land Conservation Contract No. 76-AP-072 cancellation, included as Attachment K of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference,
- D. This County Planning Commission has held a duly noticed public hearing, as required by Section 6-1, Contract Termination, of Uniform Rule 6 of the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones, on the proposed tentative cancellation and any rezoning and amendment of the County Comprehensive Plan necessary to permit the nonagricultural uses contemplated by the applicant, at which hearing the proposed tentative cancellation was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. It is now deemed in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt:
 - a. A Resolution (Case No. 10AGP-00000-00002) approving a Certificate of Tentative Cancellation for Land Conservation Contract No. 76-AP-072, as shown in Attachment 1 of this Resolution.
 - b. A Resolution (Case No. 13AGP-00000-00024) executing a Replacement Land Conservation Contract as a condition of said Certificate of Tentative Cancellation for Land Conservation Contract No. 76-AP-072, as shown in Attachment 2 of this Resolution.

- c. A Resolution (Case No. 10AGP-00000-00002) approving a Certificate of Cancellation for Land Conservation Contract No. 76-AP-072 once all contingencies of the Certificate of Tentative Cancellation have been met, as shown in Attachment 3 of this Resolution.
3. This County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this County Planning Commission, based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014.
4. A certified copy of this Resolution shall be transmitted to the Board of Supervisors.
5. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the County Planning Commission.

PASSED, APPROVED AND ADOPTED this July 22, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

DANIEL BLOUGH, Chair
Santa Barbara County Planning Commission

ATTEST:

DIANNE BLACK
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

ATTACHMENTS:

1. Board of Supervisors Resolution for a Certificate of Tentative Cancellation for Land Conservation Contract No. 76-AP-072
2. Board of Supervisors Resolution for a Replacement Land Conservation Contract Case No. 13AGP-00000-00024
3. Board of Supervisors Resolution for a Certificate of Cancellation for Land Conservation Contract No. 76-AP-072

ATTACHMENT 1

**BOARD OF SUPERVISORS RESOLUTION
FOR A CERTIFICATE OF TENTATIVE CANCELLATION
FOR LAND CONSERVATION CONTRACT NUMBER 76-AP-072**

THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT 1

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF APPROVING A)
CERTIFICATE OF)
TENTATIVE CANCELLATION FOR LAND)
CONSERVATION CONTRACT)
NUMBER 76-AP-072.)

RESOLUTION NO.14- ____

CASE NO: 10AGP-00000-00002

WITH REFERENCE TO THE FOLLOWING:

- A. Pursuant to the California Land Conservation Act of 1965 (Government Code Sections 51200 *et seq.*), counties are authorized to establish agricultural preserves and to establish local procedures for creating, altering and terminating agricultural preserves.
- B. The Uniform Rules for Agricultural Preserves and Farmland Security Zones were adopted by the Santa Barbara County Board of Supervisors in 1971, and amended by the Board of Supervisors on September 25, 2007, October 8, 1994 and August 10, 1999.
- C. Bolthouse Properties LLC., entered into a Land Conservation Contract, 76-AP-072, dated February 22, 1977, with the County of Santa Barbara for land that is currently identified as Assessor's Parcel Nos. 149-140-076 and 149-150-039, which was recorded on February 25, 1977, as Document No. 77-8972, in the Office of the County Recorder of Santa Barbara County, California (the "Land Conservation Contract") as shown in Exhibit 1 of Exhibit A of this Resolution.
- D. Bolthouse Properties, LLC., the current owner of the property, petitioned the Board of Supervisors to cancel a 167-acre portion of the property subject to the Land Conservation Contract.
- E. Cuyama Solar, LLC ("Cuyama Solar") is the holder of an option to purchase the 167-acre portion of property currently identified as Assessor's Parcel No. 149-140-076 that is the subject of this cancellation request from Bolthouse Properties LLC., and have proposed, if cancellation as to the 167-acre portion is approved, that the land will be used to develop a 40 megawatt utility-scale solar photovoltaic facility.
- F. The Cuyama Solar purchase, in conjunction with a lot line adjustment, will reduce the property currently identified as Assessor's Parcel No. 149-140-076 from 406 to 239 acres.
- G. As a condition of the Certificate of Tentative Cancellation, as shown in Exhibit A of this Resolution, Bolthouse Properties LLC shall enroll the 1,362 acre remainder of the land included in 76-AP-072 in a Replacement Land Conservation Contract consisting of a 1,123 acre property currently identified as Assessor's Parcel No. 149-150-039 and a 239 acre property which is the remaining portion of property currently identified as Assessor's Parcel No. 149-140-076 which is retained by Bolthouse Properties LLC.
- H. Pursuant to Government Code Section 51282(a)(2) and (c)(1) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, other public concerns substantially outweigh the objectives of the Land Conservation Act.

- I. Pursuant to Government Code Section 51282(a)(2) and (c)(2) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, there is no proximate non-contracted land which is both available and suitable for the proposed use, or development of the contracted land would provide more contiguous patterns of urban development of proximate non-contracted land.
- J. Pursuant to Government Code Section 51282(a)(1) and (b)(1) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, cancellation is for land on which a notice of non-renewal has been served.
- K. Pursuant to Government Code Section 51282(a)(1) and (b)(2) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, cancellation is not likely to result in the removal of adjacent lands from agricultural use.
- L. Pursuant to Government Code Section 51282(a)(1) and (b)(3) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, cancellation is for an alternative use which is consistent with the applicable provisions of the Comprehensive Plan.
- M. Pursuant to Government Code Section 51282(a)(1) and (b)(4) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, cancellation will not result in discontinuous patterns of urban development.
- N. Pursuant to Government Code Section 51282(a)(1) and (b)(5) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, there is no proximate non-contracted land which is both available and suitable for the proposed use or development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.
- O. The total amount of the cancellation fee for the Property, pursuant to Government Code Section 51283(b), has been determined and certified by the Board of Supervisors to be \$125,000.00, as shown in Attachment J of the County Planning Commission staff report dated July 15, 2014.
- P. Pursuant to Government Code Section 51284.1(d) the Board of Supervisors considered the comments by the Department of Conservation included in Attachment I of the County Planning Commission staff report dated July 15, 2014.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

- 1. The above recitals are incorporated herein by this reference.
- 2. The subject parcels are included under the Land Conservation Contract, 76-AP-072.
- 3. The cancellation fee was determined by the Santa Barbara County Assessor's office and reported to the Board of Supervisors. The Board of Supervisors certified to the cancellation fee of \$125,000.00 to the County Auditor.
- 4. Cancellation of the Land Conservation Contract is consistent with the purposes of the Land Conservation Act and is in the public interest.

5. The 40 megawatt Cuyama Solar project is also being processed with this cancellation and constitutes the proposed alternative land use for property subject to this cancellation. Upon approval of the lot line adjustment, Comprehensive Plan and Land Use Development Code amendments, rezones and accompanying entitlements, the proposed alternative land use will be consistent with the Santa Barbara County Comprehensive Plan.
6. The Board of Supervisors approves the tentative cancellation and directs the Chair of this Board to sign the Certificate of Tentative Cancellation, as shown in Exhibit A of this Resolution.
7. The Board of Supervisors directs the Clerk of this Board to file and record a Certificate of Tentative Cancellation and transmit copies thereof to the Director of Conservation of the State of California, the Treasurer, Auditor and Assessor of Santa Barbara County.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT:

A. Certificate of Tentative Cancellation of Land Conservation Contract

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

**CERTIFICATE OF TENTATIVE CANCELLATION OF
LAND CONSERVATION CONTRACT 76-AP-072**

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

Recording Requested by)
County of Santa Barbara)

When Recorded Return to the)
Clerk of the Board of Supervisors)
County of Santa Barbara)
105 East Anapamu Street)
Santa Barbara, California 93101)

CERTIFICATE OF TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT

(Case No. 10AGP-00000-00002, Bolthouse Properties LLC.)

The Clerk of the Board of Supervisors of the County of Santa Barbara does hereby certify that a Certificate of Cancellation of Land Conservation Contract 76-AP-072 will be issued and recorded pursuant to the Land Conservation Act (California Code Section 51200 *et seq.*) at such time as the specified conditions and contingencies set forth in this certificate are satisfied.

Bolthouse Properties LLC., being the owners of the real property described as Santa Barbara County Assessor's Parcel Nos. 149-140-076 (406 acres) and 149-150-039 (1,123 acres), have requested, along with a proposal for a specified alternative use of the land, that the Board of Supervisors of the County of Santa Barbara approve a cancellation of Land Conservation Contract 76-AP-072, which was recorded in the official records of the Santa Barbara County Recorder on February 25, 1977, as Document No. 77-8972, as shown in Exhibit 1 of this Certificate.

The Board of Supervisors of the County of Santa Barbara has determined and approved that a Certificate of Cancellation of the above contract as requested will be issued and recorded at such time as the following conditions and contingencies have been satisfied:

1. Payment in full to the County Treasurer for the amount of the cancellation fee, which is \$125,000.00, certified by the Board of Supervisors on October 15, 2013 pursuant to the provisions of the Government Code Section 51283, with such notices and statements as are required to be included in the provisions of Government Code Section 51283.4. If the cancellation fee is not paid, or a certificate of cancellation of contract is not issued within one year of the date of the recording of the certificate of tentative cancellation, such fee shall be recomputed as of the date of notice described in Government Code Section 51283.4(b) or the date the landowner requests a computation.
2. Approval from the Board of Supervisor's of all applicable discretionary permits necessary for use of the 167 acre portion of property currently identified as Assessor's Parcel No. 149-140-076 to develop a 40 megawatt utility-scale solar photovoltaic facility.
3. Enrollment of the 1,362 acre remainder of the land currently included in 76-AP-072 in a Replacement Land Conservation Contract consisting of a 1,123 acre property currently identified as Assessor's Parcel No. 149-150-039 and a 239 acre property which is the remaining portion of property currently identified as Assessor's Parcel No. 149-140-076 which is retained by Bolthouse Properties LLC which shall be recorded subsequent to recordation by the Board of Supervisors of the Certificate of Cancellation.

Pursuant to Government Code Section 51283.4(b), Bolthouse Properties LLC. shall notify the Board of Supervisors when all conditions and contingencies enumerated in the Certificate of Tentative Cancellation have been satisfied. Within 30 days of receipt of such notice, and upon determination that the conditions and contingencies have been satisfied, the Board of Supervisors shall cause to be executed and recorded a Certificate of Cancellation.

If the landowners have been unable to satisfy the conditions and contingencies enumerated hereinabove, the landowners shall notify the Board of Supervisors of the particular conditions or contingencies they are unable to satisfy. Within 30 days of receipt of said notice, and upon a determination that the landowners are unable to satisfy the conditions and contingencies listed, the Board of Supervisors shall execute and record a certificate of withdrawal of tentative approval of cancellation of contract. The landowner shall not be entitled to the refund of any cancellation fee paid.

I certify the foregoing approval and the issuance of this Certificate of Tentative Cancellation were authorized by action duly taken by the Santa Barbara County Board of Supervisors in regular session held on _____, 2014.

By order of the Santa Barbara County Board of Supervisors.

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT:

1. Legal Description and Map of land Conservation Contract Number 76-AP-072

EXHIBIT 1

**LEGAL DESCRIPTION AND MAP OF
LAND CONSERVATION CONTRACT NUMBER 76-AP-072**

THIS PAGE INTENTIONALLY LEFT BLANK

CASE No. 10AGP-00000-00002

LEGAL DESCRIPTION

within

**Sections 29, 30, 31 and 32
Township 10 North, Range 25 West
San Bernardino Meridian**

PARCEL ONE:

The Southwest Quarter of the Northwest Quarter of Section 29, and the Southeast Quarter of the Northeast Quarter of Section 30, All in Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

PARCEL TWO:

The West half of the Northeast Quarter of Section 30 in Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

PARCEL THREE:

The South half of the Southwest Quarter and the Southeast Quarter of Section 30, Township 10 North, Range 25 West, San Bernardino Meridian, in the Rancho Cuyama No. 2, in the County of Santa Barbara, State of California, shown on the Map filed in Book 26, Page 11 of Record of Surveys, in the Office of the County Recorder of said County.

ALSO EXCEPTING THEREFROM the East 80 feet of said Southwest Quarter of Section 30, as described in deed to Santa Barbara County recorded June 18, 1943 in Book 571, Page 177 of Official Records, Records of said County.

ALSO EXCEPTING THEREFROM the South 30 feet of said Southeast Quarter of Section 30, as described in deed to Santa Barbara County recorded June 18, 1943 in Book 573, Page 134 of Official Records, Records of said County.

PARCEL FOUR:

The west half of Section 31, Township 10 North, Range 25 West, San Bernardino Meridian, in the Rancho Cuyama No. 2 in the County of Santa Barbara, State of California, as shown on the Map filed in Book 26, Page 11, of Record of Surveys in the office of the County Recorder of said County.

PARCEL FIVE:

The Northwest Quarter, the East half of the Southeast Quarter and the South half of the Northeast Quarter of Section 32, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT that portion of said Section 32, described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 32, thence running South along the Quarter Section line a distance of 400 feet; thence West a distance of 125 feet; thence North a distance of 400 feet; thence East a distance of 125 feet to the point of beginning.

ALSO EXCEPT the North 30 feet of the Northwest Quarter of said Section 32 above described.

PARCEL SIX:

The Northeast Quarter of Section 31, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California according to the Official Plat thereof.

EXCEPT the North 30 feet hereof.

ALSO EXCEPT that portion of said Section 31, described as follows:

Beginning at the Northeast corner of the Northeast Quarter of said Section 31; thence South along the East boundary line of said Section 31, a distance of 400 feet; thence West and parallel to the North boundary line of said Section 31, a distance of 132 feet; thence North and parallel to the East boundary of said Section 31, a distance of 400 feet; thence East, along the North boundary line of said Section 31, a distance of 132 feet to the point of beginning.

PARCEL SEVEN:

The East half of the Southwest Quarter and the West half of the Southeast Quarter of Section 32, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT that portion of Section 32, described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 32; thence East 208.7 feet; thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet to the point of beginning.

PARCEL EIGHT:

The East half of the Southwest Quarter of Section 29, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT the South 30 feet thereof as described in the Deed to Santa Barbara County, a Body Corporate and Politic, recorded June 18, 1943 as Instrument No. 4626, in Book 575 at page 146 of Official Records.

PARCEL NINE:

The South half of the Southeast Quarter of Section 29, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the official plat thereof, of the Survey of said land on file in the Bureau of Land Management.

SUBJECT TO: All covenants, Rights, Rights-of-Way and Easements of record.



A handwritten signature in black ink, appearing to read "Matthew J. Vernon".

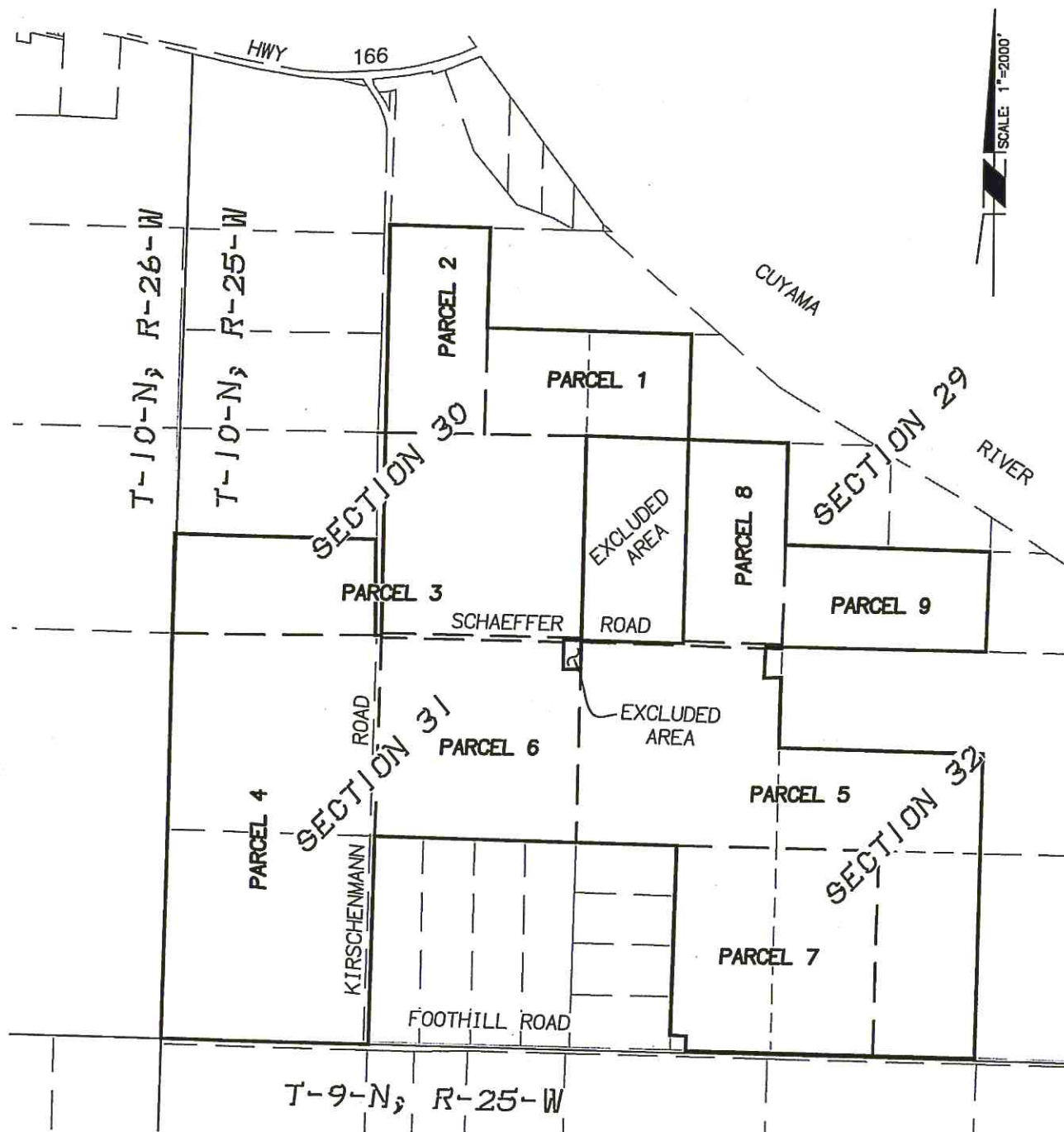
06/26/2014

Matthew J. Vernon
PLS 7553

Date

7293-EX-003.docx

PLAT TO ACCOMPANY LEGAL DESCRIPTION



RBF
CONSULTING

PLANNING ■ DESIGN ■ CONSTRUCTION

5051 VERDUGO WAY, SUITE 300
CAMARILLO, CALIFORNIA 93012
805.363.3373 FAX 805.363.3371 www.RBF.com

**AGRICULTURAL PRESERVE/
LAND CONSERVATION CONTRACT
CASE No 10AGP-00000-00002**

COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA

DATE: 6/9/14
SCALE: 1"=2000'
SHEET: 1 OF 1
CAD: JM
CHK'D: MJV

ATTACHMENT 2

**BOARD OF SUPERVISORS RESOLUTION FOR A
REPLACEMENT LAND CONSERVATION CONTRACT
CASE NO. 13AGP-00000-00024**

ATTACHMENT 2

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF THE CREATION)
OF AN AGRICULTURAL PRESERVE)
AND ENTERING INTO A LAND)
CONSERVATION CONTRACT.)

RESOLUTION NO.14-_____
CASE NO: 13AGP-00000-00002

IT IS HEREBY RESOLVED AS FOLLOWS:

- A. Pursuant to the California Land Conservation Act of 1965, (Government Code Sections 51200 et seq.), the Bolthouse Properties LLC., Agricultural Preserve (13AGP-00000-00024) is hereby created and a Land Conservation Contract in the County of Santa Barbara, is hereby entered into, as shown in Exhibit A of this Resolution.
- B. A map of the Land Conservation Contract area is filed in the Office of the Santa Barbara County Surveyor, as shown in Exhibit 1 of Exhibit A of this Resolution.
- C. This agricultural preserve shall be administered pursuant to the California Land Conservation Act of 1965 and the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones adopted by this Board pursuant to said Act.
- D. The Clerk of the Board shall endorse the fact of this adoption and the date thereof on said Surveyor map and shall record this Short Form Land Conservation Contract (Short Form Contract) with description attached at the Office of the Santa Barbara County Recorder no later than 20 days after the County enters into the contract. In addition, the Clerk of the Board shall forward to the following interested parties copies of documents as follows:
 1. To the County Recorder, a copy of the Surveyor's map;
 2. To the property owners, a duplicate original copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map;
 3. To the Planning and Development Department, a conformed copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map;
 4. To the Assessor, a certified copy of the Short Form Contract, a certified copy of this Resolution, and a copy of the Surveyor's map; and
 5. To the Surveyor, a certified copy of the Short Form Contract.
- E. The property owners involved are:

Bolthouse Properties LLC., 2000 Oak Street, Suite 250, Bakersfield, California 93301
- F. The Chairperson and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara,
State of California, this _____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT

A. Short Form Land Conservation Contract

EXHIBIT A

SHORT FORM LAND CONSERVATION CONTRACT

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

Recording Requested by)
County of Santa Barbara)
_____))
When Recorded Return to the)
Clerk of the Board of Supervisors)
County of Santa Barbara)
105 East Anapamu Street)
Santa Barbara, California 93101)

SHORT FORM LAND CONSERVATION CONTRACT

Incorporating Board of Supervisors Resolutions and Long Form Contract by Reference

13AGP-00000-00024

THIS LAND CONSERVATION CONTRACT, is made by and between Bolthouse Properties, LLC, a California Limited Liability Company hereinafter referred to as "OWNER" and the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, hereinafter referred to as "COUNTY".

WITNESSETH:

WHEREAS, OWNER possesses certain real property situated in the County of Santa Barbara, State of California, hereinafter referred to as "THE SUBJECT PROPERTY," and more particularly described in Exhibit 1 attached hereto and by this reference incorporated herein; and

WHEREAS, THE SUBJECT PROPERTY is now devoted to agricultural uses and uses compatible therewith; and

WHEREAS, the parties hereto desire to create an "agricultural preserve," consisting of THE SUBJECT PROPERTY, to be established by COUNTY by resolution and by this contract, and to be designated as the Bolthouse Properties LLC., Agricultural Preserve, 13AGP-00000-00024, Assessor Parcel Numbers 149-140-076 and 149-150-039 (1362.57± acres); with zoning of AG-II, 100 acre minimum lot size (AG-II-100) under Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, and -100, and a Comprehensive Plan land use designation of A-II, 100 acre minimum lot size (A-II-100).

NOW, THEREFORE, both OWNER and COUNTY, in consideration of the mutual promises, covenants and conditions to which reference is made herein and substantial public benefits to be derived therefrom, do hereby agree as follows:

FIRST: THE SUBJECT PROPERTY shall be subject to all restrictions and conditions adopted or to be adopted by resolutions and minute orders by the Board of Supervisors of the County of Santa Barbara, California, including without limitation those recorded on November 5, 1971, as Inst. No. 36187, Bk. 2371, pg. 404; January 3, 1972, as Inst. No. 57, Bk. 2381, page 794; October 30, 1974, as Instr. No. 38788, Bk. 2539, pg. 258; November 10, 1975, as Instr. Nos. 40442 and 40443, Bk. 2592, pgs. 1763 and 1767; December 11, 1975, as Instr. No. 44871, Bk.

2595, pg. 2134; May 20, 1977, as Reel No. 77-24881; July 11, 1977, Reel No. 77-34734; November 14, 1978, Reel No. 78-52990; October 15, 1980, Reel No. 80-41873, and November 2, 2007, Reel No. 2007-0077408 of the Official Records of the County of Santa Barbara, California, and IT IS MUTUALLY AGREED that the conditions and restrictions set forth in said resolutions and minute orders are adopted and incorporated herein and made a part hereof as though fully set forth herein at length, and the OWNER will observe and perform said provisions.

SECOND: In consideration of the promises, OWNER shall indemnify and save harmless COUNTY from and against any and all claims, liability, suits, damages, costs including reasonable attorney's fees, losses and expenses in any manner resulting from, arising out of, or connected with the use of any Surveyor's Map depicting the preserve and the description of THE SUBJECT PROPERTY attached hereto.

THIRD: This Contract shall be effective as of the first day of January, 2015 and shall remain in effect for a period of 10 years from each succeeding January first.

IN WITNESS WHEREOF, the County of Santa Barbara has executed this Contract on this ____ day of _____, 2014.

COUNTY OF SANTA BARBARA

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT:

1. Legal Description and Map of Replacement Land Conservation Contract

OWNER

Bolthouse Properties, LLC.

By: _____
STEPHAN J. DEBRANCH
SENIOR VICE-PRESIDENT

EXHIBIT 1

**LEGAL DESCRIPTION AND MAP OF REPLACEMENT
LAND CONSERVATION CONTRACT**

THIS PAGE INTENTIONALLY LEFT BLANK

CASE No. 13AGP-00000-00024

LEGAL DESCRIPTION

within

**Sections 29, 30, 31 and 32
Township 10 North, Range 25 West
San Bernardino Meridian**

PARCEL ONE:

The Southwest Quarter of the Northwest Quarter of Section 29, and the Southeast Quarter of the Northeast Quarter of Section 30, All in Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

PARCEL TWO:

The West half of the Northeast Quarter of Section 30 in Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

PARCEL THREE:

The South half of the Southwest Quarter and the Southeast Quarter of Section 30, Township 10 North, Range 25 West, San Bernardino Meridian, in the Rancho Cuyama No. 2, in the County of Santa Barbara, State of California, shown on the Map filed in Book 26, Page 11 of Record of Surveys, in the Office of the County Recorder of said County.

ALSO EXCEPTING THEREFROM the East 80 feet of said Southwest Quarter of Section 30, as described in deed to Santa Barbara County recorded June 18, 1943 in Book 571, Page 177 of Official Records, Records of said County.

ALSO EXCEPTING THEREFROM the South 30 feet of said Southeast Quarter of Section 30, as described in deed to Santa Barbara County recorded June 18, 1943 in Book 573, Page 134 of Official Records, Records of said County.

PARCEL FOUR:

The Northwest Quarter of Section 31, Township 10 North, Range 25 West, San Bernardino Meridian, in the Rancho Cuyama No. 2 in the County of Santa Barbara, State of California, as shown on the Map filed in Book 26, Page 11, of Record of Surveys in the office of the County Recorder of said County.

PARCEL FIVE:

The Northwest Quarter, the East half of the Southeast Quarter and the South half of the Northeast Quarter of Section 32, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT that portion of said Section 32, described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 32, thence running South along the Quarter Section line a distance of 400 feet; thence West a distance of 125 feet; thence North a distance of 400 feet; thence East a distance of 125 feet to the point of beginning.

ALSO EXCEPT the North 30 feet of the Northwest Quarter of said Section 32 above described.

PARCEL SIX:

The Northeast Quarter of Section 31, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California according to the Official Plat thereof.

EXCEPT the North 30 feet hereof.

ALSO EXCEPT that portion of said Section 31, described as follows:

Beginning at the Northeast corner of the Northeast Quarter of said Section 31; thence South along the East boundary line of said Section 31, a distance of 400 feet; thence West and parallel to the North boundary line of said Section 31, a distance of 132 feet; thence North and parallel to the East boundary of said Section 31, a distance of 400 feet; thence East, along the North boundary line of said Section 31, a distance of 132 feet to the point of beginning.

PARCEL SEVEN:

The East half of the Southwest Quarter and the West half of the Southeast Quarter of Section 32, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT that portion of Section 32, described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 32; thence East 208.7 feet; thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet to the point of beginning.

PARCEL EIGHT:

The East half of the Southwest Quarter of Section 29, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT the South 30 feet thereof as described in the Deed to Santa Barbara County, a Body Corporate and Politic, recorded June 18, 1943 as Instrument No. 4626, in Book 575 at page 146 of Official Records.

PARCEL NINE:

The South half of the Southeast Quarter of Section 29, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the official plat thereof, of the Survey of said land on file in the Bureau of Land Management.

EXCEPT ALL oil, gas, petroleum, asphaltum, and other hydrocarbon substances and mineral substances, existing in, or under and/or produced from said land above described or any part thereof.

SUBJECT TO: All covenants, Rights, Rights-of-Way and Easements of record.



A handwritten signature in black ink, appearing to read "Matthew J. Vernon".

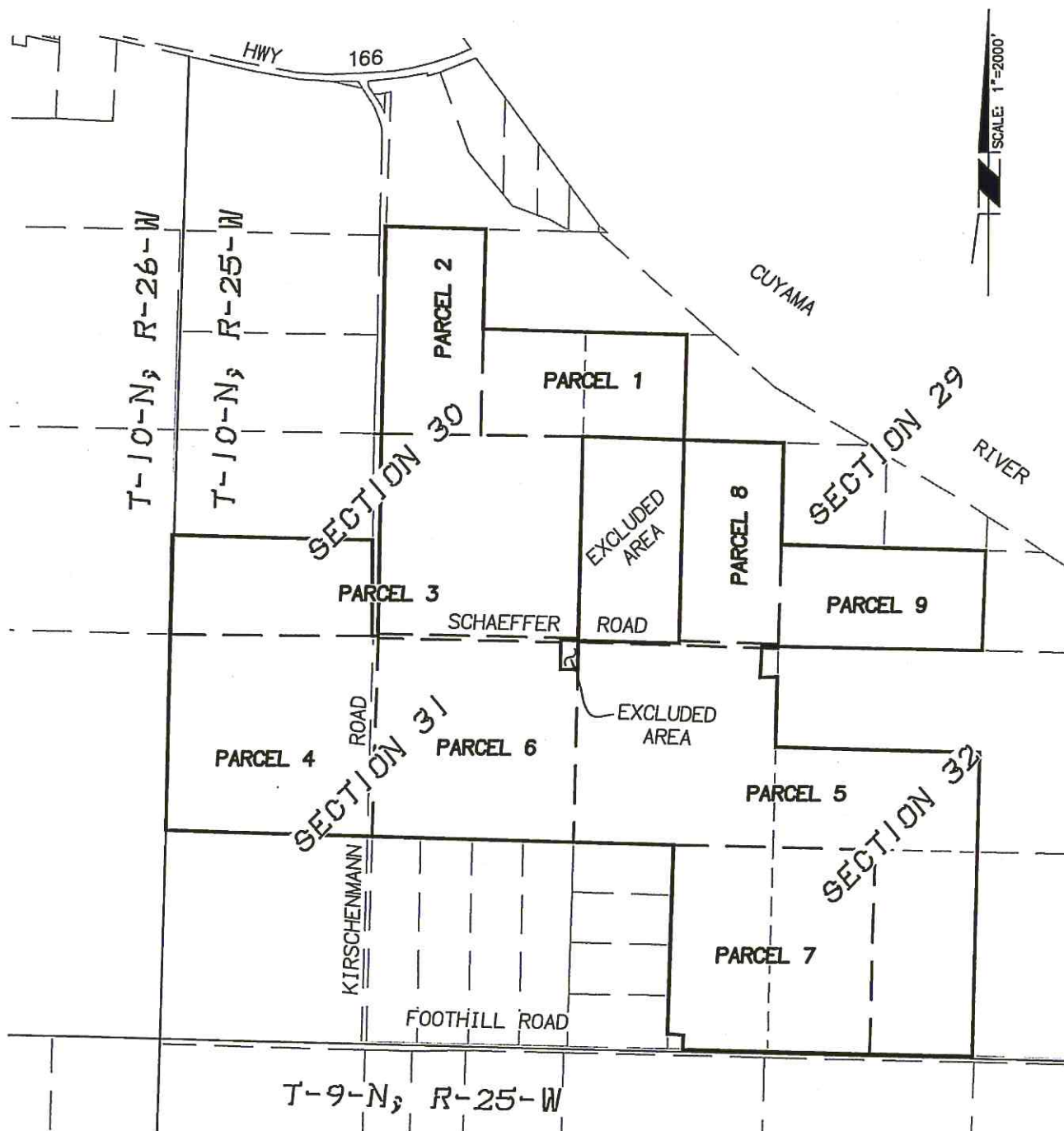
6/26/2014

Matthew J. Vernon
PLS 7553

Date

7293-EX-001.docx

PLAT TO ACCOMPANY LEGAL DESCRIPTION



RBF
CONSULTING

PLANNING ■ DESIGN ■ CONSTRUCTION

5051 VERDUGO WAY, SUITE 300
CAMARILLO, CALIFORNIA 93012
805.383.3373 FAX 805.383.3371 www.RBF.com

**AGRICULTURAL PRESERVE/
LAND CONSERVATION CONTRACT
CASE No 13AGP-00000-00024**

COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA

DATE: 6/9/14
SCALE: 1"=2000'
SHEET: 1 OF 1
CAD: JM
CHK'D: MJV

ATTACHMENT 3

**BOARD OF SUPERVISORS RESOLUTION FOR A CERTIFICATE
OF CANCELLATION FOR LAND CONSERVATION
CONTRACT NUMBER 76-AP-072**

THIS PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT 3

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF APPROVING A)
CERTIFICATE OF CANCELLATION)
FOR LAND CONSERVATION CONTRACT)
NUMBER 76-AP-072.)

RESOLUTION NO.14-_____
CASE NO: 10AGP-00000-00002

IT IS HEREBY RESOLVED AS FOLLOWS:

- A. Pursuant to the California Land Conservation Act of 1965 (Government Code Sections 51200 *et seq.*), counties are authorized to establish agricultural preserves and to establish local procedures for creating, altering and terminating agricultural preserves.
- B. The Uniform Rules for Agricultural Preserves and Farmland Security Zones were adopted by the Santa Barbara County Board of Supervisors in 1971, and amended by the Board of Supervisors on September 25, 2007, October 8, 1994 and August 10, 1999.
- C. Bolthouse Properties LLC., entered into a Land Conservation Contract, 76-AP-072, dated February 22, 1977, with the County of Santa Barbara for land that is currently identified as Assessor's Parcel Nos. 149-140-076 and 149-150-039, which was recorded on February 25, 1977, as Document No. 77-8972, in the Office of the County Recorder of Santa Barbara County, California (the "Land Conservation Contract") as shown in Exhibit 1 of Exhibit A of this Resolution.
- D. Bolthouse Properties, LLC., the current owner of the property, petitioned to cancel a 167-acre portion of the property subject to the Land Conservation Contract.
- E. Cuyama Solar, LLC ("Cuyama Solar") is the holder of an option to purchase the 167-acre portion of property currently identified as Assessor's Parcel No. 149-140-076 that is the subject of this cancellation request from Bolthouse Properties LLC., and have proposed, if cancellation as to the 167-acre portion is approved, that the land will be used to develop a 40 megawatt utility-scale solar photovoltaic facility.
- F. The Cuyama Solar purchase, in conjunction with a lot line adjustment before the Board as part of this project, will reduce the property currently identified as Assessor's Parcel No. 149-140-076 from 406 to 239 acres.
- G. The Board of Supervisors of the County of Santa Barbara approved and executed a Certificate of Tentative Cancellation of the above contract on _____[date]_____ included the following conditions and contingencies, which Bolthouse Properties LLC. has notified the Board on _____[date]_____ that the conditions and contingencies have been satisfied:
 1. Payment in full to the County Treasurer for the amount of the cancellation fee, which is \$125,000.00, certified by the Board of Supervisors on October 15, 2013 pursuant to the provisions of the Government Code (GC) Section 51283, with such notices and statements as are required to be included in the provisions of GC Section 51283.4.

2. Approval from the Board of Supervisor's of of all applicable discretionary permits necessary for use of the 167 acre portion of property currently identified as Assessor's Parcel No. 149-140-076 to develop a 40 megawatt utility-scale solar photovoltaic facility.
 3. Enrollment of the 1,362 acre remainder of the land currently included in 76-AP-072 in a Replacement Land Conservation Contract consisting of a 1,123 acre property currently identified as Assessor's Parcel No. 149-150-039 and a 239 acre property which is the remaining portion of property currently identified as Assessor's Parcel No. 149-140-076 which is retained by Bolthouse Properties LLC. which shall be recorded subsequent to recordation by the Board of Supervisor's of the Certificate of Cancellation and Lot Line Adjustment.
- H. Pursuant to Government Code Section 51282(a)(2) and (c)(1) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, other public concerns substantially outweigh the objectives of the Land Conservation Act.
- I. Pursuant to Government Code Section 51282(a)(2) and (c)(2) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, there is no proximate non-contracted land which is both available and suitable for the proposed use, or development of the contracted land would provide more contiguous patterns of urban development of proximate non-contracted land.
- J. Pursuant to Government Code Section 51282(a)(1) and (b)(1) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, cancellation is for land on which a notice of non-renewal has been served.
- K. Pursuant to Government Code Section 51282(a)(1) and (b)(2) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, cancellation is not likely to result in the removal of adjacent lands from agricultural use.
- L. Pursuant to Government Code Section 51282(a)(1) and (b)(3) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, cancellation is for an alternative use which is consistent with the applicable provisions of the Comprehensive Plan.
- M. Pursuant to Government Code Section 51282(a)(1) and (b)(4) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, cancellation will not result in discontinuous patterns of urban development.
- N. Pursuant to Government Code Section 51282(a)(1) and (b)(5) and based on the findings included as Attachment A of the County Planning Commission staff report dated July 15, 2014, herein incorporated by reference, there is no proximate non-contracted land which is both available and suitable for the proposed use or development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The above recitals are incorporated herein by this reference.
2. The subject parcels are included under the Agricultural Preserve/Land Conservation Contract, 76-AP-072.
3. The cancellation fee was determined and certified by the Board of Supervisors to the Auditor's office to be \$125,000.00.
4. Cancellation of the Agricultural Preserve/Land Conservation Contract is consistent with the purposes of the Land Conservation Act and is in the public interest.
5. The 40 megawatt Cuyama Solar project is also being processed with this cancellation and constitutes the proposed alternative land use for property subject to this cancellation. Upon approval of the lot line adjustment, Comprehensive Plan and Land Use Development Code amendments, rezones and accompanying entitlements, the proposed alternative land use will be consistent with the Santa Barbara County Comprehensive Plan.
6. The Board of Supervisors determines that the conditions and contingencies have been satisfied and approves the cancellation and directs the Chair of this Board to sign the Certificate of Cancellation, as shown in Exhibit A of this Resolution.
7. The Board of Supervisors directs the Clerk of this Board to file and record a Certificate of Cancellation within 30 days of receipt of notice from Bolthouse Properties LLC and transmit copies thereof to the Director of Conservation of the State of California, the Treasurer, Auditor and Assessor of Santa Barbara County.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____

Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT:

A. Certificate of Tentative Cancellation of Land Conservation Contract

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

**CERTIFICATE OF CANCELLATION OF
LAND CONSERVATION CONTRACT 76-AP-072**

THIS PAGE INTENTIONALLY LEFT BLANK

EXHIBIT A

Recording Requested by)
County of Santa Barbara)

When Recorded Return to the)
Clerk of the Board of Supervisors)
County of Santa Barbara)
105 East Anapamu Street)
Santa Barbara, California 93101)

CERTIFICATE OF CANCELLATION OF LAND CONSERVATION CONTRACT

(Case No. 10AGP-00000-00002, Bolthouse Properties LLC.)

The Clerk of the Board of Supervisors of the County of Santa Barbara does hereby certify that this Certificate of Cancellation of Land Conservation Contract 76-AP-072 is issued and recorded pursuant to the Williamson Act (California Code Section 51200 *et seq.*).

Bolthouse Properties LLC., being the owners of the real property described as Santa Barbara County Assessor's Parcel Nos. 149-140-076 (406 acres) and 149-150-039 (1,123 acres), requested, along with a proposal for a specified alternative use of the land, that the Board of Supervisors of the County of Santa Barbara approve a tentative cancellation of Land Conservation Contract 76-AP-072, which was recorded in the official records of the Santa Barbara County Recorder on February 25, 1977, as Document No. 77-8972 as shown in Exhibit 1 of this Certificate.

The Board of Supervisors of the County of Santa Barbara approved and executed a Certificate of Tentative Cancellation of the above contract on ____[date]____ recorded on ____[date]____ which included the following conditions and contingencies:

1. Payment in full to the County Treasurer for the amount of the cancellation fee, which is \$125,000.00, certified by the Board of Supervisors on October 15, 2013 pursuant to the provisions of the Government Code Section 51283, with such notices and statements as are required to be included in the provisions of Government Code Section 51283.4.
2. Approval from the Board of Supervisor's of all applicable discretionary permits necessary for use of the 167 acre portion of property currently identified as Assessor's Parcel No. 149-140-076 to develop a 40 megawatt utility-scale solar photovoltaic facility.
3. Enrollment of the 1,362 acre remainder of the land currently included in 76-AP-072 in a Replacement Land Conservation Contract consisting of a 1,123 acre property currently identified as Assessor's Parcel No. 149-150-039 and a 239 acre property which is the remaining portion of property currently identified as Assessor's Parcel No. 149-140-076 which is retained by Bolthouse Properties LLC. which shall be recorded subsequent to recordation by the Board of Supervisor's of the Certificate of Cancellation.

Pursuant to Government Code Section 51283.4(b), Bolthouse Properties LLC. notified the Board of Supervisors on ____[date]____ that all conditions and contingencies enumerated in the Certificate of Tentative Cancellation have been satisfied.

Thereby, the Board of Supervisors determines that the conditions and contingencies have been satisfied, approves the cancellation, and executes this Certificate of Cancellation and causes the same to be recorded.

I certify the foregoing approval and the issuance of this Certificate of Cancellation were authorized by action duly taken by the Santa Barbara County Board of Supervisors in regular session held on ____[date]____

By order of the Santa Barbara County Board of Supervisors.

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBIT:

1. Legal Description and Map of land Conservation Contract Number 76-AP-072

EXHIBIT 1

**LEGAL DESCRIPTION AND MAP OF
LAND CONSERVATION CONTRACT NUMBER 76-AP-072**

THIS PAGE INTENTIONALLY LEFT BLANK

CASE No. 10AGP-00000-00002

LEGAL DESCRIPTION

within

**Sections 29, 30, 31 and 32
Township 10 North, Range 25 West
San Bernardino Meridian**

PARCEL ONE:

The Southwest Quarter of the Northwest Quarter of Section 29, and the Southeast Quarter of the Northeast Quarter of Section 30, All in Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

PARCEL TWO:

The West half of the Northeast Quarter of Section 30 in Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

PARCEL THREE:

The South half of the Southwest Quarter and the Southeast Quarter of Section 30, Township 10 North, Range 25 West, San Bernardino Meridian, in the Rancho Cuyama No. 2, in the County of Santa Barbara, State of California, shown on the Map filed in Book 26, Page 11 of Record of Surveys, in the Office of the County Recorder of said County.

ALSO EXCEPTING THEREFROM the East 80 feet of said Southwest Quarter of Section 30, as described in deed to Santa Barbara County recorded June 18, 1943 in Book 571, Page 177 of Official Records, Records of said County.

ALSO EXCEPTING THEREFROM the South 30 feet of said Southeast Quarter of Section 30, as described in deed to Santa Barbara County recorded June 18, 1943 in Book 573, Page 134 of Official Records, Records of said County.

PARCEL FOUR:

The west half of Section 31, Township 10 North, Range 25 West, San Bernardino Meridian, in the Rancho Cuyama No. 2 in the County of Santa Barbara, State of California, as shown on the Map filed in Book 26, Page 11, of Record of Surveys in the office of the County Recorder of said County.

PARCEL FIVE:

The Northwest Quarter, the East half of the Southeast Quarter and the South half of the Northeast Quarter of Section 32, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT that portion of said Section 32, described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 32, thence running South along the Quarter Section line a distance of 400 feet; thence West a distance of 125 feet; thence North a distance of 400 feet; thence East a distance of 125 feet to the point of beginning.

ALSO EXCEPT the North 30 feet of the Northwest Quarter of said Section 32 above described.

PARCEL SIX:

The Northeast Quarter of Section 31, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California according to the Official Plat thereof.

EXCEPT the North 30 feet hereof.

ALSO EXCEPT that portion of said Section 31, described as follows:

Beginning at the Northeast corner of the Northeast Quarter of said Section 31; thence South along the East boundary line of said Section 31, a distance of 400 feet; thence West and parallel to the North boundary line of said Section 31, a distance of 132 feet; thence North and parallel to the East boundary of said Section 31, a distance of 400 feet; thence East, along the North boundary line of said Section 31, a distance of 132 feet to the point of beginning.

PARCEL SEVEN:

The East half of the Southwest Quarter and the West half of the Southeast Quarter of Section 32, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT that portion of Section 32, described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 32; thence East 208.7 feet; thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet to the point of beginning.

PARCEL EIGHT:

The East half of the Southwest Quarter of Section 29, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat thereof.

EXCEPT the South 30 feet thereof as described in the Deed to Santa Barbara County, a Body Corporate and Politic, recorded June 18, 1943 as Instrument No. 4626, in Book 575 at page 146 of Official Records.

PARCEL NINE:

The South half of the Southeast Quarter of Section 29, Township 10 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the official plat thereof, of the Survey of said land on file in the Bureau of Land Management.

SUBJECT TO: All covenants, Rights, Rights-of-Way and Easements of record.



A handwritten signature in black ink, appearing to read "Matthew J. Vernon".

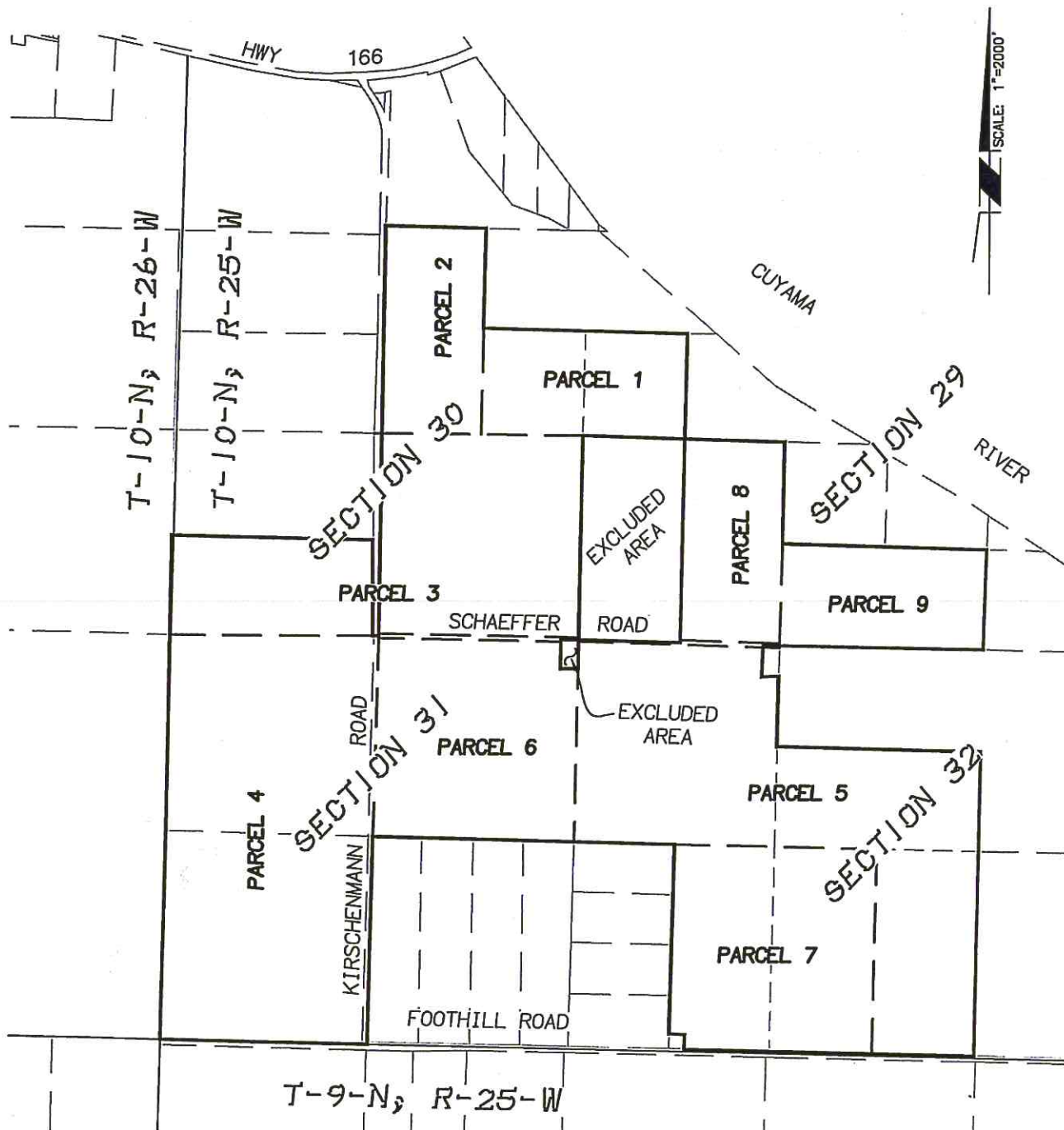
06/26/2014

Matthew J. Vernon
PLS 7553

Date

7293-EX-003.docx

PLAT TO ACCOMPANY LEGAL DESCRIPTION



RBF
CONSULTING

PLANNING ■ DESIGN ■ CONSTRUCTION

5051 VERDUGO WAY, SUITE 300
CAMARILLO, CALIFORNIA 93012
805.353.3373 FAX 805.353.3371 www.RBF.com

**AGRICULTURAL PRESERVE/
LAND CONSERVATION CONTRACT
CASE No 10AGP-00000-00002**

COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA

DATE: 6/9/14
SCALE: 1"=2000'
SHEET: 1 OF 1
CAD: JM
CHK'D: MJV



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

May 22, 2013

Ms. Susan Curtis, Senior Planner
Santa Barbara County Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93455

SUBJECT: CUYAMA SOLAR ARRAY – BOLTHOUSE PROPERTIES PARTIAL CANCELLATION OF
LAND CONSERVATION CONTRACT #76-AP-072, APN 149-140-076 AND 149-150-039

Dear Ms. Curtis:

The Department of Conservation (Department) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act. The Department has reviewed the cancellation petition submitted by the Santa Barbara County Community Development Agency (County) and offers the following recommendations.

PROJECT DESCRIPTION

The owner of the property and Cuyama Solar are petitioning for partial cancellation of Land Conservation Act ("Williamson Act") Contract No. 76-AP-072A. The cancellation would affect approximately 167 acres (APNs 149-140-076 & 149-150-039) of a 1,529 acre property currently under contract. As part of the project, the owner and Cuyama Solar have proposed a lot line adjustment to align parcel boundaries with the partial cancellation area.

The solar facility is anticipated to remain operational for the duration of the power purchase contract. At the conclusion of the power contract, the proposal is to return the land to agricultural production. However, no time frame was given for the project life span and the petition states that concurrent with the lot line adjustment, the land is being sold to Cuyama Solar for use as a photovoltaic facility.

The project is sited on land classified as Important Farmland by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). The petition states that approximately 92 acres of the property are classified as Prime Farmland and 68 acres are classified as Farmland of Statewide Importance. The site has been under a Williamson Act contract since February 25, 1977.

An Agricultural Suitability Report was submitted along with the petition that describes the land as having limited agricultural viability, lacking suitable on-site water sources and that the potential for on-site water is poor. The FMMP information used in the Agricultural Suitability Report is a scanned version of a hardcopy 2002 map. Acreage totals used in the document also reflect the 2002 data. However, the 2010 edition of the Important Farmland Map confirms that the site remains in the Prime Farmland and Farmland of Statewide Importance

categories. The land has remained actively farmed; FMMP mapping analysts had not seen evidence of land fallowing as of the 2010 update.

The project proposes the removal of 327 acres of land from active agricultural production (167 acres under Williamson Act contract). The site has been farmed since the early 1980's by Bolthouse Properties. It has been rotationally cropped with carrots, onions, and potatoes during this time.

The petition describes the entire 1,529-acre contracted area as having eight irrigation wells located to the north of the project. These wells produce an average of 2,000 gallons per minute from depths of about 400 feet to 450 feet. A 12-inch PVC line carries the well water to a reservoir located on the project site, which is to remain. Water for solid set sprinkler irrigation is currently supplied to the project site from the reservoir and from other water distribution lines. There is one out-of-service, limited production water well on the northeast corner of the 160-acre non-contracted portion of the project area. That well produced at about 600 gallons per minute that could supply enough water to irrigate about 60 acres, at 10 gallons per minute.

Information provided in the petition disclosed that, on an annual basis, carrots, potatoes, and onions require approximately three acre-feet per acre; alfalfa requires five acre-feet per acre; and silage or forage grains require one-half to one acre-foot per acre. Fallowed land requires no irrigation water. Carrots, potatoes, and onions may be grown every three years as part of a rotation or substituted for grain, silage, and alfalfa; or the land may be left in a fallow condition.

The petition states that the portion of the project under Williamson Act contract is known as the Red Lands Ranch, named for the reddish clay soil found on site. This soil correlates to the 68 acres of Farmland of Statewide Importance, defined by the USDA Soil Survey as Wasioja fine sandy loam. It is described in the Agricultural Suitability Report as having limitations for carrot growth due to the soil density, which could cause carrots to be misshapen. In general, however, the Wasioja fine sandy loam is not described by USDA as having particular limitations for agricultural use, consistent with soils of Statewide Importance.

REQUIRED CANCELLATION FINDINGS

The requirements necessary for cancellation of Williamson Act contracts are outlined in Government Code Section 51282. Two routes are available: cancellation in the public interest, and cancellation in consistency with the Williamson Act. Under either method, the County must document the justification for the cancellation through a set of findings. Pursuant to Section 51240 of the Williamson Act, a county may require both findings, even for non-FSZ contracts, pursuant to the terms of their Williamson Act contracts, local rules, or ordinances. The Williamson Act, however, does not require that local agencies make both the public interest findings and the consistency findings, unless the land is covered by a Farmland Security Zone (FSZ) contract.

Based on the County's request, the project is being processed under both sets of findings, as outlined below in the Department's comments.

PUBLIC INTEREST

- *That other public concerns substantially outweigh the objectives of this chapter.*

The Department looks at the past six years of crop history on a parcel, along with other cultivation factors, to determine the agricultural viability of the land. As described earlier, the 2010 Important Farmland Map for Santa Barbara County classifies the site as Prime Farmland and Farmland of Statewide Importance. Off-site wells currently supply water used for irrigation.

The petition states that the project site is less suitable for agriculture compared to other areas within the contracted parcels, primarily because of the lack of adequate on-site water, but also because of reduced crop yields on portions of the site. The ability to transport water among fields and the site's history of producing

carrots and potatoes since the 1980's suggests that rotational cropping has functioned as a best management practice; with minor soil limitations affecting specific crops in portions of the area proposed for cancellation.

When determining the agricultural value of the land, it is important to recognize that the *fiscal value* of a property can fluctuate or be reduced due to many different factors, but that does not mean that there is no longer *agricultural value*. The inability to farm the land for agriculture due to poor soils or little to no water availability is what could constitute a reduced agricultural value. The data provided in the petition show that the site has been able to make sufficient agricultural yields, has adequate water supply for annual crop rotations, and is classified Prime Farmland and Farmland of Statewide Importance, consistent with agricultural value definitions under the Williamson Act.

The Department acknowledges the complex nature of factors the County must weigh during a project siting decision that occurs on Williamson Act contracted land. A decision regarding cancellation of this contract for the proposed use should be viewed relative to the importance of the site's agricultural productivity, and the project's potential to impact other productive agricultural lands. In the County's deliberations, it must be shown that agricultural and open space objectives, which are protected by the Act, are substantially outweighed by other public concerns before the cancellation can be deemed "in the public interest."¹

- *That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.*

The Property Search Report indicated factors such as parcel size, proximity to the existing transmission line (properties in excess of 3.5 miles from the Cuyama substation were not taken into consideration based on economic factors), and lands with limited potential for biological habitats. The petition states that there were no other proximate non-contracted lands available or suitable for the proposed use that met the applicant's requirements. Sufficient data to support this statement was listed in a Property Search Report in the cancellation petition.

The Department believes the information provided in the petition supports the finding that there is no available and suitable proximate non-contracted land for the proposed use.

CONSISTENCY WITH THE WILLIAMSON ACT

- *That the cancellation is for land on which a notice of nonrenewal has been served pursuant to section 51245.*

The petition states that the notice of non-renewal has not yet been served, but will be before the Board of Supervisor's hearing.

- *That cancellation is not likely to result in the removal of adjacent lands from agricultural use.*

The petition states that the project is not expected to have growth-inducing effects or adverse impacts upon adjacent agricultural lands. It is cited that there may not be sufficient remaining transmission capacity at this location to support additional large utility-scale energy projects after the project interconnects, based on transmission studies for the project conducted by Pacific Gas and Electric Company (PG&E) and the California Independent System Operator (CAISO) in 2008-2009. In addition, the petition states that the size of the

¹ *Sierra Club v. Hayward* (1981) 28 Cal 3d 840, 171 Cal Rptr 619, 623 P2d 180, 1981 Cal LEXIS 117, superseded by statute as stated in *Friends of East Willits Valley v. County of Mendocino* (2002, Cal App 1st Dist) 101 Cal App 4th 191, 123 Cal Rptr 2d 708, 2002 Cal App LEXIS 4509.

project, 40 MW, was driven by studies of the available capacity at this substation, and the project is therefore expected to occupy much of the presently remaining new interconnection capacity.

Given changes in the energy market and facilities since 2008-2009, the Department is not in a position to determine if this restriction remains or if capacity now exists to support additional solar facilities in the vicinity, the pattern of which could threaten agricultural viability in the area. The Department leaves to the County the decision about whether the project would entice other solar facilities to the area, thereby removing adjacent lands from agricultural use.

- *That cancellation is for an alternative use which is consistent with the applicable provisions of the city or county general plan.*

The County has determined that the project is compatible with their General Plan. The Department has no comment.

- *That cancellation will not result in discontinuous patterns of urban development.*

The petition states that the proposed solar facility is not considered urban development. The term urban refers to commercial, industrial, and compact residential uses of the land. The Williamson Act provides guidance for the term development (Section 51201(p)) as "the construction of buildings or use of the property that are unrelated to the agricultural use, or substantially impair the agricultural uses of the property." A solar facility does not allow for agricultural or open space uses to co-habit the land. Pursuant to this definition, a solar facility would be considered an urban development which would substantially impair the agricultural uses of the property.

The proposed project is described as having a limited term life span followed by a return to agricultural use. The petition states that the project will include a decommissioning program and upon completion of the power purchase agreement the energy facility would be removed and the site would be converted back to agricultural production. However, there is no indication of when the solar facility is expected to cease operation or a timeline for the land's return to agricultural use, which is of concern given the lot line adjustment and sale of the property to the solar developer. The Department leaves it to the County to determine the viability of returning the site to agricultural use under these circumstances.

Without a known termination date for the solar facility operation, and based on the property reconfiguration and sale, the Department feels there is insufficient information upon which to evaluate the finding that the cancellation will not result in discontinuous patterns of urban development.

- *That there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.*

This question was already addressed under the public interest findings.

CANCELLATION FINDINGS CONCLUSIONS

In an effort to meet the multiple objectives of a vibrant agricultural economy and renewable energy targets, a number of counties are identifying lands most suitable for solar development through a zoning overlay process. The Department recommends this concept in order to minimize disruption of Important Farmland resources, and facilitate future decision making on the location of solar facilities infrastructure. Similarly, as part of their overall planning efforts, counties are using comprehensive mitigation ordinances to address the conversion of agricultural land to other uses. The Department can assist the County with background information and referrals should they choose to explore such comprehensive ordinances.

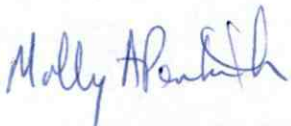
Cuyama Solar Array
May 22, 2013
Page 5 of 5

The Department recommends that in the County's consideration of the project's long term impacts, an adequate financial assurances instrument, and site restoration plan, be approved concurrent with any conditional use permit.

Thank you for the opportunity to provide comments on the proposed cancellation. Please provide our office with a copy of the Notice of the Public Hearing and any staff reports on this matter ten (10) working days before the hearing and a copy of the published notice of the Board's decision within 30 days of any tentative cancellation pursuant to GC section 51284.

Within 30 days of the landowner satisfying the conditions and contingencies required in a Certificate of Tentative Cancellation, and payment of the required fee, the Board will record a Certificate of Cancellation for the contract. The City treasurer is required to send the cancellation fee to State Controller within 30 days of recordation of Certificate of Cancellation and a copy of the Certificate of Cancellation to the DOC. If you have any questions concerning our comments, please contact Meri Meraz, Associate Environmental Planner at (916) 445-9411 or at mmeraz@conservation.ca.gov.

Sincerely,

A handwritten signature in blue ink, reading "Molly A Penberth".

Molly A Penberth, Manager
Division of Land Resource Protection
Conservation Support Unit



County of Santa Barbara

BOARD OF SUPERVISORS

Minute Order

October 15, 2013

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

COUNTY CLERK-RECORDER-ASSESSOR

File Reference No. 13-00769

RE: Consider recommendations regarding Assessor's Certification of Value for Partial Cancellation of Williamson Act Contract No. 76-AP-072, as follows:

- a) Receive and file the Assessor's certification of the value of the 167-acre portion of APN 149-140-076, described in the Petition for Partial Cancellation of Williamson Act Contract No. 76-AP-072;
- b) Certify to the County Auditor the cancellation fee of \$125,000.00 to be paid by the landowner to the County Treasurer; and
- c) Direct the Clerk of the Board to provide a minute order of the Board's certification of the cancellation fee to the Auditor.

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Acted on as follows:

- a) Received and filed;
- b) Certified; and
- c) Directed.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Clerk-Recorder,
Assessor
Department No.: 062
For Agenda Of: October 15, 2013
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required:

TO: Board of Supervisors

FROM: Director: Joseph E. Holland, Clerk, Recorder & Assessor - 568-2550
Contact Info: Lisa K. Hammock, Appraisal Division Manager – 568-2609

Subject: Assessor's Certification of Value for Partial Cancellation of Williamson Act
Contract # 76-AP-072

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

1. Receive and accept the Assessor's certification of the value of the 167-acre portion of Assessor Parcel Number 149-140-076, described in the Petition for Partial Cancellation of Williamson Act Contract # 76-AP-072.
2. Certify to the County Auditor the cancellation fee of \$125,000 to be paid by the landowner to the County Treasurer.
3. Direct the Clerk of the Board to provide a minute order of the Board's certification of the cancellation fee to the Auditor.

Summary Text:

Williamson Act Contract 76-AP-072 currently encompasses 1,529.57-acres of land in Cuyama, and is made up of Assessor Parcel Numbers (APN's) 149-140-076 and 149-150-039. The Planning and Development Department has received a Petition by Owner for Partial Cancellation of this Contract. The Owner has asked the County to remove a 167-acre portion of APN 149-140-076 from the Contract, in conjunction with processing an application for concurrent approval of a replacement contract on the balance of the Contract property.

When a landowner wants to cancel a Williamson Act contract, they must petition the Board of Supervisors (Board), pursuant to Santa Barbara County Uniform Rule 6-1.2. and Government Code

Section 51282. As part of the process, Government Code Section 51283 requires the county assessor to determine the current fair market value of the property for the purpose of determining the cancellation fee. This value must be certified to the Board of Supervisors before your Board can give tentative approval to the cancellation.

This Letter certifies to your Board that the Assessor has determined the fair market value of the property being cancelled, as though it were free of the contractual restrictions (Uniform Rule 6-1.2(B) (3) and Government Code Section 51283(a)). The \$1,000,000 full cash value of the 167-acre portion of APN 149-140-076, as described in the Petition for Partial Cancellation of the Williamson Act contract, is declared in Exhibit A attached hereto.

The cancellation fee is determined by multiplying the full cash value (market value) by 12.5 percent. Consequently, the cancellation fee is \$125,000 (\$1,000,000 x 12.5%).

Attachments:

Exhibit A – Certificate of Valuation

Authored by:

Lisa K. Hammock

Appraisal Division Manager, County Assessor

cc:

Bolthouse Properties, LLC
California Department of Conservation, Mark Nechodom, Director
Planning and Development Department
Agricultural Preserve Advisory Committee
County Counsel

JOSEPH E. HOLLAND

County Clerk, Recorder and Assessor
Registrar of Voters

105 E. Anapamu St. 2nd Floor
Santa Barbara, CA 93101



Mailing Address

JIM MCCLURE

Asst. County Clerk, Recorder and Assessor

PO Box 159
Santa Barbara, CA 93102-0159

COUNTY CLERK, RECORDER AND ASSESSOR

EXHIBIT A

September 10, 2013

Santa Barbara County Clerk of the Board of Supervisors
105 East Anapamu Street, Room 404
Santa Barbara, California 93101

Attn: Chandra Waller, Clerk of the Board of Supervisors

Re: Petition for Partial Cancellation of Williamson Act Contract 76-AP-072
Contract Parcels: APN's 149-140-076 and 149-150-039
Affected Parcel: APN 149-140-076
Acreage To Cancel: 167.0-acre Portion of APN 149-140-076

CERTIFICATE OF VALUATION

In accordance with the provisions of Section 51283 of the Government Code, I, Joseph E. Holland, do hereby certify under penalty of perjury that the full cash value (market value) of the 167-acre portion of APN 149-140-076 described in the Bolthouse Properties, LLC – Petition by Owner for the Partial Cancellation of Williamson Act Contract 76-AP-072 is \$1,000,000 (One Million Dollars). This is the value to be used in calculating the cancellation fee.

The cancellation fee is determined by multiplying the full cash value (market value) by 12.5 percent. Consequently, the cancellation fee is \$ 125,000 (\$1,000,000 * 12.5%).

Certified on September 10, 2013 in Santa Barbara, California

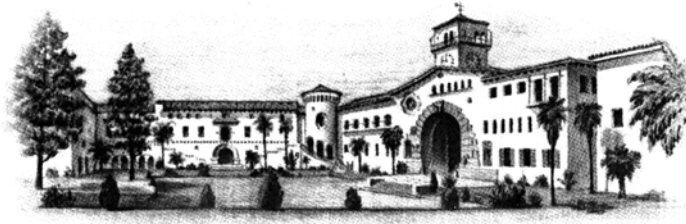
Signed:

JOSEPH E. HOLLAND

SANTA BARBARA COUNTY CLERK, RECORDER AND ASSESSOR

COUNTY OF SANTA BARBARA

Guy Tingos
Chair



123 E. Anapamu St.
Santa Barbara, CA 93101
Telephone: (805) 568-2000

AGRICULTURAL PRESERVE ADVISORY COMMITTEE

To: Chairman Lavagnino and the Board of Supervisors

From: Guy Tingos, APAC Chairman

Date: May 13, 2014

Re: APAC report on Cuyama solar project

In the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones, Rule 6-1.2 (B) (2) requires the Agricultural Preserve Advisory Committee (APAC) to comment and report to the Board of Supervisors on any application for cancellation of a Williamson Act contract. At the regular APAC meeting on February 7, 2014, several presentations were made to the committee on the Bolthouse Properties/Cuyama Solar Array project. APAC discussed the project and took action on the item as agendaized. The approved minutes of the February 7 meeting, specifically Item 8, constitute APAC's report to the Board of Supervisors on the proposed contract cancellation. A copy of the approved minutes is attached for your convenience. They can also be found online at:

http://www.sbcountyplanning.org/PDF/boards/ag_preserve/02-07-2014/2-7-14%20Min.pdf. Please contact me if you have any questions.



COUNTY OF SANTA BARBARA

AGRICULTURAL PRESERVE ADVISORY COMMITTEE

APPROVED MINUTES

MEETING OF FEBRUARY 7, 2014

9:00 A.M.

The regular meeting of the Agricultural Preserve Advisory Committee was called to order by Guy Tingos at 9:00 A.M. in the Santa Barbara County Planning and Development, Third Floor Conference Room, 123 E. Anapamu Street, Santa Barbara, CA 93101.

COMMITTEE MEMBERS

Guy Tingos, Agricultural Commissioner
Vida McIsaac, Assessor's Office
Brian Tetley, Planning and Development
Aleks Jevremovic, County Surveyor
Royce Larsen, San Luis Obispo Cooperative Ext.

PRESENT:

×
☐
×
×
☐

STAFF MEMBERS

Jenna Richards, Deputy County Counsel
Sharon Foster, Planning & Development

PRESENT

×
×

NUMBER OF INTERESTED PERSONS: 15

ADMINISTRATIVE AGENDA:

I. MEETING CALLED TO ORDER: *by Chair, Guy Tingos*

II. PUBLIC COMMENTS: None

III. MINUTES: Tingos moved, seconded by Jevremovic and carried by a vote of 3-0 (McIsaac & Larsen absent) to continue the Minutes of January 3, 2014 to the APAC meeting of March 7, 2014 due to a lack of a quorum.

IV. NEW ITEMS:

1.	<u>12AGP-00000-00028</u>	Dos Pueblos Ranch Replacement Contract	<u>Goleta</u>
	Florence Trotter-Cadena, Planner (805) 934-6253		

Consider the request of L&P Consultant's agent for the owner SBHRC, Inc of Case No. 12AGP-00000-00281 regarding a replacement contract for 77- AP-14 and residential structures on the site and consistency with the Uniform Rules. The property is 2,003 acres identified as Assessor's Parcel Number 079-040-005, 079-060-065, 079-060-066, 079-080-034, 081-240-018, 079-090-030 (partial) zoned AG-11-100 with an AC Comprehensive Plan designation located at 100-695 North Dos Pueblos Canyon Road, Goleta, CA 93117 in the Goleta area, Second Supervisorial District. (Continued from 1/4/13, 3/1/13, 6/7/13, 10/4/13)

Tetley moved, seconded by Jevremovic, and carried by a vote of 3 - 0 (McIsaac & Larsen absent) to find the project consistent with the Uniform Rules, specifically Uniform Rule 2-8.

2.	Santa Barbara Ranch Replacement Contract	Goleta
-----------	---	---------------

Florence Trotter-Cadena, Planner (805) 934-6253

Consider the request of L&P Consultant's agent for the owner SBHRC, Inc of Case No. 12AGP-00000-00029 regarding a replacement contract and its consistency with the Uniform Rules. The property is 563 acres identified as Assessor's Parcel Number 079-140-064, 079-090-029, 090-029-030 (partial) zoned AG-11-100 with an AC Comprehensive Plan designation located at Calle Real in the Goleta area, Second Supervisorial District. (Continued from 1/4/13, 3/1/13 6/7/13, 10/4/13)

Tetley moved, seconded by Jevremovic, and carried by a vote of 3 - 0 (Larsen & McIsaac absent) to amend the motion and add the words: Agricultural Dwellings are part of the agricultural operation and are necessary for the farm employees, and to find the project consistent with the Uniform Rules, specifically Uniform Rule 2-8.

3.	06AP-00000-00004	Ullman Porch Addition	Santa Ynez
-----------	-------------------------	------------------------------	-------------------

13LUP-00000-00052	Kim Probert, Planner (805) 934-6291
-------------------	-------------------------------------

Consider the request of Tony Urquidez agent for the owner, George Ullman of Case No. 13LUP-00000-00052 regarding the construction of attached covered porches of approximately 2000 square feet and its consistency with the Uniform Rules. The property is 198.0 acres identified as Assessor's Parcel Number 141-250-028 zoned AG-II-100 with an AC Comprehensive Plan designation located at 6271 College Ranch Road in the Santa Ynez area, Third Supervisorial District.

Jevremovic moved, seconded by Tetley and carried by a vote of 3 - 0 (Larsen & McIsaac absent) to find the project consistent with the Uniform Rules.

4.	13APG-00000-00002	Novatt Farm Employee Dwelling & Barn	Buellton
-----------	--------------------------	---	-----------------

13LUP-00000-00521	Joyce Gerber, Planner (805) 934-6265
-------------------	--------------------------------------

Consider the request of the owners, Lisa & Gary Novatt of Case No. 13LUP-000000-00521 regarding the construction of an employee dwelling that includes a garage and a pole/hay barn of approximately 3000 square feet and its consistency with the Uniform Rules. The property is 102.60 acres identified as Assessor's Parcel Number 137-270-034, zoned AG-II-100 with an AC Comprehensive Plan designation located approximately 1.6 miles east of Highway 101 and .75 miles south of Highway 246 in the Santa Ynez Area, Third Supervisorial District.

Tetley moved, seconded by Jevremovic and carried by a vote of 3 -0 (Larsen & McIsaac absent) to continue the project to the March 7, 2014 APAC meeting.

5.	77-AP-061	Laetitia Winery New Reservoir	Cuyama
-----------	------------------	--------------------------------------	---------------

13CUP-00000-00024	John Zorovich, Planner (805) 934-6297
-------------------	---------------------------------------

Consider the request of Lino Bozzano, for Latitia Winery, of Case No. 13CUP-00000-00024 regarding a minor conditional use permit for construction of a 3.7 acre agricultural reservoir and its consistency with the Uniform Rules. The property is 77.15 acres

identified as Assessor's Parcel Number 149-230-050, zoned AG-II-100 with an AC Comprehensive Plan designation located at 3412 Highway 33 in the Maricopa area, First Supervisorial District.

Jevremovic, moved, seconded by Tetley, and carried by a vote of 3-0 (McIsaac & Larsen absent) to find the project consistent with the Uniform Rules.

- | | | | |
|----|-------------------|--|-----------------|
| 6. | 70-AP-062 | Casmalia Mineral Fee Redemption | Casmalia |
| | 13LUP-00000-00306 | Matt Young, Planner (805) 568- | |

Consider the request of Eric Snelling for Chevron Environmental Management Company, of Case No. 13LUP-00000-00306 regarding the request for a Land Use Permit to allow for excavation of petroleum hydrocarbon containing soils from six areas formerly containing pipelines, a tank battery, kerosene distillate pump, waste water pond and infrastructure associated with form oil production activities and its consistency with the Uniform Rules. The property is 198.27 acres identified as Assessor's Parcel Number 113-270-011, (113-270-010, 113-270-017 not in AG Preserve), zoned AG-II-100 with an AG Comprehensive Plan designation located at 2169 Associated Road in the Casmalia area, Third Supervisorial District.

Tetley moved, seconded by Jevremovic, and carried by a vote of 3 - 0 (McIsaac & Larsen absent) to find the project consistent with the Uniform Rules.

- | | | | |
|----|----------------------------------|--|--------------------|
| 7. | 70-AP-034 & 81-AP-006 | Union Oil Company
Remediation-Silva Lease | Santa Maria |
| | 13LUP-00000-00371 | Matt Young, Planner (805) 568- | |

Consider the request of Ercan Candan, for Chevron Environmental Management Company, of Case No. 13LUP-00000-00371for a grading permit for temporary excavation to remove petroleum hydrocarbon impacted soil. All topsoil to be removed, stockpiled and replaced to return site to previous condition and its consistency with the Uniform Rules. The property is 132 acres identified as Assessor's Parcel Number 113-110-004 & 113-110-005, zoned AG-II-40 with an AC Comprehensive Plan designation located at 951 Ray Road in the Santa Maria area, Third Supervisorial District.

Tetley moved, seconded by Jevremovic, and carried by a vote of 3 - 0 (McIsaac & Larsen absent) to find the project consistent with the Uniform Rules.

- | | | | |
|----|---------------------------------|--|---------------|
| 8. | 76-AP-072 &76-AP-056 | Bolthouse Properties/Cuyama Solar Array Project
Partial Contract Cancellation | Cuyama |
| | EIR-00000-00005 | Susan Curtis/Kathy Pfeifer Planner's (805) 568-2000 | |

Consider the request of Kathryn Arbeit, First Solar, Inc. for Bolthouse Properties, LLC, of Case Nos. 10CUP-00000-00008, 10AGP-00000-00002, 13AGP-00000-00024, 10LLA-00000-00004, 10ORD-00000-00001, 10RZ-00000-00001, 13GPA-00000-00001, 13GPA-00000-00002 for the construction and operation of the proposed Cuyama Solar Facility, which includes: a 40-megawatt (MW) solar PV array on approximately 327 acres (referenced hereafter as the **Solar Array**); an approximately 3-mile 70-kilovolt (kV) generation tie-line (referenced hereafter as the **Gen Tie-Line**); and an approximately 19,600 square foot (sf) Switchyard, located near the Pacific Gas and Electric Company (PG&E) Cuyama Substation. This entire component will be referenced as the **Solar Facility**. The Solar Array is proposed to be located on 167-acre portion property identified as Assessor's Parcel Number 149-140-076, zoned ____ with an _____ Comprehensive Plan designation located at 596 Kirschenmann Road in the Cuyama Area, First Supervisorial

District. The Gen Tie-Line is proposed to be located on properties identified as Assessor's Parcel Numbers 149-140-041, 149-010-049, 149-330-001, 149-150-039, 149-010-049, zoned AG-II-100, with an AC Comprehensive Plan designation along the east side of Kirschenmann Road, extending 1.5 miles along the south and north sides of Washington Street ending at the Cuyama substation and proposed Switchyard in the Cuyama area, First Supervisorial District. Project components include the following:

- Amend the Comprehensive Plan Land Use Element to conditionally allow for Utility-Scale Solar Photovoltaic (PV) facilities within Rural Area of the Cuyama Valley Rural Region, excluding Existing Rural Developed Neighborhoods (EDRN), on up to 600 acres of land designated Agriculture II (A-II) or Agricultural Commercial (AC) and zoned Agricultural II (AG-II), subject to discretionary approval of a Utility-Scale Solar Photovoltaic Facility Overlay.
- Amend the LUDC, to allow for Utility-Scale Solar Photovoltaic facilities in the AG-II zone, in the Rural Area of the Cuyama Valley Rural Region, subject to discretionary approval of a Conditional Use Permit (CUP).
- Amend the Comprehensive Plan Land Use Element Map to reflect a new land use designation for 167 acres of assessor's parcel number (APN) 149-140-076 (part of the proposed Solar Array site) from AC to A-II.
- Amend the Comprehensive Plan Land Use Element Map to apply a Utility-Scale Solar (PV) Photovoltaic Facility Overlay on the 327-acre Solar Array site.
- Consistency rezone for four parcels that are currently zoned Unlimited Agriculture (U) under Ordinance No. 661 to AG-II.
- Removal of approximately 167 acres of land from a Williamson Act contract (76-AP-072) by cancellation or other legal means, concurrent with entry of a replacement contract on the remaining 1,362 acres of the Agricultural Preserve.
- A lot line adjustment, affecting three parcels, to allow seller/applicant transfer of project parcels.
- A CUP for the Solar Facility, including Solar Array, Gen Tie-line , Switchyard, anemometer towers, and telecommunications facility.
- Approval of a Franchise Agreement for construction of the Gen-Tie Line within the public road right-of-way along Kirschenmann Road.
- Certify an Environmental Impact Report

Request APAC comment and report to the Board of Supervisors on the Cancellation Petition for partial contract cancellation of a 167-acre portion of APN 149-140-076 (10AGP-00000-00002), in conjunction with concurrent enrollment in a Replacement Contract (13AGP-00000-00024) on the balance of the Contract Property (1,362.57 acres).

Tetley moved, seconded by Tingos and carried by a vote of 3-0 (McIsaac & Larsen absent) to find the project consistent with the Uniform Rules

Based on the EIR information from the applicant and the Solar Company the project meet the criteria for in Uniform Rules 6-1.2 1a & b. This project has substantial public interest and is not likely to result in the removal of adjacent land from agriculture.

APAC recommends the Board of Supervisors follow the sequence of approval recommended by Planning & Development staff. APAC only considered the details of

this project and does not see contract cancellation as an option that should be considered often. Any loss of Ag. Land, especially land under the Williamson Act contract, is of concern.

Request APAC consider the Lot Line Adjustment for APN's 149-140-076, 149-150-029, 149-150-030, 149-150-031, 149-150-032 and its consistency with the Uniform Rules.

Tetley moved, second by Jevremovic, and carried by a vote of 3-0 (McIsaac & Larsen absent) to find the Lot Line Adjustment, specifically 149-140-076, 149-150-029, 149-150-030, not including 149-150-131 & 149-150-032 consistent with the Uniform Rules 1-3 given approval of the rest of project as proposed.

Request APAC consider a Replacement Contract for APN 149-150-039 (1,362.57 acres) and a portion of 149-140-076 (239.12 acres) (13AGP-00000-00024) and its consistency with the Uniform Rules.

Tetley moved, second Jevremovic, and carried by a vote of 3-0 (McIsaac & Larsen absent) to find the Replacement Contract consistent with the Uniform Rules.

Request APAC consider the Gen Tie-Line for Contract 76-AP-056 (APN's 149-140-041, 149-010-049, 149-330-001) and Contract 76-AP-072 (APN 149-150-039); and Switchyard for Contract 76-AP-056 (APN 149-010-049) and consistency with the Uniform Rules.

Tetley moved, second Jevremovic, and carried by a vote of 3-0 (McIsaac & Larsen absent) to find the Gen Tie-Line consistent with the Uniform Rules.

V. DISCUSSION ITEMS:

9.	02-AP-036	Flannery Guest House	Carpinteria
		No Planner	

Consider the request of Jennifer Siemens agent for the owner, Terrance Flannery of Case No. 02-AP-036) regarding the review of a proposed location for a guesthouse and its consistency with the Uniform Rules. The property is 26.98 acres identified as Assessor's Parcel Number 155-180-072, zoned AG-I-10 with an A-I-10 Comprehensive Plan designation located at 5160 Foothill Road in the Carpinteria area, First Supervisorial District.

- **Due to the possible constraints of productivity on the acreage a letter of support from an Orchard Management company would be necessary.**
- **Verification of the land being commercial and that it meets the annual production value.**
- **Williamson Act Contracts need to be in compliance and consistent with the current rules.**
- **The 3% building envelope is going to be the limiting factor.**

- **Chair Tingos will look at prior APAC minutes for more information.**
- **If APAC holds to the current standards of being Consistent with the Uniform Rules due to the renewal of the contract every year there may be some issues here with the parcel remaining in the Williamson Act.**

10.	72-AP-123	Johnson New Garage	Hollister Ranch- Parcel 117
		No Planner	

Request of Curtis & Sons agent for the owner Brad Johnson for information regarding the construction of a new garage of approximately 120 square feet. The property involves Assessor's Parcel Number 053-070-013, 122.01 acres currently zoned AG-II-320 with an (9) Comprehensive Plan designation. The property is located at Parcel 117 at Hollister Ranch in the Hollister Ranch (Gaviota) area, Third Supervisorial District.

- The fenced contiguous rectangle is acceptable as the 2 acre building envelope.
- It is a well designed project.
- The project should return as a regular action item.

VI. REPORTS OF COMMITTEE MEMBERS: *Committee members may make reports to Committee regarding individual contracts requiring placement on a future agenda or on general procedural matters. No official action shall be taken on any individual matter.*

There being no further business to come before the Agricultural Preserve Advisory Committee the meeting was adjourned until 9:00 A.M. on March 7, 2014, in the Planning and Development, Third Floor Conference Room, 123 E. Anapamu Street, Santa Barbara, CA 93101.

Meeting adjourned at 1:53 A.M.

Memorandum



DATE: June 16, 2014

TO: Kathy Pfeifer
Energy Division
Planning & Development Department

FROM: Jeff Havlik (568-3073)
Santa Barbara County Public Works Department

SUBJECT: Request for Determination of Conformity; Government Code 65402(a)
Proposed Grant of Franchise Agreement

First Solar has requested a franchise from the County for the transmission of electric power via overhead lines supported by power poles, a number of which are proposed for installation within the County's Kirschenmann Road right of way near New Cuyama. The proposed franchise route is shown on the attached exhibits.

County Planning, Parks, Fire, Transportation and Flood representatives were informed of the requested Franchise and have no objections. There are no County facilities within the proposed Franchise area, and if granted the franchise should have no impact on the County right of way or facilities located therein. If consummated the franchise will allow First Solar and its successors to deliver power from the collection site to an existing substation where the power will be delivered to the existing PG&E power grid. The installation and future maintenance of the power poles and lines may temporarily impede traffic on the County right of way. However operation of the transmission lines should have no impact on the traveling public. In addition the power line operator will be required to pay a franchise fee to the County.

LOCATION: The proposed franchise area is within the Kirschenmann Road right of way located on APNs 149-140-041, 149-140-042, 149-140-047, 149-140-076, 149-150-029, 149-150-039, near the township of New Cuyama; and is shown on the attached Exhibit.

PURPOSE: If granted the requested franchise will allow for the installation, operation and maintenance of an overhead power delivery system within a portion of the County right of way known as Kirschenmann Road. In addition the franchise would generate income to the County.

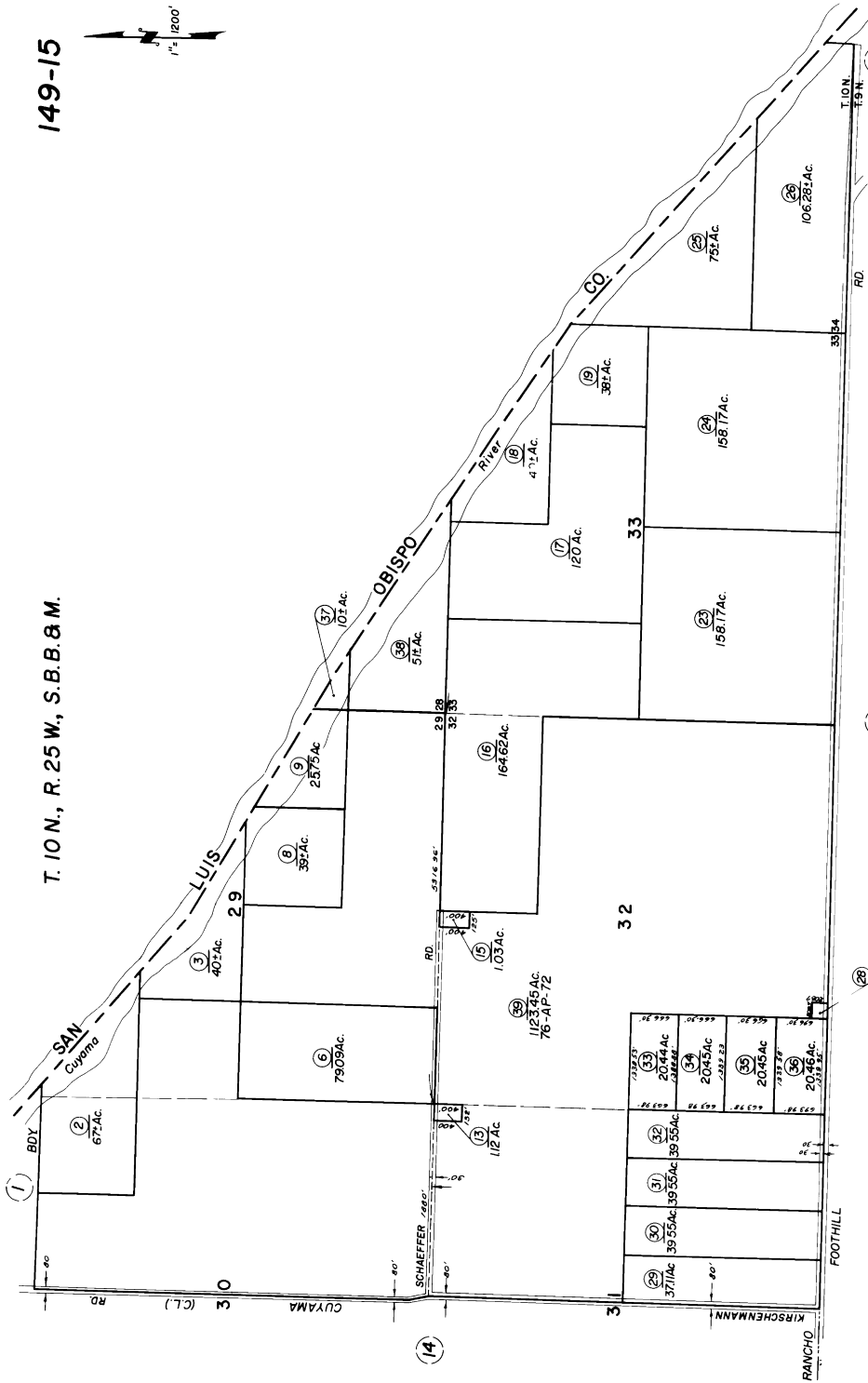
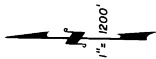
EXTENT: If consummated, the Franchise will encumber approximately 1.5 miles of the Kirschenmann Road right-of-way as shown on the attached exhibits.

In accordance with Government Code Section 65402 please determine whether the County's proposed grant of a franchise is in conformity with the County's approved General Plan under the requirements of Government Code section 65402(a). In accordance with your findings, please forward the Planning Commission final report to Public Works, attention Jeff Havlik for further processing. If you have any questions, please call me at 568-3073. Thank you for your assistance.

C: Bret Stewart
Zoraida Abresch
(One page Exhibit attached)

T. 10 N., R. 25 W., S.B.B. & M.

149-15



Assessor's Map Bk. 149 - Pg. 15
County of Santa Barbara, Calif.

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

LD 85

30

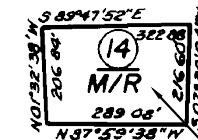
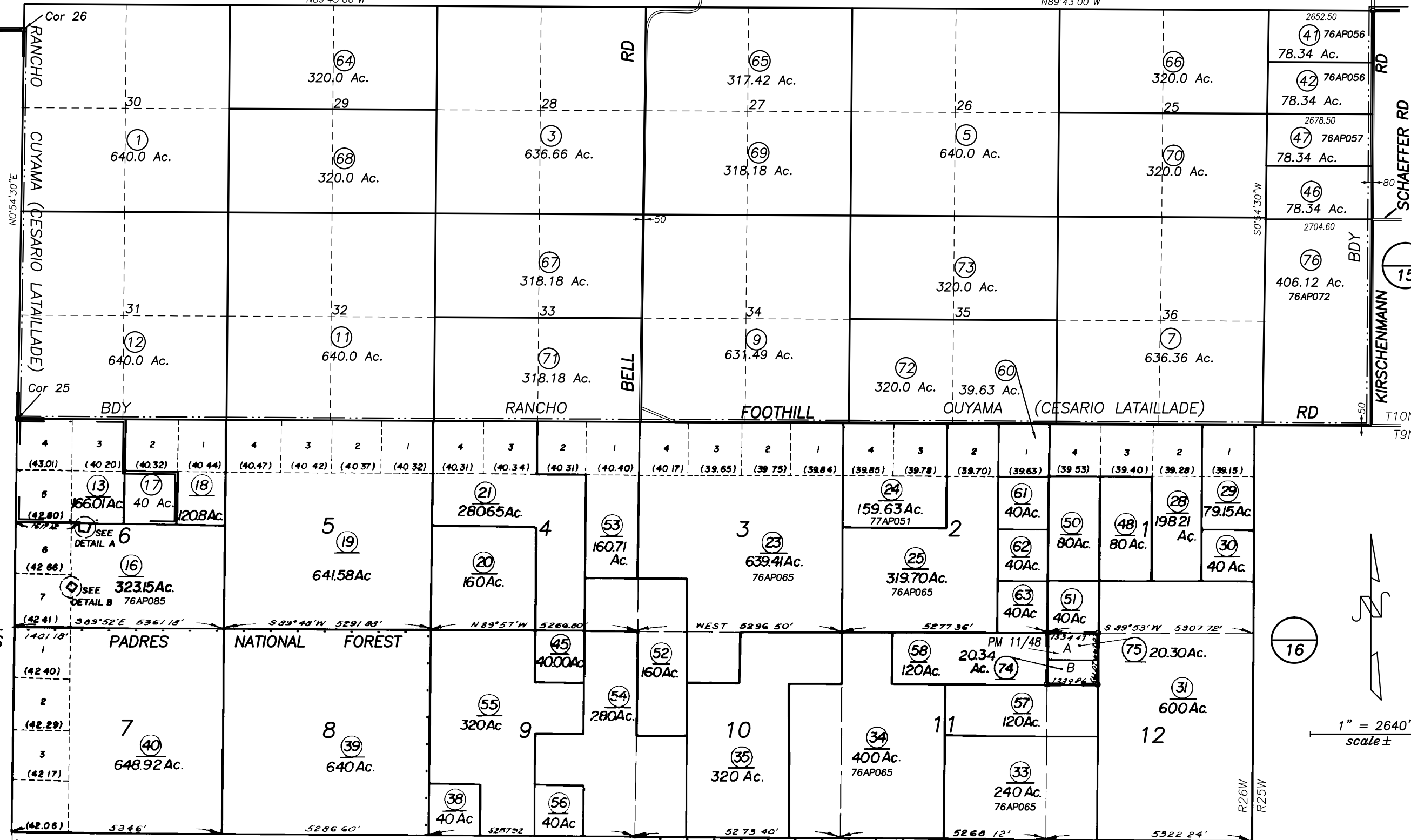
29

POR. RANCHO CUYAMA (CESARIO LATILLADE) &
POR. T9N R26 SBB&M

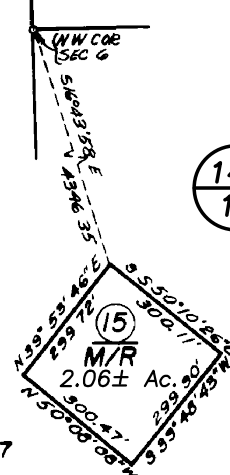
01

11

149-14



DETAIL A
SCALE 1"=400'



LOT 7

DETAIL B
SCALE 1"=400'

NOTICE
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

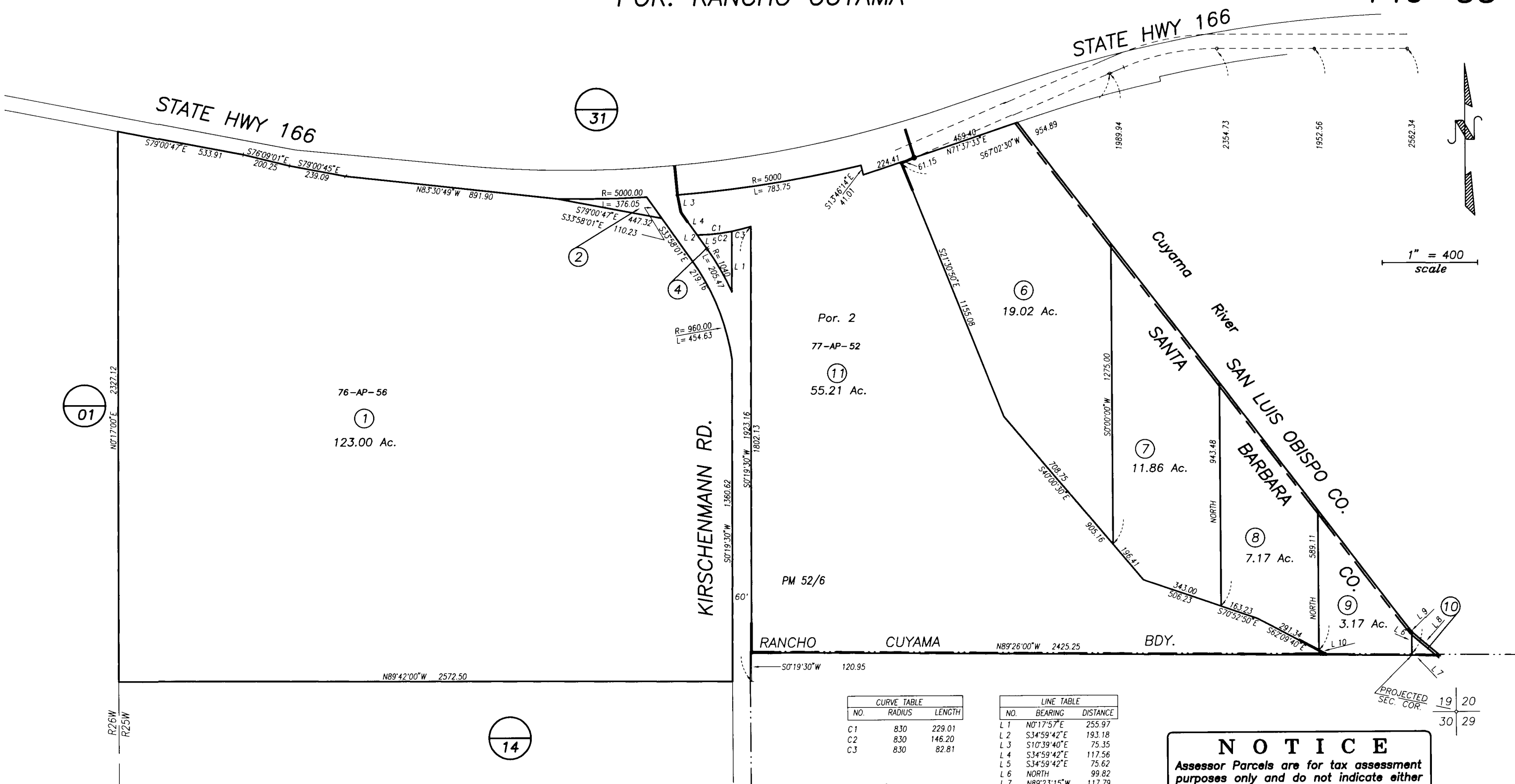
19

Acreages shown on this (LD14) map were calculated from the sum of the acreages on the prior map

Assessor's Map Bk, 149-Pg, 14
County of Santa Barbara, Calif.

POR. RANCHO CUYAMA

149-33

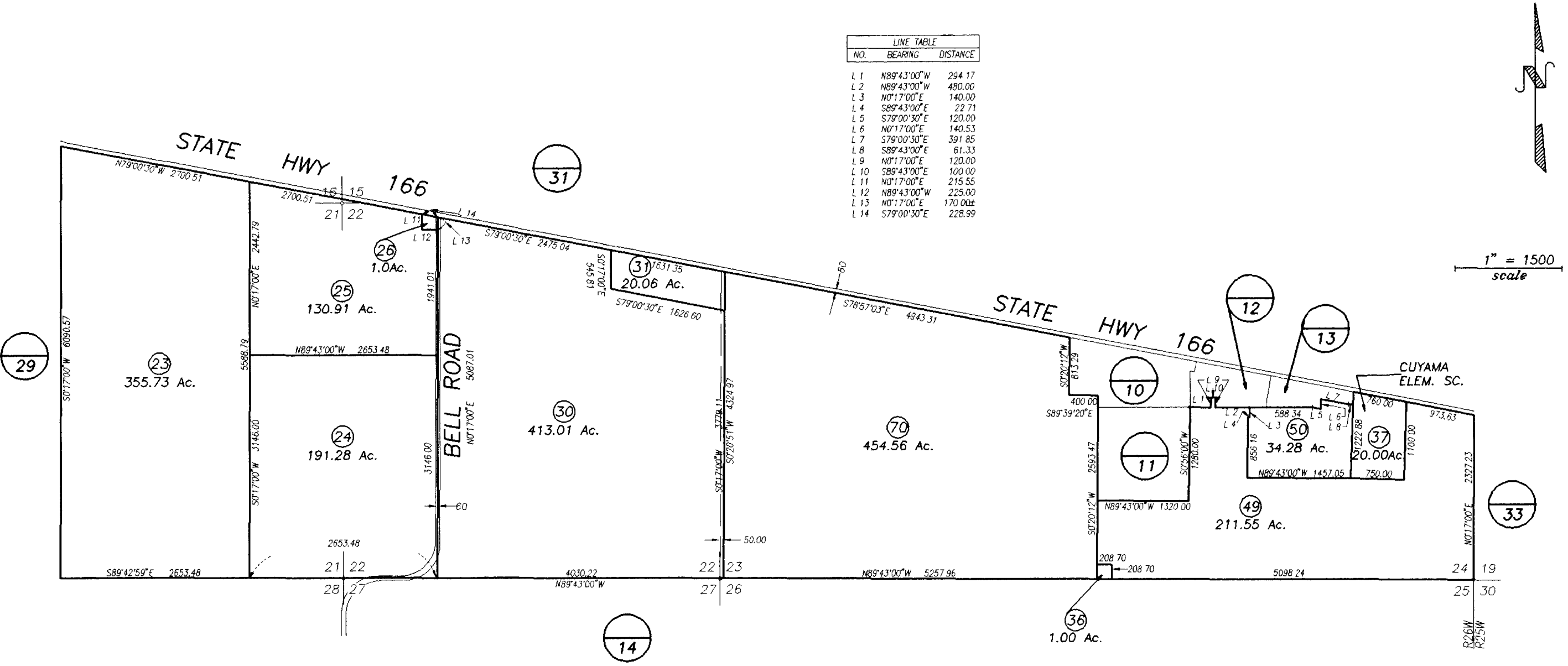


CURVE TABLE		
NO.	RADIUS	LENGTH
C1	830	229.01
C2	830	146.20
C3	830	82.81

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N0°17'57"E	255.97
L2	S34°59'42"E	193.18
L3	S10°39'40"E	75.35
L4	S34°59'42"E	117.56
L5	S34°59'42"E	75.62
L6	NORTH	99.82
L7	N89°23'15"W	117.79
L8	S49°21'55"E	155.21
L9	S49°21'55"E	15.31
L10	S62°09'40"E	41.37

NOTICE
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

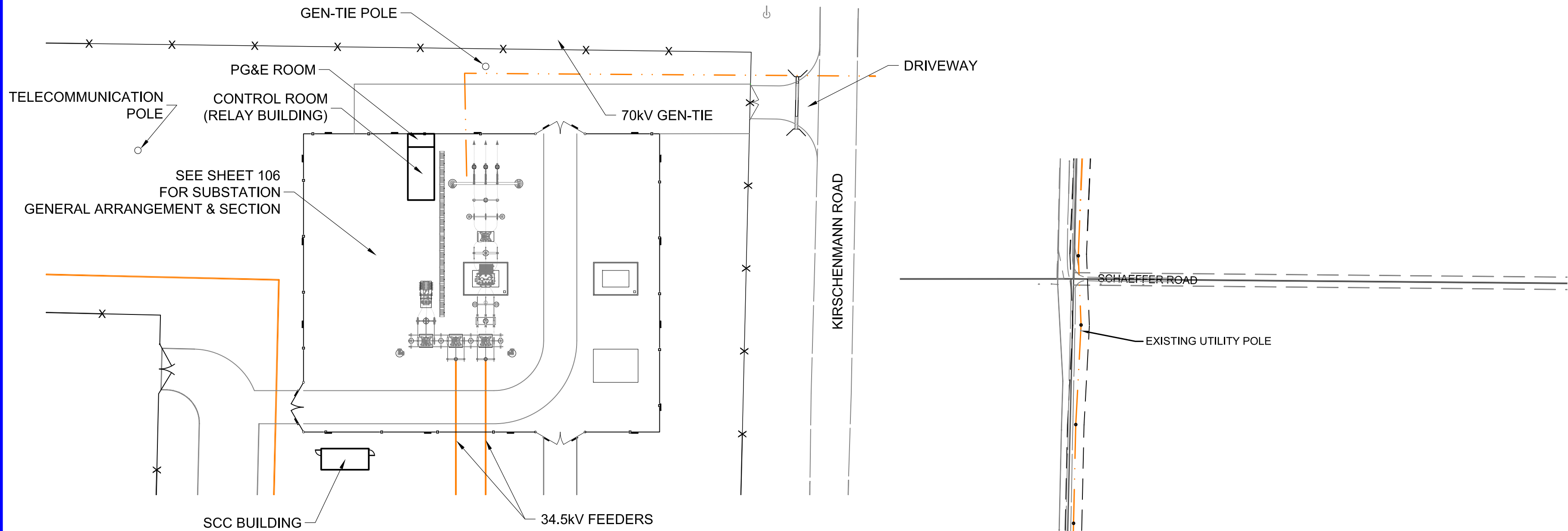
Assessor's Map Bk, 149-Pg, 33
County of Santa Barbara, Calif.



NOTICE
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

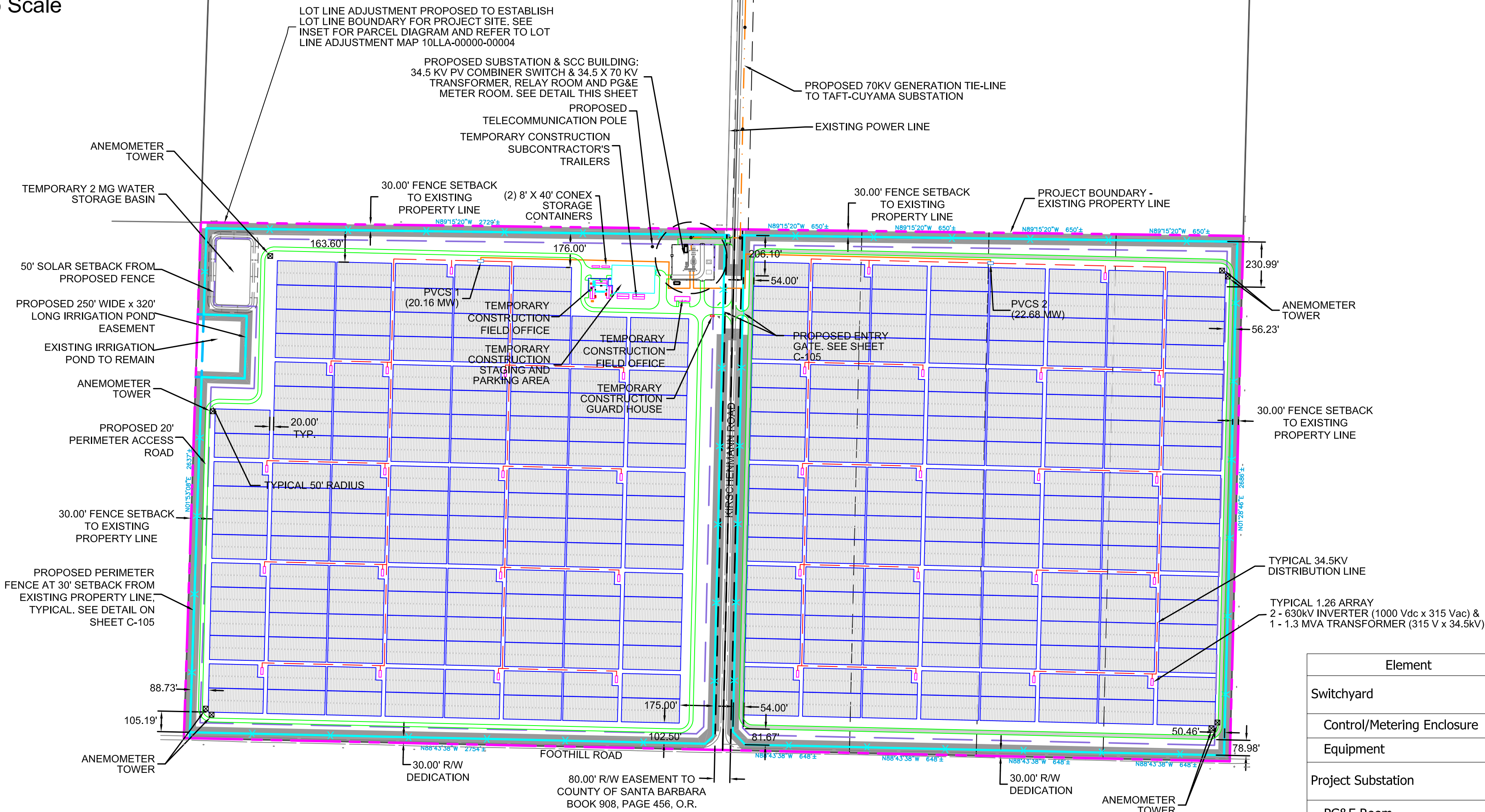
Assessor's Map Bk, 149-Pg, 01
County of Santa Barbara, Calif.

T:\ApplicationEngineering\Projects\2010\6023-0105-23 Cuyama (PV 42)\FS Drawings\02 Entitlements\Active Drawing Files\Trackers\C-100 PV-42 - T.dwg FS104849 Nov 12, 2013 - 6:11pm



Project Onsite Substation

Not to Scale



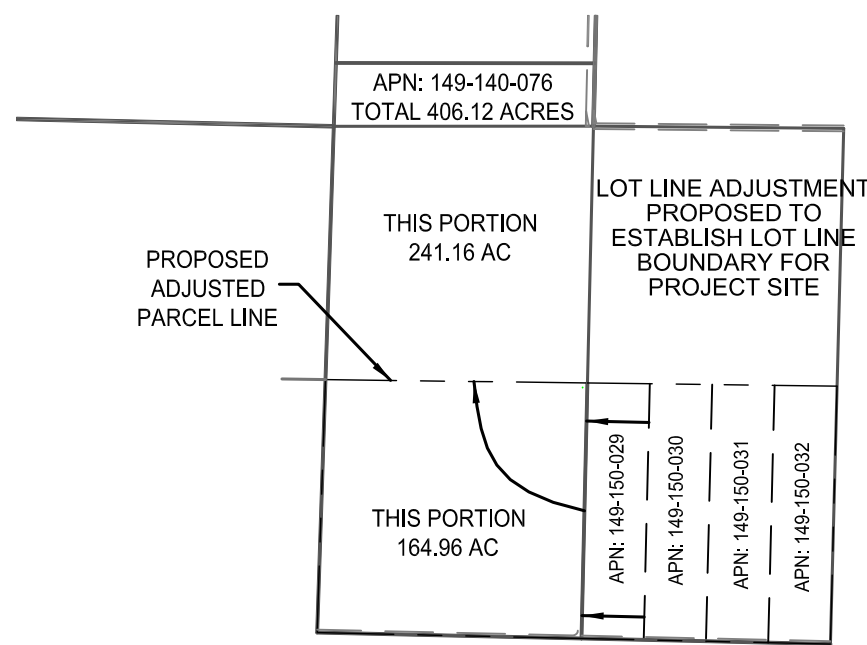
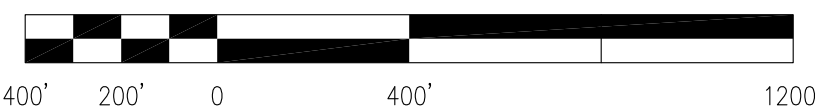
LEGEND

- BOUNDARY
- RIGHT OF WAY DEDICATION
- SOLAR ARRAY SETBACK
- FENCE LINE
- AC ELEC (UNDERGROUND)
- AC ELEC (ABOVE GROUND)
- EASEMENT
- 70kV GENERATION TIE-LINE
- 20' DIRT ACCESS ROAD
- EXISTING POWER POLE
- PROJECT AREA



Preliminary Site Plan

Scale 1" = 400'



LLA Detail

Not to Scale

Cuyama Solar Array

Cuyama, Santa Barbara County, California

Project Applicant:

Cuyama Solar, LLC.

Project Design-Builder:

First Solar, Inc.

Project Site Description:

Latitude 34° 54' 05" N
Longitude 119° 35' 44" W
Elevation 2410 - 2500 ft.

Project Climatic Conditions:

Cuyama, CA
Extreme Max (50 year) Temp 113 °F
Extreme Min (50 year) Temp 27 °F
Annual Cooling Design Temp 104 °F
Annual Heating Design Temp 11 °F (ASHRAE 2009)

Project Design Data:

Snow Load 0 PSF
Wind Load 85 MPH, Exposure C
Seismic Load Ss=1.50g, S1=0.69g

Project Interconnection:

70 kV Generation Tie-Line from Taft-Cuyama Substation

Photovoltaic (PV) System Parameters:

40.00 MW-ac Nameplate Capacity (Nominal Output)

Solar PV Production:

TRACKER Mounting System
1°20'12" SW Azimuth
1000 V dc PV System Design
34.5 kV Distribution System
70 kV Generation Tie-Line

Element	Temporary (sf)	Permanent (sf)	Comment
Switchyard			Fenced area is 19,600 sf (140'x140'), much of which will be graveled and compacted.
Control/Metering Enclosure		225	15'x15'
Equipment		400	Concrete footing
Project Substation			Fenced area is 38,700 sf (180'x215'), much of which will be graveled and compacted.
PG&E Room		128	8'x16'
Control Room (Relay Building)		512	32'x16'
Transformer Foundation		1,620	20'x27' (3 Total Pads - 1 Main & 2 Spares)
SCC Building		364	28'-8"x12'-8"
Telecommunication Poles (2)		51	
Pulling Areas (2)	10,000		
Site			Fenced Area is 307.4 acres
Temp. Const. Trailers	9,072		
Conex Storage Boxes		640	
PCS Enclosures (34)		14,280	
Anemometer Towers (8)		162	
PVCS (2)		900	
PG&E - Taft-Cuyama Substation			
Battery Building		460	15'-4"x30'
Telecommunication Pole		100	PG&E 10'x10' Pad
Total	19,072	19,842	

THIS PUBLICATION CONTAINS VALUABLE PROPRIETARY AND CONFIDENTIAL INFORMATION OF FIRST SOLAR, INC. ("FIRST SOLAR") WHO RETAINS ALL COPYRIGHT RIGHTS TO IT UNDER 17 U.S.C. SECTION 106 AND IS PROTECTED BY U.S. AND INTERNATIONAL LAW. ANY REPRODUCTION, PREPARATION OF DERIVATIVE WORKS, DISTRIBUTION, PUBLIC PERFORMANCE OR DISPLAY, DISCLOSURE, AND/OR USE OF ALL OR ANY PORTION OF THIS PUBLICATION IN ANY FORM OR MEDIUM WITHOUT SPECIFIC WRITTEN AUTHORIZATION FROM FIRST SOLAR IS STRICTLY PROHIBITED.

THIS PRINT IS NOT TO BE USED FOR CONSTRUCTION UNLESS NOTED AND SIGNED OK FOR CONSTRUCTION ABOVE LAST REVISION.

SHEET 2 OF 10

COPYRIGHT © 2013 FIRST SOLAR, INC. ALL RIGHTS RESERVED

CUYAMA
PHOTOVOLTAIC SOLAR PLANT
SANTA BARBARA COUNTY
CALIFORNIA
40 MWac

PROFESSIONAL ENGR.

BY CHK APP

REV DATE REVISION DESCRIPTION

FS JOB #: 6023-0105-23
PROJ. DSQR: AB
PROJ. ENGR:
PROJ. MGR: K. KEMP
PROJ. DIR: A. PERRINO
SCALE: AS SHOWN
SHEET TITLE

PRELIMINARY
SITE PLAN
(11/12/13)

C-100