



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Santa Barbara County Planning Commission

FROM: Doug Anthony, Deputy Director, 568-2046
John Day, Planner, 568-2045
Energy Division

HEARING DATE: November 18, 2009

RE: Conceptual Review of Cuyama Solar Array Project
09CNS-00000-00050 (Planner Consult)
APN #: 149-150-029, -030, -031, -032, and 149-140-076

1.0 REQUEST:

Request of Mr. Mark Irwin, Cuyama Solar, LLC (a wholly owned subsidiary of Edison Mission Energy), Applicant, for Conceptual Review by the Planning Commission of the proposed Cuyama Solar Array Project, currently under a Planner Consult (09CNS-00000-00050) [application filed on 9/11/09]. This conceptual project involves five agriculturally-zoned parcels: APN #: 149-150-029, -030, -031, -032, and a portion of 149-140-076, comprising a total of 320 acres, located at 596 Kirschenmann Road, 2 to 3 miles southeast of Cuyama, Fifth Supervisorial District.

The project would involve construction and operation of a 45 megawatt (MW), commercial, solar photovoltaic power generating facility and a 3-mile long power line from the facility to the existing Cuyama PG&E electrical substation, northwest of the identified facility site. As currently conceived, the project would require: 1) an amendment to the Land Use and Development Code (LUDC) to allow commercial-scale solar photovoltaic projects to be constructed on agriculturally-zoned land in the Inland Area of the County; 2) a consistency rezone for 4 parcels currently zoned A-II under Ordinance 661; 3) a lot split or lot line adjustment affecting one or several parcels; 4) removal of 160 acres of land from an Agricultural Preserve Contract (76-AP-072) by cancellation or other legal means; and 5) a Conditional Use Permit.

2.0 CONCEPTUAL REVIEW

The conceptual review hearing is to inform your Commission early on in the process and to allow stakeholders, agencies, and the public to provide early input. In this case, the hearing precedes submittal of a project application. Staff and the Applicant solicit individual Commissioners' preliminary comments on the conceptual project, recommendations on any necessary changes to the project scope, and direction regarding compatibility of the conceptual

project with County objectives and policies. This staff report notes several potential issue areas but does not analyze environmental or policy issues, pending submittal of a complete application.

3.0 SETTING

The proposed project site is located in the Cuyama Valley, 1 to 2 miles southwest of the Cuyama River, toward the southern edge of the valley floor (see Figure 1). The site is surrounded by agricultural land uses. The site is approximately 2 miles southeast of the PG&E electrical substation and 2 to 3 miles south of community of Cuyama. The substation and electrical transmission lines in the area have sufficient capacity to accept an additional 40 to 45 MW of generated electricity. The sunlight and atmospheric conditions in the Cuyama Valley are adequate to support a commercial solar project, with current technology and economic conditions. Groundwater overdraft resulting from irrigated agriculture is a ongoing problem in the Cuyama groundwater basin.

The 5 parcels currently identified for this project are owned by Bolthouse Properties, LLC, and are under active cultivation by Bolthouse Farms. The primary crop is carrots, along with rotational crops including onions and potatoes. The land is classified prime farmland, with Class I and II soils. It is irrigated with water from off-site wells, stored in an on-site irrigation pond. The project site consists of the southern portion (160 acres) of a 406-acre parcel and four smaller (approximately 40-acre) parcels. Parcel validity has not yet been established. Figure 1 shows the proposed project boundary with a dark line and the 406-acre parcel in diagonal hatching. The 406-acre parcel is under an Agricultural Preserve contract, whereas the smaller parcels are not.

4.0 PROJECT DESCRIPTION

The project involves construction and operation of a 45 MW solar photovoltaic energy generating facility on agriculturally zoned land. The solar collectors would be fixed-position, flat panels mounted on a steel frame, with a maximum height of 8 feet (Figure 2). There would be no moving parts. The facility would be surrounded by a security fence. Soil compaction would be needed for installation of the steel supports. The proposed project includes a power line (generator tie line, or “Gen-tie”) to interconnect to the Cuyama substation. The Gen-tie line would run northward from the facility approximately 1.5 miles and then westward approximately 1.5 miles (Figure 1), along the edge of properties owned by Bolthouse Properties, LLC.

Following construction, the facility would be unmanned and would be monitored remotely. Periodic rinsing of the solar panels might be needed; if so, purified water would be trucked in. Weed abatement or prevention would be required. In operation, the facility would use little or no groundwater and would generate little noise or traffic, and no emissions, dust or wastewater. The estimated life of the solar panels is 25 years. However, the solar panels could be replaced with advanced technology at some point, and project life is unknown.

The project will require a Conditional Use Permit. The proposed project application may include the additional components listed in the table below. However, given that the project description is still in development, the components could change.

Project Components	Reason / Need
Amendment to the Land Use and Development Code (LUDC) to allow commercial-scale solar photovoltaic projects to be constructed on agriculturally-zoned land in the Inland Area of the County.	Section 35.30.160 of the LUDC provides for permitting of solar panels, but the LUDC does not provide for commercial-scale solar projects.
Lot split or lot line adjustment to create two separate parcels in the northern and southern areas of the 406-acre parcel.	The parcels need to conform to the project area, as the project proponent expects to purchase the proposed project property from Bolthouse Properties, LLC.
Consistency rezone as necessary, for valid parcels under Ord. 661.	Parcels are zoned A-II under Ordinance 661 and must be rezoned to AG-II for consistency under the LUDC.

5.0 ISSUE SUMMARY

Agricultural Preserve Cancellation

The western-most parcel is under an Agricultural Preserve Contract. The project would require taking 160 acres out of the contract by partial cancellation or other legal means, in conformance with State law and the County’s adopted Uniform Rules. The project proponent brought the conceptual project to APAC for preliminary discussion on October 2, 2009, and received the following direction: Partial cancellation would require a finding by the Agricultural Preserve Advisory Committee (APAC) that no nearby, suitable, non-contracted land is available for the project. It would also require a finding by the Board of Supervisors that the project serves the public interest, so as to outweigh the objectives of the Williamson Act. In addition, the State would have to approve the partial cancellation.

Water Resources

The project is expected to use little, if any, water from Cuyama. Purified water for periodic rinsing of the solar panels would be trucked in, as needed. Reduced infiltration due to soil compaction and the potential effect of soil compaction and vegetation removal on flooding will need to be addressed during environmental review.

Reduction of Agriculture on Prime Soils

Impacts of removing prime agricultural soils from production, including economic impacts, need to be assessed. The ability to return the land to production at a future date is a potential concern.

Agricultural Compatibility

Agricultural compatibility could potentially be an issue, due to possible impacts on surrounding agricultural operations. The project could be beneficial to surrounding agriculture by stabilizing the power supply during peak demand periods, thereby reducing “brownouts.” The project is scheduled as a discussion item on the November 4, 2009, agenda of the Agricultural Advisory Committee. A key question for discussion is, how would the project affect the long-term continuation of agriculture in the area?

Cumulative Effects

Will this project be the first of a flood of large solar projects in the Cuyama Valley or Countywide, which taken together would take a significant acreage of land out of agriculture? The answer is likely no for two reasons. First, the proposed project will use all spare capacity on the existing electrical transmission system in the valley. Additionally, California’s Renewable Energy Transmission Initiative (RETI) has identified that several factors, based on overall renewable energy production potential, economic constraints and environmental constraints make other locations in the state, namely the Mojave Desert, substantially more favorable for investment into expanded transmission capacity. Second, there is limited availability in the County of suitable project sites with sufficient insolation to support commercially viable solar projects

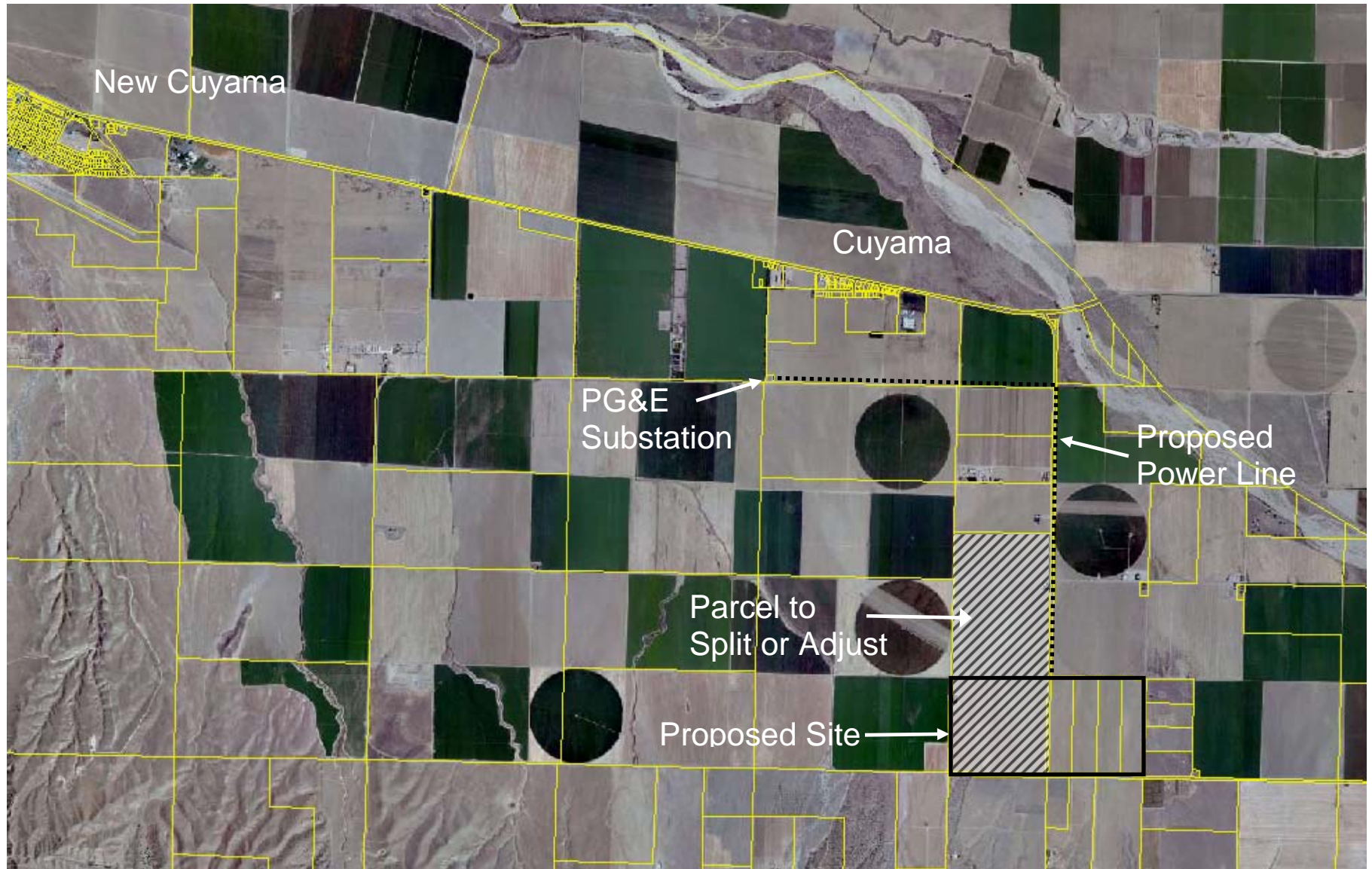
ATTACHMENTS

1. Figure 1 – Proposed Project Site Aerial View
2. Figure 2 – Photograph of a Typical Solar Array
3. Application for Planner Consultation

ATTACHMENT 1

Figure 1 – Proposed Project Site Aerial View

Figure 1 – Proposed Project Site Aerial View



ATTACHMENT 2

Figure 2 – Photograph of a Typical Solar Array

Figure 2 – Photograph of a Typical Solar Array



Modules:
Bottom is 18 to 30 inches above ground
Top is 8 feet above ground (maximum)

Support Poles:
6" x 8.5" carbon steel I-beams
4 to 7 feet below ground

ATTACHMENT 3

Application for Planner Consultation



COUNTY OF SANTA BARBARA

Planning and Development

www.sbcountyplanning.org

Planner Consultation

A PLANNER CONSULTATION-(CNS) is a paid session with planning staff to answer detailed questions about the planning process and regulations, ordinance requirements or permit procedures. THIS IS NOT A PRE-APPLICATION MEETING. If the prior research and the session together are estimated to exceed 3-4 hours of staff time, a pre-application may be recommended. Also, please remember that planners cannot predict final decisions nor answer "will my project be approved?" Payment must be made at the time of application submittal.

THIS PACKAGE CONTAINS _____

✓ APPLICATION

AND, IF ✓'D, ALSO CONTAINS _____

AGREEMENT TO PAY FOR PROCESSING FEES

[Click to download Agreement to Pay form](#)

South County Office
123 E. Anapamu Street
Santa Barbara, CA 93101
Phone: (805) 568-2000
Fax: (805) 568-2030

Energy Division
123 E. Anapamu Street
Santa Barbara, CA 93101
Phone: (805) 568-2040
Fax: (805) 568-2522

North County Office
624 W. Foster Road, Suite C
Santa Maria, CA 93455
Phone: (805) 934-6250
Fax: (805) 934-6258

Website: www.sbcountyplanning.org

Updated by ST042709

SUBMITTAL REQUIREMENTS FOR A PLANNER CONSULTATION

Cities Sphere of Influence

Is the site within a city sphere of influence? ** Yes No

If yes, which city? _____

✓

1 Copy of completed Application

✓

1 Check payable to Planning & Development

This deposit will be held on account, similar to a security deposit. You will receive monthly invoices that must be paid within 25 days from the date of the invoice. The deposit will be applied to the final invoice.

✓

1 Agreement to Pay For Processing Fees

[Click to download Agreement to Pay form](#)

** If additional information is needed regarding location of a City's Sphere of Influence, please contact our zoning information counter.



PLANNING & DEVELOPMENT
PERMIT APPLICATION

SITE ADDRESS: 596 Kirschenmann Road
ASSESSOR PARCEL NUMBER: 149-140-076, 149-150-029 thru -032
PARCEL SIZE (acres/sq.ft.): Gross 327 acres (approx) Net
ZONING: AG-II-100
COMPREHENSIVE/COASTAL PLAN DESIGNATION: A-II

Are there previous permits/applications? [X]no []yes numbers:
(include permit# & lot # if tract)

Did you have a pre-application? [X]no []yes if yes, who was the planner?

Are there previous environmental (CEQA) documents? [X]no []yes numbers:

Project description summary: Establish the Cuyama Solar Array, which consists of a 45-megawatt alternating current (MW-AC) solar photovoltaic (PV) power generating facility.

1. Financially Responsible Person Mark Irwin, Cuyama Phone: 949-798-7980 FAX:
(For this project) Solar, LLC
Mailing Address: 18101 Von Karman Ave., Ste. 1700, Irvine, CA 92612

2. Owner: Bolthouse Properties, LLC Phone: 908-526-7900 FAX:
Mailing Address: 2000 Oak St., Ste. 250, Bakersfield, E-mail:
Street City State Zip CA 93301

3. Agent: Edison Mission Energy, Ken Borngrebe Phone: 949-798-7480 FAX:
Mailing Address: 18101 Von Karman Ave., Ste. 1700, E-mail:
Street City State Zip Irvine, CA 92612

4. Arch./Designer: Phone: FAX:
Mailing Address: State/Reg Lic#

5. Engineer/Surveyor: First Solar Electric, LLC Phone: FAX:
Mailing Address: 400 Somerset Corporate Blvd., Ste. 501 State/Reg Lic#
Street City State Zip Bridgewater, NJ 08807

6. Contractor: First Solar Electric, LLC Phone: FAX:
Mailing Address: 400 Somerset Corporate Blvd., Ste. 501 State/Reg Lic#
Street City State Zip Bridgewater, NJ 08807

I hereby certify to the best of my knowledge, the information contained in this application and all attached materials are correct, true and complete.

Handwritten signature of Mark Irwin

Signature

Mark Irwin / 9/11/09
Print name/date

COUNTY USE ONLY

Case Number: Companion Case Number:
Supervisory District: Submittal Date:
Applicable Zoning Ordinance: Receipt Number:
Project Planner: Accepted for Processing
Zoning Designation: Comp. Plan Designation

