



Ref

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Agricultural Land Conservation Committee Staff Report Agenda Item No. 2 October 13, 2009

SUBJECT: Review and make recommendation to forward to the Board of Supervisors regarding request for PARTIAL CANCELLATION of AGRICULTURAL LAND CONSERVATION CONTRACT NO. 3219 (RLCC NO. 888), proposing to remove a 468.88-acre parcel of non-prime agricultural land from Contract restrictions to allow the construction of a solar hybrid plant consisting of two hybrid design solar thermal electric generating plants.

LOCATION: Located 3 miles west of Interstate 5 and W. Jayne Avenue, approximately 6 miles east of the City of Coalinga (SUP. DIST.: 4) (APN: 085-030-57s).

Applicant/Owner: William J. Mouren Farming, Inc.

STAFF CONTACT: Tawanda Mtunga, Planner
(559) 262-4196

Mohammad Khorsand, Senior Planner
(559) 262-4870

RECOMMENDATION:

Staff believes that the required findings can be made, and recommends that the Committee recommend to the Board of Supervisors to approve partial cancellation of Agricultural Land Conservation Contract No. 3219, subject to the following conditions:

1. Payment in full of the cancellation fee.
2. Unless the cancellation fee is paid or a Certificate of Cancellation of Contract is issued within one year from the date of the recording of this certificate, the cancellation fee shall be recomputed as of the date of notice by the landowner to the Board of Supervisors, as required by Government Code Section 51283.4.
3. The landowner shall obtain the necessary land use entitlements. Permitting for the proposed solar hybrid plant is issued through the State of California.

DEVELOPMENT SERVICES DIVISION

DOCKET

08-AFC-12

DATE OCT 13 2009

RECD. OCT 30 2009

not in agricultural use. Currently, the adjacent parcels west of the subject property consist of the Coalinga State Hospital, Pleasant Valley State Prison and to the east, a mixture of vacant parcels, rangeland and parcels with tilled soil.

Based on these facts, staff believes the proposed development will not result in removal of adjacent land from agricultural use, and the finding can be made.

3. *That the cancellation is for an alternative use that is consistent with the provisions of the County General Plan.*

The California Energy Commission has the sole authority to certify all sites related to electrical generation facilities. A commission certification is issued in lieu of any state or local agency permit. With respect to the General Plan consistency, the subject property is designated as Agriculture in the Fresno County General Plan. The County General Plan allows for development of certain non-agricultural uses, such as electrical generation facilities in areas designated for Agricultural use.

Based on the facts stated above, staff believes this finding can be made.

4. *That the cancellation will not result in discontinuous patterns of urban development.*

The subject property is located in an agricultural area of the County, and the proposed solar hybrid plant is not considered an urban development. Therefore, staff believes this finding can be made.

5. *That there is no proximate, non-contracted land which is both available and suitable for the use to which it is proposed that the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.*

The applicant conducted an analysis of proximate non-contracted land within a seven-mile radius of the subject territory to determine if any non-contracted land was both available and suitable for the proposed alternate use. No non-contracted land that was both suitable and available was found.

Based on the facts mentioned above, staff believes this finding can be made.

ENVIRONMENTAL DETERMINATION:

It has been determined, pursuant to Section 15271 (b) (3) of the State of California Environmental Quality Act (CEQA) Guidelines, that the project is statutorily exempt.

OTHER REVIEWING AGENCIES:

As of January 1, 2001, Government Code Section 51284.1(a) requires notification to be provided by the County to the Director of the State Department of Conservation (the Director) once a cancellation application has been accepted as complete. Under Government Code Section 51284.1(c), the Director's comments are required to be considered by the Board of Supervisors before acting on the proposed cancellation. The proposal was referred to the Director on June 8, 2009, and as of the date staff report was prepared, no comment was

ALCC Contract No. 3219 (RLCC NO. 888)
October 13, 2009
Page 4 of 5

received from the DOC. However, staff will not place this application on the Board of Supervisors agenda until the DOC's comments are received.

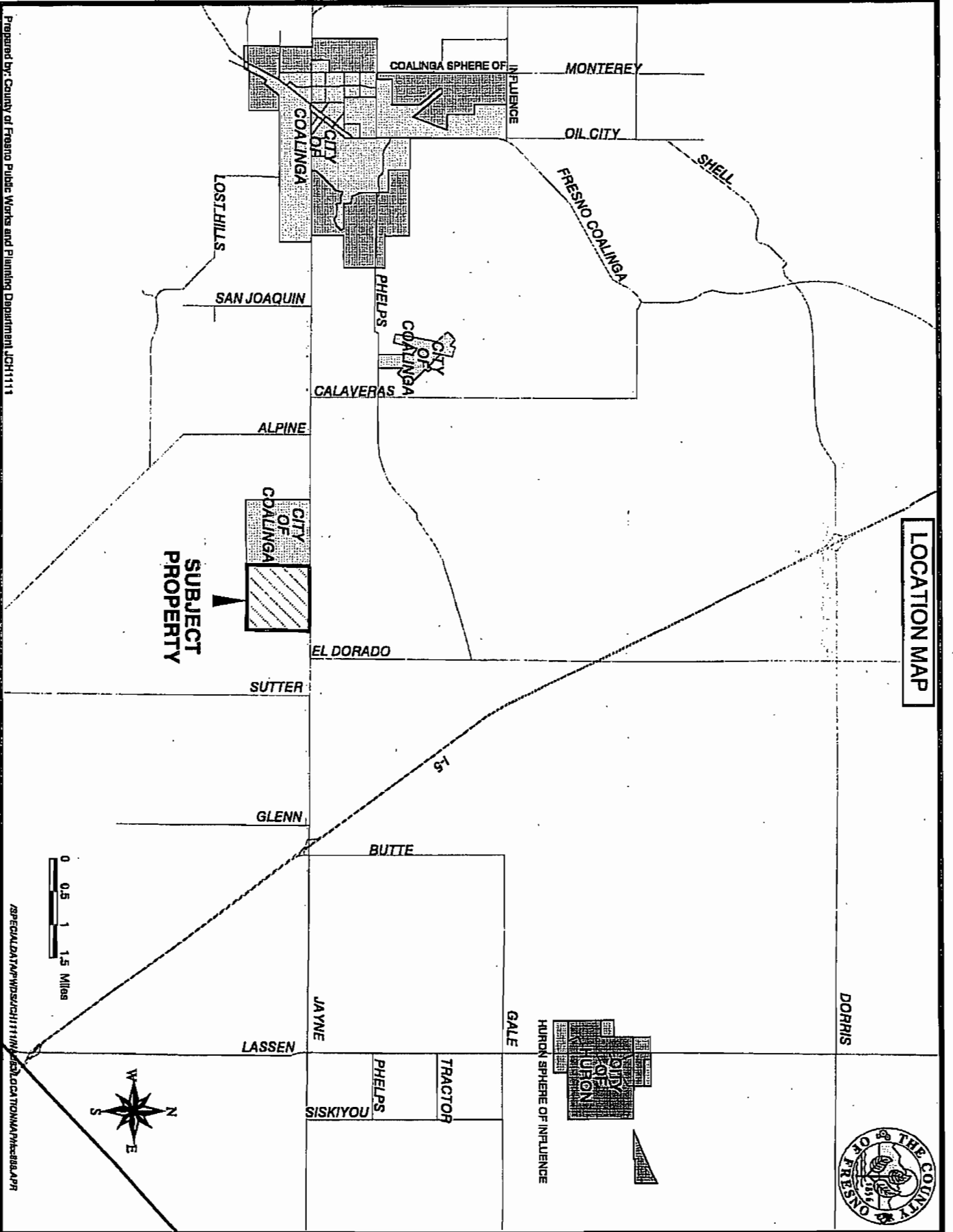
CONCLUSION:

Based upon the above analysis, staff recommends approval of partial cancellation of Agricultural Land Conservation Contract No. 3219, subject to the conditions listed under the Recommendation section of this report.

TM:MK:lo
G:\4360Devs&Pin\PLANNING\AG\Committee-LCC\2009 Agendas and Items\10-13-09\ALCC AI No 2.doc

Staff report with Exhibits A-D

LOCATION MAP

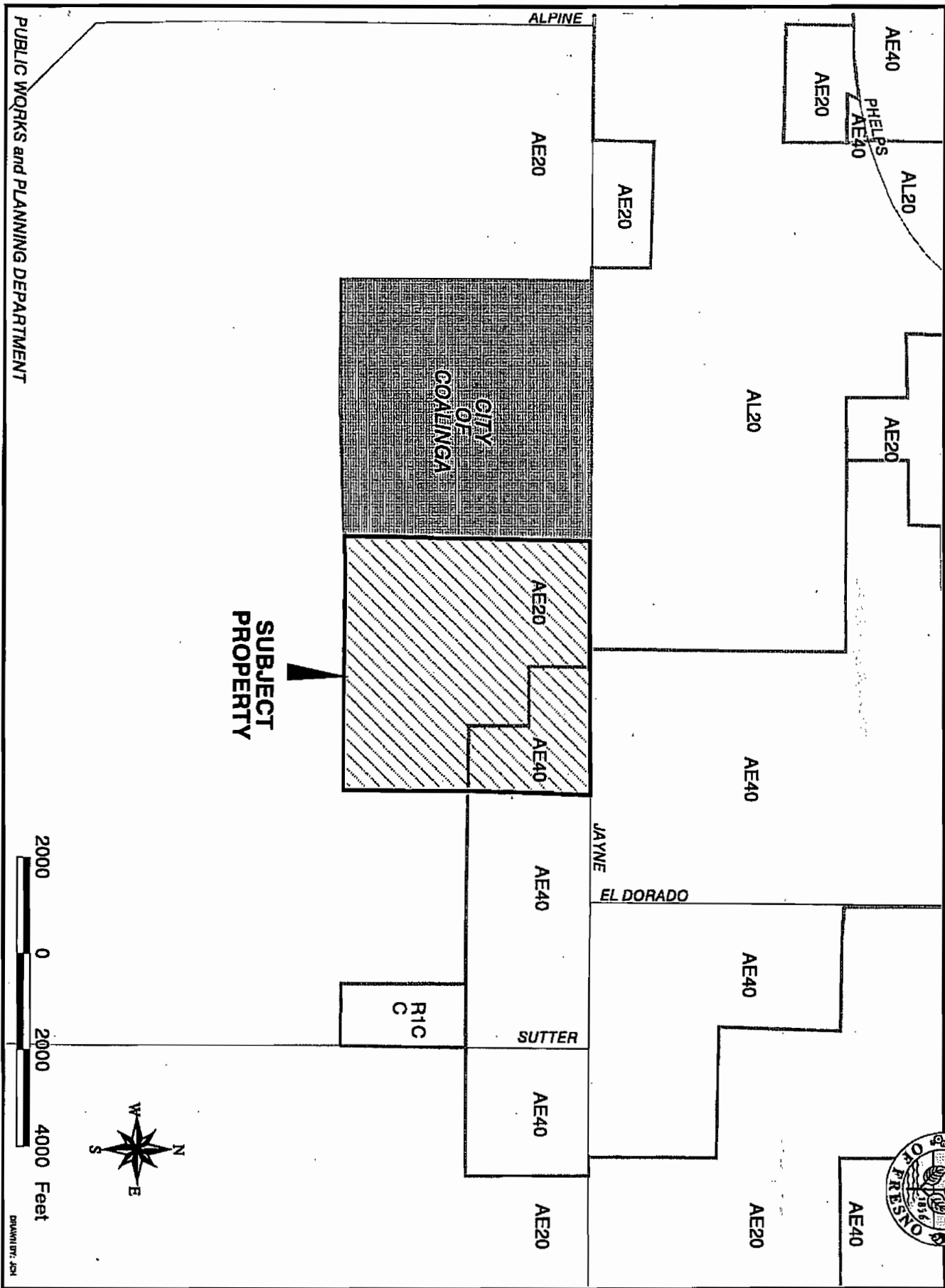


Prepared by: County of Fresno Public Works and Planning Department JCH1111

/SPECIALDATA/PWDS/JCH111/N/6820CA TIONNA/P75888.APR

EXHIBIT 'A'

EXISTING ZONING MAP



PUBLIC WORKS and PLANNING DEPARTMENT

2000 0 2000 4000 Feet



DRAWN BY: JCH

EXISTING LAND USE MAP

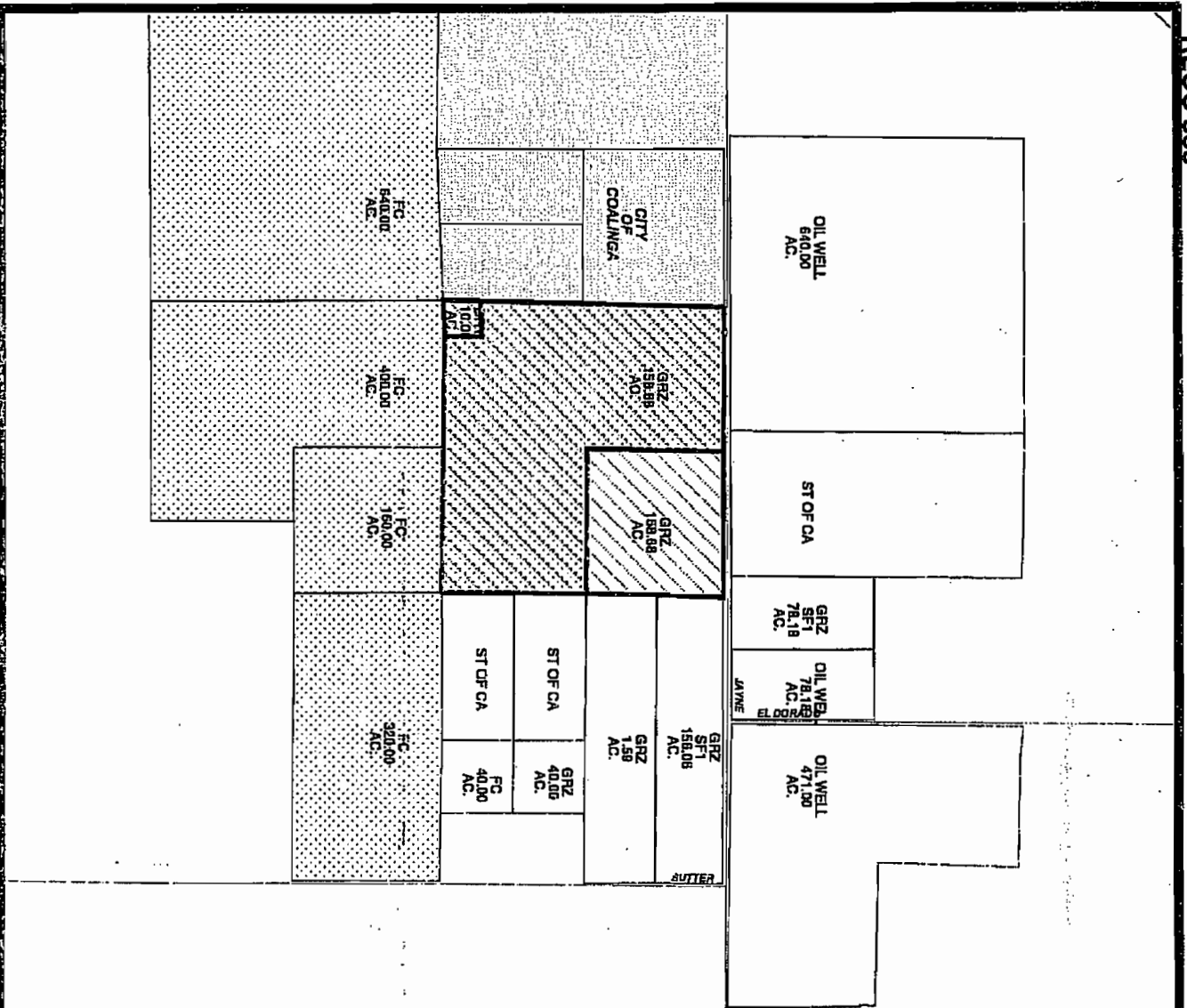


Legend
DRY - DRY FARMING
FC - FIELD CROP
GRZ - GRAZING
SF# - SINGLE FAMILY RESIDENCE

 Subject Property
 Ag Contract Land



Prepared by: County of Fresno The Department of Public Works and Planning JCH1111



CALIFORNIA ENERGY COMMISSION
REPORT OF CONVERSATION Page 1 of 1

Ref



**Energy Facilities Siting and
Environmental Protection
Division**

FILE: (08-AFC-12)

PROJECT TITLE: San Joaquin Solar 1&2

<input checked="" type="checkbox"/> Telephone	559-935-5055	<input type="checkbox"/> Meeting Location:	
NAME:	Betty Verberens	DATE:	10/05/09
		TIME:	11AM
WITH:	Hale Aviation		
SUBJECT:	Crop dusting activities near the SJS 1&2 site		

COMMENTS: I talked to Ms. Verberens on October 5, 2009, and she said that there are no crop dusting operations near the project area and she does not believe that the construction or operation of the SJS 1&2 would have any impact on their aviation activities. In fact, there hasn't been any crop dusting in the project area for quite some time.

DOCKET

08-AFC-12

DATE	OCT 05 2009
RECD.	OCT 08 2009

CC:

Signed:

Name: James Adams