

5.9 LAND USE

This section provides an assessment of land use issues and impacts for the Bullard Energy Center (BEC).

An evaluation of the BEC's conformance with local plans, land use regulations, and general land use compatibility is provided in this section. Land uses are described within 1 mile of the project site and within ¼ mile of all project related linears. There is one primary and two alternate off-site gas linear pipelines proposed for this project. Additionally, an off-site sewer linear facility, a water supply linear and an on-site electric transmission line with a newly constructed sub-station are proposed. Reasonably foreseeable future development within the affected area is discussed in Section 5.9.2, Environmental Consequences.

Land uses in California are regulated using various methods of land use controls. Cities and counties in California are required by law to adopt a comprehensive, long-term General Plan for the physical development of their jurisdictional areas. These plans include a Land Use Element that establishes a pattern of appropriate land uses, as well as policies and guidelines for development of those uses. Local zoning ordinances, Specific Plans, and maps implement the Land Use Element of the General Plan. It is important to note that the Urban Form Element reflects the ultimate pattern and that the zoning ordinances and zoning maps reflect current land use designations. Zoning designations may differ from land use designations. Building codes establish requirements for safe and sanitary structures. Subdivision controls and grading requirements regulate the design and improvement of subdivisions.

5.9.1 Affected Environment

The affected environment is defined by the California Energy Commission (CEC) based on the study area boundary. The City of Fresno has jurisdiction over the plant site and laydown area, and nearly all of the affected area within 1 mile of the plant site. The BEC plant site and all of the land within 1 mile are contained within the City's Sphere of Influence (SOI). However, the County of Fresno does have jurisdiction over portions of land within the affected area. This land is located to the northwest and southwest of the BEC. The northwestern county land begins approximately ¾ mile from the project site, with the southwestern land starting just under a mile from the project site.

The sewer and water pipelines, and the electric transmission lines and each corresponding ¼ mile inclusion area are entirely within the City of Fresno. The existing primary gas line considered for connection to the Bullard site currently ends in Fresno County, at the intersection of North Garfield Avenue and West Bullard Avenue, but is within the City's SOI. Therefore, all three of the gas route alternatives are to varying degrees in both Fresno County and the City of Fresno, but are all completely within the City's SOI.

The land use study area, along with major jurisdictional boundaries, is shown on Figure 5.9-1, Jurisdictional Map.

5.9.1.1 Regional Setting

The BEC is located in the northwestern section of the City of Fresno, within Fresno County. The Madera County line is located approximately 2 miles to the north of the BEC, with

unincorporated areas of Fresno County being located approximately 1-mile to the northwest, west, and southwest directions.

5.9.1.2 Project Site and Vicinity

The BEC site is located approximately 1.25 miles southeast of the intersection of Herndon Avenue and North Golden State Boulevard, at 5829 North Golden State Boulevard, in the City of Fresno. The proposed plant site is a 12.3-acre parcel further described as Assessors Parcel Number (APN) 505-080-22S. The parcel is zoned M-1 (light industrial use). The parcel is zoned M-1 (light industrial use) and is located in an industrial area that is currently used as a truck depot, and construction equipment fabrication and storage yard.

The temporary construction laydown and parking site is a 9.2-acre parcel located immediately to the north of the plant site. Power line easements run across the western portion of the laydown area from south to north. This area is essentially flat, with a slight slope to the southeast. The laydown area is vacant.

Off-site improvements associated with the BEC include the construction of several linear pipeline routes (see Figure 3.4-4, Proposed Linear Routes), described as:

- **Natural Gas Pipeline:** The project will connect to a PG&E trunk line approximately 9,500 feet west of the site, near the intersection of North Garfield Avenue and West Bullard Avenue. The primary pipeline route will convey gas via a pipeline up to 12 inches in diameter along West Bullard Avenue to North Golden State Boulevard, and then south to the site. Two alternate routes include the same PG&E connection location, continuing north along North Garfield Avenue to Herndon Avenue, then south along North Golden State Boulevard and North Weber Street to the site.
- **Water Supply Lines:** A Fresno city water main located near the southeast corner of the site along North Golden State Boulevard will be extended approximately 300 feet, to the northeast corner of the site.
- **Wastewater Lines:** Wastewater from the site will be conveyed via an approximate 14-inch diameter, 1,500-foot sewer line proceeding northwest along North Golden State Boulevard, tying into the existing 54-inch City of Fresno trunk line, just north of the intersection of North Golden State Boulevard and West Bullard Avenue.

The BEC will construct a new 230 kV looping sub-station on-site, tying into the east side of the existing Herndon-Kearney 230 kV line, which runs from south to north across the southwest corner of the site. This new sub-station will be approximately 3.0 acres in size, will be located on the southwest portion of the 12.3-acre site, and lie between the Herndon sub-station to the north, and the Kearney sub-station to the south. Approximately two miles of the transmission line will require re-conductoring.

5.9.1.3 General Plan and Zoning Designation

The BEC as proposed is consistent with the City of Fresno's General Plan, the West Area Community Plan, and zoning designation for the site, with the approval of a Director Classification Conditional Use Permit (CUP). The project site is designated Industrial by the Urban Form Element of the 2025 City of Fresno General Plan, and Light Industrial by Exhibit 3,

the City of Fresno Current Planned Land Use Map. The existing zoning designation is M-1, Light Manufacturing District.

According to the City of Fresno Zoning Ordinance, a non-nuclear electrical generation facility is allowed in the M-3 (Heavy Industrial) District with a Director Classification CUP. The project parcel is zoned M-1, which does not list electrical generation as a permitted use.

However, the City can process this project by Section 12.301-B of the City of Fresno Zoning Code. This section permits uses subject to a CUP (Director's Class), as long as the use is not expressly prohibited, which the use of an electrical generating facility is not in the M-1 District. The relevant use is No. 11 within Section 12.301-B, which states a public utility or public service structures are permissible. Even though the BEC will be privately owned and operated, it will provide energy to PG&E, which is a bona fide public utility.

Conditional Use Permit Process

The City of Fresno Zoning Ordinance, Section 12.405, requires a CUP for certain uses of land or types of businesses that are not allowed as matter of right. Three findings determine the permitting of a CUP:

1. All applicable provisions of the City of Fresno Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls, and fences, parking, loading, recycling areas, landscaping, and other required features.

The site for the proposed use is adequate in size and shape to accommodate the use of the site as an electrical generation facility.

2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by proposed use.

The plant operations for the BEC will consist of approximately nine employees. The construction period will last approximately 16 months, with the peak construction period consisting of 256 workers during the ninth month.

3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. This third finding shall not apply to uses that are subject to the provisions of Section 12-306-N-30 of this Code.

The proposed use, a power generation facility, will not have an adverse effect on the abutting properties, as the property to the north is vacant and zoned M-1 (Industrial) and to the south is a large manufacturing plant. The proposed use is self-contained and will not have any spillover affect or negative impacts on adjacent manufacturing operations. Section 12-306-N-30 of the Zoning Code regulates uses that would be considered nefarious, thus irrelevant regarding this proposed use. Surrounding uses, listed in Table 5.9-1, Project Site and Surrounding Land Uses (within 1 mile of Project Site), will not be adversely affected by the construction and operation of the project, thus finding No. 3 can be made.

**TABLE 5.9-1
PROJECT SITE AND SURROUNDING LAND USES
(WITHIN 1 MILE OF PROJECT SITE)**

Zoning	Zoning Designation	Existing Land Use(s)
O	Open Conservation District	Parks, Recreation Facilities, and Holding Pond
AE-5	Exclusive 5 Acre Agricultural District	Agricultural, Agricultural Related Uses, and Schools
R-A	Single Family Residential - Agriculture District	Single Family Residential
R-1	Single Family Residential	Single Family Residential
R-1-C	Single Family Residential	Single Family Residential
R-2	Low Density Multiple Family Residential	Designated Land Undeveloped
R-3	Medium Density Multiple Family Residential	Apartments
R-P	Residential and Professional Office	Designated Land Undeveloped
C-R	Commercial Recreation District	Water Park
C-1	Neighborhood Shopping Center District	Retail/Shopping
C-2	Community Shopping Center District	Retail/Shopping
C-3	Regional Shopping Center District	Retail/Shopping and Undeveloped
C-6	Heavy Commercial District	Motels, and Business Offices
C-M	Commercial and Light Manufacturing District	Designated Land Undeveloped
M-1	Light Manufacturing District	Manufacturing Businesses and Undeveloped
RR	Railroad	Railroad

Director Classification Conditional Use Permit Process

The City of Fresno Zoning Ordinance, Section 12-408, requires a Director Classification CUP for certain uses of land or types of businesses that are not specifically listed in the Zoning Ordinance, but are similar to listed uses. Four findings determine the permitting of a CUP:

1. The subject use and its operation are compatible with the uses permitted in the district where it is proposed to be allowed.

The proposed use will be consistent with the type of uses that exist on adjacent properties. North of the project area is vacant land, west is Highway 99, south is a large manufacturing plant, and to the east are railroad tracks. The plant will have minimal noise and environmental impacts; therefore, finding No. 1 can be made.

2. The subject use is similar to two or more uses permitted in the district within which it is proposed to be allowed.

A non-nuclear electrical generation facility does not have any similar uses within the M-1 zoned district. It does, however, have uses that will have similar impacts to the proposed use. The electrical generation facility will have comparable traffic and environmental impacts with allowable uses in the M-1 District, and existing uses.

3. The subject use will not cause substantial injury to the value of the property in neighborhoods or districts within which it is likely to be located.

The proposed use is self-contained and will not have any spillover affect or negative impacts on adjacent manufacturing operations. The proposed use, an electrical generation facility, will not have an adverse effect on the abutting properties, as the property to the north is vacant, disturbed land, and to the south is a large manufacturing plant.

4. The subject use will be so controlled that the public health, safety, and general welfare will be protected.

URS on behalf of BEC has submitted a request for the consideration of a Director Classification CUP for the BEC. This request is contained in Appendix U, City of Fresno Letters, and was submitted to the City of Fresno Planning Department. The use of the site for power generation purposes is not specifically listed in the Zoning Ordinance as an approved use in the M-1 zone district.

It is understood that the CEC maintains lead agency status of the licensing process associated with the BEC. However, engagement of the City of Fresno in the consideration of a Director Classification CUP will allow the local agency to review the BEC on its own terms. It will also allow the applicant to work with the City of Fresno to answer any questions or resolve any potential issues associated with the BEC. In addition, the City of Fresno has previously approved a Director Classification CUP for a different 49-megawatt (MW) power facility on the same site, however, the previously approved power facility was never constructed. The applicant would like to take the opportunity to clearly describe the BEC to the City of Fresno since there may be some level of confusion between the two projects.

Based on a preliminary review of the project by the City of Fresno Supervising Planner, approval of the Director Classification CUP is likely. The application package was submitted on November 2, 2006. In addition, the previous approval of the 49 MW power plant would also indicate that the use of the site for power generation purposes is consistent with the finding required for approval of the Directors Classification CUP.

It is expected that the four Director Classification CUP findings will be met by the BEC use.

In addition to the 2025 City of Fresno General Plan and the Fresno Zoning Ordinance, the project site is located within the West Area Community Plan. The site is in very close proximity to the Bullard Community Plan, and was once part of the Bullard Plan. However, the current Bullard Plan states on page 6, that the project area is not a part of the Bullard Community Plan area.

There are no additional Plan, Designation, or Overlay Districts that apply to the project site.

Existing land uses at the BEC site and the surrounding study area are shown in Table 5.9-1, Project Site and Surrounding Land Uses (within 1 mile of Project Site).

The site is adjacent to light industrial, residential, and vacant land. Land uses near the project include:

- North: single family residential units, elementary school, light manufacturing, and undeveloped land zoned AE-5.

- East: single family residential units, apartments, elementary school, light manufacturing, undeveloped land zoned R-1, R-3, and C-M.
- South: single family residential units, light manufacturing, commercial, water park, holding pond, and undeveloped land zoned AE-5, R-1, or C-M.
- West: single family residential units, agriculture uses, undeveloped land City zoned AE-5, R-1, C-3, and Highway 99.

Existing land uses for the BEC related linears and the surrounding study area are shown in Table 5.9-2, Project Linears and Surrounding Land Uses (within ¼ mile of Project Linears).

**TABLE 5.9-2
PROJECT LINEARS AND SURROUNDING LAND USES
(WITHIN ¼ MILE OF PROJECT LINEARS)**

Zoning	Zoning Designation	Existing Land Use(s)
GAS LINEARS AND SURROUNDING LAND USES		
<i>Gas Route A</i>		
AE-5	Exclusive 5 Acre Agricultural District	Agricultural and Agricultural Related Uses
R-1	Single Family Residential	Single Family Residential
C-3	Regional Shopping Center District	Undeveloped
C-M	Commercial and Light Manufacturing District	Designated Land Undeveloped
M-1	Light Manufacturing District	Manufacturing Businesses and Undeveloped
RR	Railroad	Railroad
<i>Gas Route B</i>		
AE-5	Exclusive 5 Acre Agricultural District	Agricultural, Agricultural Related Uses, and School
R-A	Single Family Residential - Agriculture District	Undeveloped
R-1	Single Family Residential District	Single Family Residential
C-3	Regional Shopping Center District	Undeveloped
C-M	Commercial and Light Manufacturing District	Designated Land Undeveloped
M-1	Light Manufacturing District	Manufacturing Businesses and Undeveloped
RR	Railroad	Railroad
<i>Gas Route C</i>		
O	Open Conservation District	Park
AE-5	Exclusive 5 Acre Agricultural District	Agricultural, Agricultural Related Uses, and School
R-A	Single Family Residential - Agriculture District	Undeveloped
R-1	Single Family Residential District	Single Family Residential
R-3	Medium Density Multiple Family Residential District	Apartments
C-3	Regional Shopping Center District	Undeveloped
C-M	Commercial and Light Manufacturing District	Designated Land Undeveloped

**TABLE 5.9-2
PROJECT LINEARS AND SURROUNDING LAND USES
(WITHIN ¼ MILE OF PROJECT LINEARS)**

Zoning	Zoning Designation	Existing Land Use(s)
M-1	Light Manufacturing District	Manufacturing Businesses and Undeveloped
RR	Railroad	Railroad
ELECTRIC LINEAR AND SURROUNDING LAND USES		
AE-5	Exclusive 5 Acre Agricultural District	Agricultural and Agricultural Related Uses
R-1	Single Family Residential	Single Family Residential
C-3	Regional Shopping Center District	Undeveloped
C-M	Commercial and Light Manufacturing District	Designated Land Undeveloped
M-1	Light Manufacturing District	Manufacturing Businesses and Undeveloped
RR	Railroad	Railroad
SEWER LINEAR AND SURROUNDING LAND USES		
AE-5	Exclusive 5 Acre Agricultural District	Agricultural and Agricultural Related Uses
R-1	Single Family Residential	Single Family Residential
C-3	Regional Shopping Center District	Undeveloped
C-M	Commercial and Light Manufacturing District	Designated Land Undeveloped
M-1	Light Manufacturing District	Manufacturing Businesses and Undeveloped
RR	Railroad	Railroad

Land Use Element

Industrial is a primary land use designation categorized under the heading *Land Use* in the Urban Form Element of the 2025 City of Fresno General Plan. The purpose of the Industrial land use designation is to plan and support industrial development of which will promote job growth while enhancing Fresno’s urban environment. The project site, according to Exhibit 3, City of Fresno Current Planned Land Use Map, is designated Light Industrial. However, the General Plan text does not differentiate between Heavy and Light Industrial; therefore, no distinction is made in regards to the Industrial General Plan policies.

M-1 Light Manufacturing District

The BEC site is designated M-1 pursuant to Chapter 12, Section 226 of the Zoning Ordinance Code of the City of Fresno. Numerous additional zoning designations exist within 1 mile of the project site, which are provided in Table 5.9-3, Project Site and Surrounding Zoning (within 1 mile of Project Site). The purpose of the Zoning Ordinance is to translate the broad land use categories established by the Fresno County General Plan into detailed land use classifications that are applied to property with much greater precision than the General Plan.

**TABLE 5.9-3
PROJECT SITE AND SURROUNDING ZONING
(WITHIN 1 MILE OF PROJECT SITE)**

O	Open Conservation District
AE-5	Exclusive 5 Acre Agricultural District
R-A	Single Family Residential - Agriculture District
R-1	Single Family Residential District
R-1-C	Single Family Residential District
R-2	Low Density Multiple Family Residential District
R-3	Medium Density Multiple Family Residential District
R-P	Residential and Professional Office District
C-R	Commercial Recreation District
C-1	Neighborhood Shopping Center District
C-2	Community Shopping Center District
C-3	Regional Shopping Center District
C-6	Heavy Commercial District
C-M	Commercial and Light Manufacturing District
M-1	Light Manufacturing District

The M-1, or Light Manufacturing District, is intended to provide for the development of industrial uses that include fabrication, manufacturing, assembly, or processing of materials that are already in processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot, or lighting to any degree which might be obnoxious or offensive to persons residing in or conducting business in either this or any other district. Typical uses prohibited in light manufacturing areas are residential uses, industrial plants, and various processing operations.

Figure 5.9-2, Zoning and Planned Land Use, presents the location of land uses with respect to the project area.

Section 5.4, Agricultural/Soils, provides an assessment of the BEC effects on soil resources in the project area.

Site Control

A trucking company/contractor storage yard owns the BEC site and will lease or sell the 12.3-acre parcel to BEC at the option of BEC. The temporary construction laydown and parking site is approximately 9.2 acres and is located immediately to the north of the plant site. A short-term lease will be in place with the property owner of the laydown site prior to construction.

5.9.1.4 Worker Parking and Equipment Laydown Locations

Material and equipment staging areas will be required during the construction period. Areas within the site boundary and the 9.2-acre laydown area immediately to the north of the site will serve as base stations for employees, field office locations, laydown areas, and storage of materials, equipment, and vehicles.

The laydown area is located directly north of the proposed power plant site. Figure 5.9-3, Existing Land Use Map, provides additional information on the laydown area. The laydown area will revert back to a vacant use upon completion of the construction phase.

5.9.1.5 Summary of Recent Actions of the Planning Department of Fresno County

According to Arnaldo Rodriguez, Planner III with the City of Fresno (September 5, 2006), the zoning trend has been to urbanize surrounding properties. Specifically, properties west of the subject site (west of Highway 99) from agricultural type uses to single family residential, many of which are currently under construction (several hundred). Adjacent to the BEC, several individuals have inquired about industrial/commercial uses, however to date, plans have not been formally submitted. Property to the east of the site (plus or minus [±] 1,000 feet) is currently developed with conventional type homes (i.e., 6,000 square-foot lots, 2,000 square-foot homes). In short, the latest trend is to urbanize the immediate area, which has been occurring during the preceding 6 or more years.

A list of discretionary reviews performed by the City of Fresno since 2004 within 1-mile of the project site is included in Table 5.9-4, Discretionary Reviews Performed Since 2004 (2-mile Radius: City of Fresno).

**TABLE 5.9-4
DISCRETIONARY REVIEWS PERFORMED SINCE 2004
(2-MILE RADIUS: CITY OF FRESNO)**

Permit Type/Name	Permit Number	APN Sheet Number	Date	Description
CUP	C-06-192	506-09 (1745)	2006	Single Family Residence on Vacant Lot on PUD
CUP	C-06-188	506-23 (1845)	2006	Large Family Daycare
CUP	C-06-144	508-11 (1945)	2006	Japanese Restaurant
CUP	C-06-117	506-13 (1844,1845)	2006	Linked with A-05-024
CUP	C-06-052	506-13 (1844,1845)	2006	No Records Yet (too new)
CUP	C-06-052	504-08 (1743,1843,1844)	2006	No Records Yet (too new)
CUP	C-05-213	508-02 (1844)	2005	Gymnastics Club
CUP	C-05-289	505-12 (1944)	2005	Beauty Shop
CUP	C-05-242	505-15	2005	Comcast Public Utilities Facility
CUP	C-05-048	506-01 (1744,1745)	2005	80-Unit Apartment
CUP	C-05-017	508-08 (1945)	2005	Cell Tower
CUP	C-04-285	506-19 (1845)	2004	Large Family Daycare

**TABLE 5.9-4
DISCRETIONARY REVIEWS PERFORMED SINCE 2004
(2-MILE RADIUS: CITY OF FRESNO)**

Permit Type/Name	Permit Number	APN Sheet Number	Date	Description
CUP	C-04-267	504-08 (1743,1843,1844)	2004	199 Single Family Residential Units on 51 Acres
CUP	C-04-101	505-06 (1683,1692)	2004	14-foot Waterslide for the Waterpark
CUP	C-04-085	505-07 (1183,2159)	2004	AT&T Wireless Radio Cabinet
CUP	C-04-083	508-04 (1944)	2004	AT&T Wireless Antenna on Existing Cell Tower
CUP	C-04-042	505-07 (1183,2159)	2004	Authorize Residential Planned Development, Designated R-1/UGM and C-1/UGM
GP Amendment	A-05-025	504-08 (1743,1843,1844)	2005	Redesignate Residential Medium Density to Medium High Density Residential, Zoning Change from AE-20 to R-2
GP Amendment	A-05-024	506-13 (1844,1845)	2005	Change from Neighborhood Commercial & Medium Density Residential to Medium to High Residential
Rezone	R-06-014	506-13 (1844,1845)	2006	No Records (too new)
Rezone	R-06-014	504-08 (1743,1843,1844)	2006	No Records (too new)
Rezone	R-05-123	504-08 (1743,1843,1844)	2005	Linked with A-05-025
Rezone	R-05-122	506-13 (1844,1845)	2005	Linked with A-05-024
Rezone	R-05-116	508-10 (1945)	2005	Terminated – was Rezone on Site Plan
Rezone	R-04-090	508-10 (1945)	2004	Rezone to C-6/cz from R-1-C
Rezone	R-04-022	505-06 (1683,1692)	2004	Rezone to C-3/UGM/cz from AE-5

Notes:

- APN = assessor's parcel number
 CUP = Conditional Use Permit
 GP = General Plan
 PUD = Public Utility District

5.9.2 Environmental Consequences

The following section discusses the potential effects of site preparation, construction, and operation on existing land uses and land use resources of the project area. Potential cumulative impacts are also discussed.

Other issues related to land use are addressed in Section 5.2, Air Quality; Section 5.11, Traffic/Transportation; Section 5.12, Noise; Section 5.13, Visual Resources; and Section 5.18, Cumulative Impacts.

Potential environmental consequences were analyzed for the study area within 1-mile of the project site and within ¼ mile of proposed linears. Potential land use impacts relate to both the construction and operation of the BEC and any ancillary facilities.

5.9.2.1 Plant Facility

Site Preparation

Site preparation will involve the grading of a portion of the proposed plant site and laydown area. These areas are relatively level with a slight slope down to the south; therefore, little earthwork and grading will be necessary. These impacts are temporary in nature and not considered significant.

Construction

Construction activities will include all work on the main site, installation and connection of off-site utilities, pipelines and transmission line upgrades, the construction of an on site switchyard, and plant startup. Sequential activities for on-site and off-site work include: site preparation; foundation construction; erection of major equipment and structures; installation of piping, electrical systems and control systems; and startup/testing.

Electricity generated by the BEC will be delivered to a new PG&E electrical sub-station to be located on site. The sub-station will be a looping sub-station with the Herndon-Kearney 230 kV transmission line, which currently traverses the plant site property. Interconnection at this sub-station will minimize impacts to the PG&E transmission system while providing efficient power for use during peak demand.

Construction activities have the potential to create temporary impacts to local roadways along the access route. Construction activities may also create additional noise, dust, and emissions from grading equipment and other construction vehicles. Additional information on these issues is provided in Section 5.2, Air Quality, and Section 5.12, Noise.

Residences and businesses located near the project site may experience short-term impacts associated with facility construction, including visual disruption, dust, increased traffic, and project equipment and vehicle emissions (see Section 5.2, Air Quality; Section 5.11, Traffic/Transportation; Section 5.12, Noise; and Section 5.13, Visual Resources). However, the temporary construction impacts have been determined not to be significant. The BEC will comply with applicable noise standards.

Overall, construction activities will result in short-term land use impacts. However, due to the compatibility with existing land uses the small traffic increase during project construction is considered less than significant.

Operations and Maintenance

There are no changes proposed to the land uses or zoning designations surrounding the area of the BEC. The existing character of the immediate area surrounding the project site will remain unchanged by the development of the project. The use of the plant site will change from light manufacturing to electrical power generation.

Power generating facilities are a permitted use in the M-1, Light Manufacturing District with a Director Classification CUP. The project site has historically been used as a trucking operation facility. The proposed use of the site as a power generating facility is consistent with the General

Plan, as shown by the City's issuance of a CUP for a power generating facility to DG Power, LLC on this site. The character and uses on and around the project site are similar to the uses that existed during the time of the DG Power CUP issuance.

The plant layout is consistent with the Property Development Standards for the M-1 Zone District. Section 816.5 of the Zoning Ordinance regulates building height to 50 feet with the exception of "non-dwelling structures and other accessory farm buildings." The proposed stacks and variable bleed vents are non-dwelling structures thus exempt from the 50-foot height limitation.

The plant operations for the BEC will consist of approximately nine employees. The construction period will last approximately 16 months, with the peak construction period consisting of 256 workers during the ninth month.

There is no habitat conservation plan or natural community conservation plan within or near the BEC.

Abandonment/Closure

Planned permanent closure impacts will be incorporated into the facility closure plan and evaluated at the end of the generating station's operating life.

5.9.2.2 Worker Parking and Staging Areas

Site Preparation

Material and equipment staging areas required during the site preparation and construction period will utilize an adjacent 9.2-acre site. Land uses in the vicinity of the laydown area and parking areas will most likely experience temporary disturbances related to air quality, traffic, noise, and visual resources during the construction period. Impacts are not considered significant due to the temporary nature of the construction.

5.9.2.3 Cumulative Impacts

The assessment of cumulative impacts for this project includes a review of other projects where an application has been filed with the City of Fresno, as well as projects anticipated by the CEC.

The project list was compiled by comparing the 2005 City of Fresno aerial photographs and the Official Zoning Maps within a 1-mile radius of the BEC. The parcels that have existing development were omitted from consideration, as they could not have an effect on future, cumulative impacts. The parcels that did not show development on the aerials but did have permit activity were noted for further research.

The completed list had permits dating back to 1993. It was determined that only projects that have occurred since 2005 would be considered. The reason for this is that the aerial photos were taken in 2005; therefore, the 2005 aerials could not account for any permits applied for since this point in time.

Additional areas near the BEC site will also be developed consistent with the goals and policies contained in the General Plan. Future residential development is anticipated during the life of

the BEC as indicated by Figure 5.9-2, Zoning and Planned Land Use. However, there are no additional school sites within 1-mile of the BEC site anticipated in support of the additional residential development. The one school site is shown on Figure 5.9-3, Existing Land Use Map. Agriculturally zoned lands within one mile of the site are shown on Figure 5.9-4, Zoned Agricultural Land.

This project area and the surrounding area have not had consistent major development projects during the past 18 months, and three sizeable residential projects may be considered in the foreseeable future. Refer to Table 5.18-1, Cumulative Project List, in Section 5.18, Cumulative Impacts, for information on these potential projects.

5.9.3 Mitigation Measures

The project will cause no significant adverse land use impacts and will not conflict with existing land use activities in the area. Therefore, no land use mitigation measures were identified.

5.9.4 Applicable Laws, Ordinances, Regulations, and Standards

Laws, ordinances, regulations, and standards (LORS) related to land use and their applicability to the project are summarized in Table 5.9-5, LORS and Compliance for Land Use. The BEC will be constructed and operated in compliance with all applicable land use LORS, as discussed below.

**TABLE 5.9-5
LORS AND COMPLIANCE FOR LAND USE**

Conformance (Section)	LORS	Jurisdiction	Applicability
Federal			
No federal LORS have been identified			
State			
5.9.5.2	California PRC *25523 (a); 20 CCR **1752, 1752.5, 2300-2309, and Chapter 2, Subchapter 5, Appendix B, Part (I) (3) and (4)	CEC	Evaluate compatibility of the project with relevant land use plans.
5.9.5.2	California State Planning Law, Government Code Section 65300 through 65302	City of Fresno	Requires each city and county to adopt a comprehensive general plan for the physical development of the county or city. Requirements identify contents of General Plan. City of Fresno has adopted a General Plan. No project action is required.

**TABLE 5.9-5
LORS AND COMPLIANCE FOR LAND USE**

Conformance (Section)	LORS	Jurisdiction	Applicability
Local			
5.9.1.3, 5.9.5.3	City of Fresno General Plan	City of Fresno Planning & Development Department	Comply with all applicable land use provisions.
5.9.5.3	City of Fresno Zoning Ordinance	City of Fresno Planning & Development Department	Comply with applicable policies, development standards, and specific zoning requirements.
5.9.5.3	City of Fresno Municipal Code	City of Fresno Planning & Development Department	Comply with all applicable City ordinances.
5.9.5.3	City of Fresno General Plan-2002 Land Use/Industrial Element: <i>Objectives, and Policies</i> , Objective C-13	City of Fresno Planning & Development Department	Plan and support industrial development to promote job growth while enhancing Fresno’s urban environment.
5.9.5.3	City of Fresno General Plan-2002 Land Use/Industrial Element: <i>Objectives, and Policies</i> , Policy C-13-c	City of Fresno Planning & Development Department	Promote development on “developable sites” identified in the Strategic Plan and Application for the Fresno Empowerment Zone.
5.9.5.3	City of Fresno General Plan-2002 Land Use/Industrial Element: <i>Objectives, and Policies</i> , Policy C-13-d	City of Fresno Planning & Development Department	Plan industrial land that lies in close proximity to residential areas for the least intense categories of industrial activity.
5.9.5.3	City of Fresno General Plan-2002 Land Use/Industrial Element: <i>Objectives, and Policies</i> , Policy C-13-g	City of Fresno Planning & Development Department	In the comprehensive update of the zoning ordinance, re-evaluate permitted uses, site size, and parking for industrial districts.
5.9.5.3	City of Fresno General Plan-2002 Land Use/Industrial Element: <i>Objectives, and Policies</i> , Policy C-13-h	City of Fresno Planning & Development Department	Ensure that an adequate amount of area is planned for light industrial uses at appropriate locations where transportation, public utilities, and other necessary resources can be provided in an economically advantageous manner.
5.9.5.3	City of Fresno General Plan-2002 Land Use/Industrial Element: <i>Objectives, and Policies</i> , Policy C-13-i	City of Fresno Planning & Development Department	Provide sufficient opportunities for heavy industrial planned uses in areas that are accessible from major transportation corridors, and where land use compatibility issues, health and safety concerns and public facility and service needs can be addressed to ensure stability of economic investments and opportunities for growth.

**TABLE 5.9-5
LORS AND COMPLIANCE FOR LAND USE**

Conformance (Section)	LORS	Jurisdiction	Applicability
5.9.5.3	City of Fresno General Plan- 2002 Land Use/Residential Element: <i>Objectives, and Policies</i> , Policy C-11-d	City of Fresno Planning & Development Department	Buffer multi-family development projects from adverse environmental impacts (e.g., indoor and outdoor noise, glare) to the same extent as single-family development projects.
5.9.5.3	City of Fresno General Plan- 2002 Image, Urban Form Element: <i>Objectives, and Policies</i> , Policy C-19-e	City of Fresno Planning & Development Department	Working with utility companies, the City will continue to pursue the undergrounding of overhead utilities as feasible.
5.9.5.3	City of Fresno General Plan- 2002 Economic Development Element: <i>Objectives, and Policies</i> , Policy D-1-g	City of Fresno Planning & Development Department	Develop, maintain, and support transportation, communications, public service, energy, water, and waste disposal systems that meet the needs of businesses.
5.9.5.3	City of Fresno General Plan- 2002 Open Space/Recreation Element: <i>Objectives, and Policies</i> , Policy F-5-f	City of Fresno Planning & Development Department	The City should coordinate with private interests such as commercial, industrial, and residential real estate developers to meet community needs while minimizing the cost of providing park and recreation facilities.
5.9.5.3	City of Fresno General Plan- 2002 Noise Element: <i>Objectives, and Policies</i> , Policy H-1-e	City of Fresno Planning & Development Department	The City shall develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the development review and building permit process.
5.9.5.3	West Area Community Plan- 2002 Objectives and Policies, Policy W-7-e	City of Fresno Planning & Development Department	All loading spaces shall be located not less than 150 feet from the boundary of any residential property
5.9.5.3	West Area Community Plan- 2002 Objectives and Policies, Policy W-7-l	City of Fresno Planning & Development Department	Ensure that new industrial development is compatible with adjacent land uses and is not aesthetically or environmentally detrimental.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226	City of Fresno Planning & Development Department	Defines “M-1” Light Manufacturing District.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.3	City of Fresno Planning & Development Department	Defines uses subject to CUP.

**TABLE 5.9-5
LORS AND COMPLIANCE FOR LAND USE**

Conformance (Section)	LORS	Jurisdiction	Applicability
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5	City of Fresno Planning & Development Department	Defines property development standards within M-1.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5A	City of Fresno Planning & Development Department	Provides regulations for lot area.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5B	City of Fresno Planning & Development Department	Provides regulations for lot dimensions.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5C	City of Fresno Planning & Development Department	Provides regulations for population density.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5D	City of Fresno Planning & Development Department	Provides regulations for building height.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5E	City of Fresno Planning & Development Department	Provides regulations for yards.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5F	City of Fresno Planning & Development Department	Provides regulations space between buildings.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5H	City of Fresno Planning & Development Department	Provides regulations for fences, hedges, and walls.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.5L	City of Fresno Planning & Development Department	Provides regulations for loading spaces.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-314	City of Fresno Planning & Development Department	Defines permit process.
5.9.5.3	City of Fresno Zoning Ordinance Section 12-226.6 & Section 12-406	City of Fresno Planning & Development Department	Site Plan Review.

**TABLE 5.9-5
LORS AND COMPLIANCE FOR LAND USE**

Conformance (Section)	LORS	Jurisdiction	Applicability
5.9.5.3	City of Fresno Zoning Ordinance Section 12-405 & 12-408	City of Fresno Planning & Development Department	CUP process/authority & Director Class .CUP

Notes:

- CCR = California Code of Regulations
- CEC = California Energy Commission
- CUP = Conditional Use Permit
- LORS = Laws, Ordinances, Regulations, and Standards
- PRC = Public Resources Code

5.9.4.1 Federal

There are no federal LORS related to the land use associated with the BEC.

5.9.4.2 State

*California Public Resources Code *25523 (a); 20 CCR **1752, 1752.5, 2300-2309, and Chapter 2, Subchapter 5, Appendix B, Part (I) (3) and (4)*

These codes require that the applicant evaluate the compatibility of the project with relevant land use plans. The administering agency for the above is the CEC. This requirement is met via Section 5.9.4.3, Local, below.

California State Planning Law, Government Code Section 65300 through 65302

This code requires each planning agency to prepare and the legislative body of each county and city to adopt a comprehensive General Plan for the physical development of the county. The General Plan shall address seven mandatory elements including a land use element.

The administering agency for these state requirements is City of Fresno. Conformance is discussed in Section 5.9.4.3, Local.

5.9.4.3 Local

The City of Fresno General Plan, adopted in 2002, reflects the values and contains the goals of the community with respect to development. The Plan is general in nature and provides a vision of the future. The General Plan contains an evaluation of existing conditions and provides long-term goals and policies to guide growth and development for the next 25 years. The General Plan is implemented by the City through its zoning, subdivision ordinances, specific plans, growth management policies, planned development districts, development agreements, development review, code enforcement, land use database, capital improvement programs, environmental review procedures, building and housing codes, and redevelopment plans. The site is designated a Light Manufacturing use.

Urban Form Element Policy Compatibility

The following General Plan urban form policies apply to the plant site:

- Enhance the quality of life for the citizens of Fresno and plan for the projected population within the moderately expanded Fresno urban boundary in a manner that will respect physical, environmental, fiscal, economic, and social issues.
- Provide activity centers and intensity corridors within plan areas to create a mix of land uses and amenities to foster community identity and reduce travel.
- Recording the City government’s policies and standards for the maintenance and improvement of existing development and the location and characteristics of future development.
- Providing the City of Fresno citizens with information about their community and with opportunities to participate in the local planning and decision-making process.
- Improving the coordination of community development and environmental protection activities among the County, cities, and regional, state, and federal agencies.
- Establishing a basis for subsequent planning efforts, such as preparation and updating of community plans, specific plans, redevelopment plans, and special studies to deal with unique problems or areas in the community.

Land Use/Industrial Policies

Applicable industrial land use policies from City of Fresno General Urban Form Element include the following:

Objective C-13

Plan and support industrial development to promote job growth while enhancing Fresno’s urban environment.

The 2025 General Plan Land Use Map designates the BEC site as light industrial with the surrounding area having the same designation. The zoning is M-1, Light Manufacturing. The plan for this area is for industrial development, and the BEC supports this plan. Through industrial development such as BEC, job growth is promoted.

Policy C-13-c

Promote development within the designated industrial “Developable Sites” identified in the Strategic Plan and Application for the Fresno Empowerment Zone (Round III) as awarded by the U.S. Department of Housing and Urban Development in January 2002.

The site is not located within the “Developable Sites” industrial designated land.

Policy C-13-d

Plan industrial land that lies in close proximity to residential areas for the least intense categories of industrial activity.

The project site is located in close proximity to residential areas, approximately 800 feet to the nearest residence. While the BEC is an intense use, it will not cause any significant adverse impacts to the residential areas nearby.

Policy C-13-g

In the comprehensive update of the zoning ordinance, re-evaluate permitted uses, site size, and parking for industrial districts. Explore the use of shared parking arrangements, underground parking facilities, and multi-story parking structures, for meeting industrial needs.

On-site parking has been designed to meet the parking demand of the BEC.

Policy C-13-h

Ensure that an adequate amount of area is planned for light industrial uses at appropriate locations where transportation, public utilities, and other necessary resources can be provided in an economically advantageous manner necessary to attract substantial economic and employment growth.

The subject site is located adjacent to Highway 99 with access off of North Golden State Boulevard, which has been recently re-paved and expanded into four-lanes. The Burlington Northern Santa Fe rail line runs parallel to and immediately east of North Golden State Boulevard.

Off-site improvements will provide the subject site and surrounding area with necessary infrastructure, including: an approximately 9,500 linear-foot gas pipeline; a 300-foot water supply linear; and an approximately 1,500 foot sewer linear. PG&E will need to re-conductor approximately 2 miles of the Herndon-Kearney 230 kV line.

Policy C-13-l

Provide sufficient opportunities for heavy industrial planned uses in areas that are accessible from major transportation corridors, and where land use compatibility issues, health and safety concerns and public facility and service needs can be addressed to ensure stability of economic investments and opportunities for growth.

The area has sufficient road and rail transportation access, see *Policy C-13-h* response. The area is designated Industrial, and is zoned Light Manufacturing. The area is designed for industrial uses, thus any compatibility issues and health and safety concerns can be mitigated to a level of no significance. Public service needs will be addressed by the development of the BEC.

Land Use/Residential Policies

Applicable residential land use policies from the City of Fresno General Plan Urban Form Element include the following:

Policy C-11-d

Buffer multi-family development projects from adverse environmental impacts (e.g., indoor and outdoor noise, glare) to the same extent as single-family development projects.

The multi-family residential developments that exist within the 1-mile radius are located 2,500 feet away from the site and have a larger buffer than the single-family developments.

Additionally, the only other proposed multi-family development within the 1-mile radius is located 4,000 feet away from the plant site.

Image/Gateways and Streetscapes

Applicable image/gateways and streetscapes policies from the City of Fresno General Plan Urban Form Element include the following:

Policy C-19-e

Working with utility companies, the City will continue to pursue the undergrounding of overhead utilities as feasible.

All proposed linears and ancillary improvements will be located underground.

Economic Development Policies

Applicable economic development policies from the City of Fresno General Plan Economic Development Element include the following:

Policy D-1-g

Develop, maintain, and support transportation, communications, public service, energy, water, and waste disposal systems that meet the needs of businesses.

The BEC is an energy production plant that will produce power that will meet the needs of business located within the City of Fresno, and likely beyond the City's boundaries.

Open Space/Recreation Policies

Applicable open space/recreation policies from the City of Fresno General Plan Open Space/Recreation Element include the following:

Policy F-5-f

The City should coordinate with private interests such as commercial, industrial, and residential real estate developers to meet community needs while minimizing the cost of providing park and recreation facilities.

Noise Policies

Applicable noise policies from the City of Fresno General Plan Noise Element include the following:

Policy H-1-e

The City shall develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the development review and building permit process.

The intent of this program will be met by the CEC compliance verification measures.

West Area Community Plan Policies

Applicable West Area Community Plan goals and policies from the City of Fresno General Plan: Appendix W includes the following:

Goal

Develop the West Area as a planned community with a complete range of services and facilities for the needs of community residents, in adherence to a set of specific standards for residential, commercial, industrial, and public infrastructure development, with special emphasis on minimization of land use conflict between agriculture and urban uses.

Policy W-7-e

All loading spaces shall be located not less than 150 feet from the boundary of any residential property; however, the proximity of loading areas may be reduced when adequate design and operational measures (such as restricted hours for loading activities) are approved to mitigate noise, lights, and other nuisances associated with loading areas, in order to protect adjacent residential uses. In all cases, loading areas shall be screened from view of adjoining property zoned, planned, or approved for residential uses. This screening shall be accomplished by either placing loading docks and areas on the sides of buildings that face away from residential property, or by a combination of landscape planting and a solid masonry wall. Where possible, loading areas should not be visible from, nor take access from local streets with residential frontage.

Policy W-7-l

The following policies shall ensure that new industrial development is compatible with adjacent land uses and is not aesthetically or environmentally detrimental.

- Industrial areas shall be located and designed such that industrial truck and vehicular traffic will not route through local residential streets.
- Apply City M-1-P zone district requirements and property development standards to industrial development entitlements adjacent to properties zoned, planned, or otherwise approved for residential uses.

The BEC meets the applicable policies listed above from the West Area Community Plan.

The BEC development as depicted on the proposed plans meet the applicable policies listed above from the West Area Community Plan.

City of Fresno Municipal Code

This code includes the regulatory and penal ordinances as well as the administrative ordinances of Fresno County. A list of applicable Fresno County Municipal and Zoning Code Ordinances is included in Table 5.9-5, LORS and Compliance for Land Use.

According to the City of Fresno Zoning Ordinance, a non-nuclear electrical generation facility is allowed in the M-3 (Heavy Industrial) District with a Director Classification CUP (see Section 5.9.1, Affected Environment). The project parcel is zoned M-1, which does not list electrical generation as a permitted use.

The City can process this project by Section 12.301-B. This section permits uses subject to a CUP (Director’s Class), as long as the use is not expressly prohibited. The BEC is not expressly prohibited in the M-1 District. The relevant use is No. 11 within Section 12.301-B, which states a public utility or public service structures are permissible. Even though the BEC will be privately owned and operated, it will provide energy to PG&E, which is a bona fide public utility.

The BEC will be designed and constructed to meet the zoning requirements of the current zoning district, M-1, Light Manufacturing.

5.9.4.4 Involved Agencies and Agency Contacts

Agency contacts for agencies with jurisdiction to issue applicable permits and/or enforce LORS related Land Use regulations are provided in Table 5.9-6, Agency Contacts. A complete list of applicable City of Fresno Municipal and Zoning Code Ordinances are included in Table 5.9-5, LORS and Compliance for Land Use.

**TABLE 5.9-6
AGENCY CONTACTS**

Agency	Contact	Title	Telephone
City of Fresno, Planning and Development Department	Arnoldo Rodriguez	Planner III	559-621-8633

5.9.4.5 Fresno County Permits and Approvals Required

The following permits and approvals are required from Fresno County:

- A building permit would be required prior to commencement of construction proposed for the project linear facilities for the BEC. The 2001 California Building Standards Code has been adopted by the County of Fresno through Ordinance 03-001 § 1 (part): Ordinance 01-016 (part). The BEC would submit the building permit application and plan check fees prior to issuance of building permits. Building permits are non-discretionary and require approximately three weeks to obtain.
- The use of the site as a power generation facility would necessitate a Director’s Class CUP. The findings required for approval are described in Section 5.9.1, Affected Environment, of this section.
- Table 5.9-7, Permits Required, lists the permits required.

**TABLE 5.9-7
PERMITS REQUIRED**

Issuing Agency	Chapter-Section-Article	Type of Permit
City of Fresno	13-1-1	Building Permit
City of Fresno	13-1-1	Grading
City of Fresno	12-405, 12-408	Conditional Use Permit
County of Fresno	15.08	Building Permit (Linears)

5.9.5 References

California Energy Commission. 2000a. Improvements to the Energy Commission’s Energy Facility Licensing Process. March.

———. 2000b. Energy Facility Licensing Process: Developer’s Guide of Practices and Procedures. Staff Report/Draft. December 7.

City of Fresno. 2002. General Plan.

———. 2000b. The Municipal Code of the City of Fresno Chapters 12 and 13.

Rodriguez, A. 2006. City of Fresno Planning and Development Department. Personal communication with J. Schneider (URS Corporation).

Adequacy Issue: Adequate _____ Inadequate _____

DATA ADEQUACY WORKSHEET

Revision No. 1 Date _____

Technical Area: _____

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	5.9.1.2 5.9.2.1 5.9.2.3	Yes	
Appendix B (g) (3) (A)	A discussion of existing land uses and current zoning at the site, land uses and land use patterns within 1 mile of the proposed site and within ¼ mile of any project-related linear facilities. Include:	5.9.1.3 5.9.1.3.1	Yes	
Appendix B (g) (3) (A) (i)	An identification of residential, commercial, industrial, recreational, scenic, agricultural, natural resource protection, natural resource extraction, educational, religious, cultural, and historic areas, and any other area of unique land uses;	5.9.1.3.1	Yes	
Appendix B (g) (3) (A) (ii)	A discussion of any trends in recent zoning changes and potential future land use development;	5.9.1.5	Yes	
Appendix B (g) (3) (A) (iii)	Identification of all discretionary reviews by public agencies initiated or completed within 18 months prior to filing the application for those changes or developments identified in subsection (g)(3)(A)(ii); and	5.9.1.5	Yes	

Adequacy Issue: _____

Adequate _____ Inadequate _____

Revision No. 1 Date _____

Technical Area: _____

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

DATA ADEQUACY WORKSHEET

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (3) (A) iv	Legible maps of the areas identified in subsection (g)(3)(A) potentially affected by the project, on which existing land uses, jurisdictional boundaries, general plan designations, specific plan designations, and zoning have been clearly delineated.	5.9-(1,2,3,4)	Yes	
Appendix B (g) (3) (B)	A discussion of the compatibility of the proposed facilities with present and expected land uses, and conformity with any long-range land use plans adopted by any federal, state, regional, or local planning agency. The discussion shall identify the need, if any, for variances or any measures that would be necessary to make the proposal conform with permitted land uses	5.9.1.3 5.9.2 5.9.5.3		
Appendix B (g) (15) (B)	A map at a scale of 1:24,000 and written description of agricultural land uses found within all areas affected by the project. The description shall include:	5.9-1		
Appendix B (g) (15) (B) (i)	Crop types, irrigation systems, and any special cultivation practices; and	5.9.1.3.1		
Appendix B (g) (15) (B) (ii)	Whether farmland affected by the project is prime, of statewide importance, or unique as defined by the Natural Resource Conservation Service of the California Department of Conservation.	5.9.1.3.1		
Appendix B (g) (15) (C)	An assessment of the effects of the project on soil resources and agricultural land uses. This decision shall include:			

Adequacy Issue: Adequate _____ Inadequate _____ **DATA ADEQUACY WORKSHEET** Revision No. 1 Date _____

Technical Area: **Land Use** Project: _____ Technical Staff: _____

Project Manager: Docket: _____ Technical Senior: _____

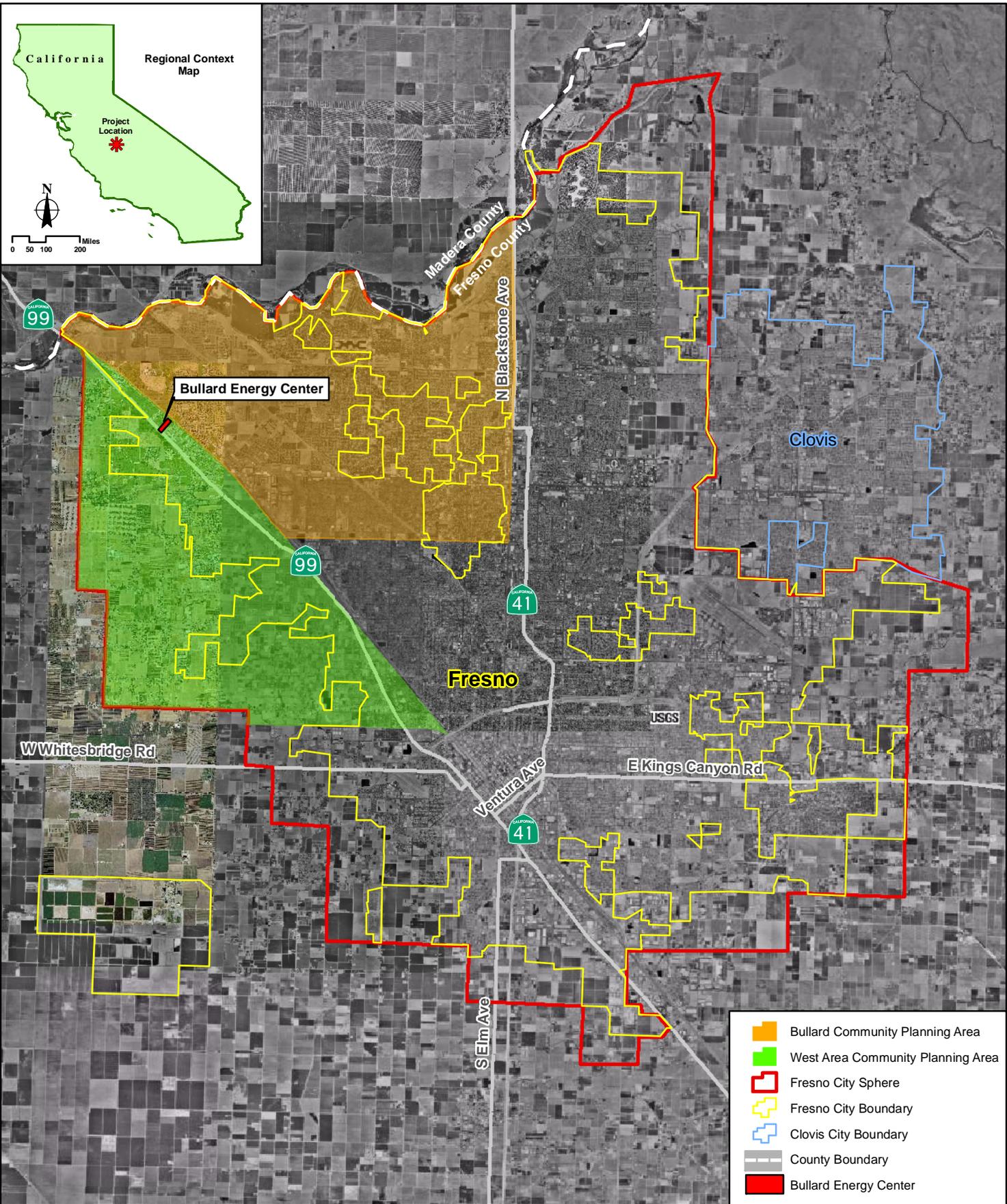
SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (g) (15) (C) (ii)	Direct and indirect effects on agricultural land uses.	5.9.1.2 5.9.1.3 5.9.1.3.1 5.9.1.4 5.9.2 5.9.2.1 5.9.2.2		
Appendix B (h) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, and permits applicable to the project, and a discussion of the applicability of each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed.	5.9.4		
Appendix B (h) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	5.9.4.4 5.9.4.5		
Appendix B (h) (2)	A discussion of the conformity of the project with the requirements listed in subsection (h)(1)(A).	5.9.4.3		
Appendix B (h) (3)	The name, title, phone number, and address, if known, of an official within each agency who will serve as a contact person for the agency.	5.9.4.4		

Adequacy Issue: Adequate _____ Inadequate _____ **DATA ADEQUACY WORKSHEET** Revision No. 1 Date _____

Technical Area: **Land Use** _____ Project: _____ Technical Staff: _____

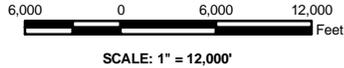
Project Manager: _____ Docket: _____ Technical Senior: _____

SITING REGULATIONS	INFORMATION	AFC PAGE NUMBER AND SECTION NUMBER	ADEQUATE YES OR NO	INFORMATION REQUIRED TO MAKE AFC CONFORM WITH REGULATIONS
Appendix B (h) (4)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.			



- Bullard Community Planning Area
- West Area Community Planning Area
- Fresno City Sphere
- Fresno City Boundary
- Clovis City Boundary
- County Boundary
- Bullard Energy Center

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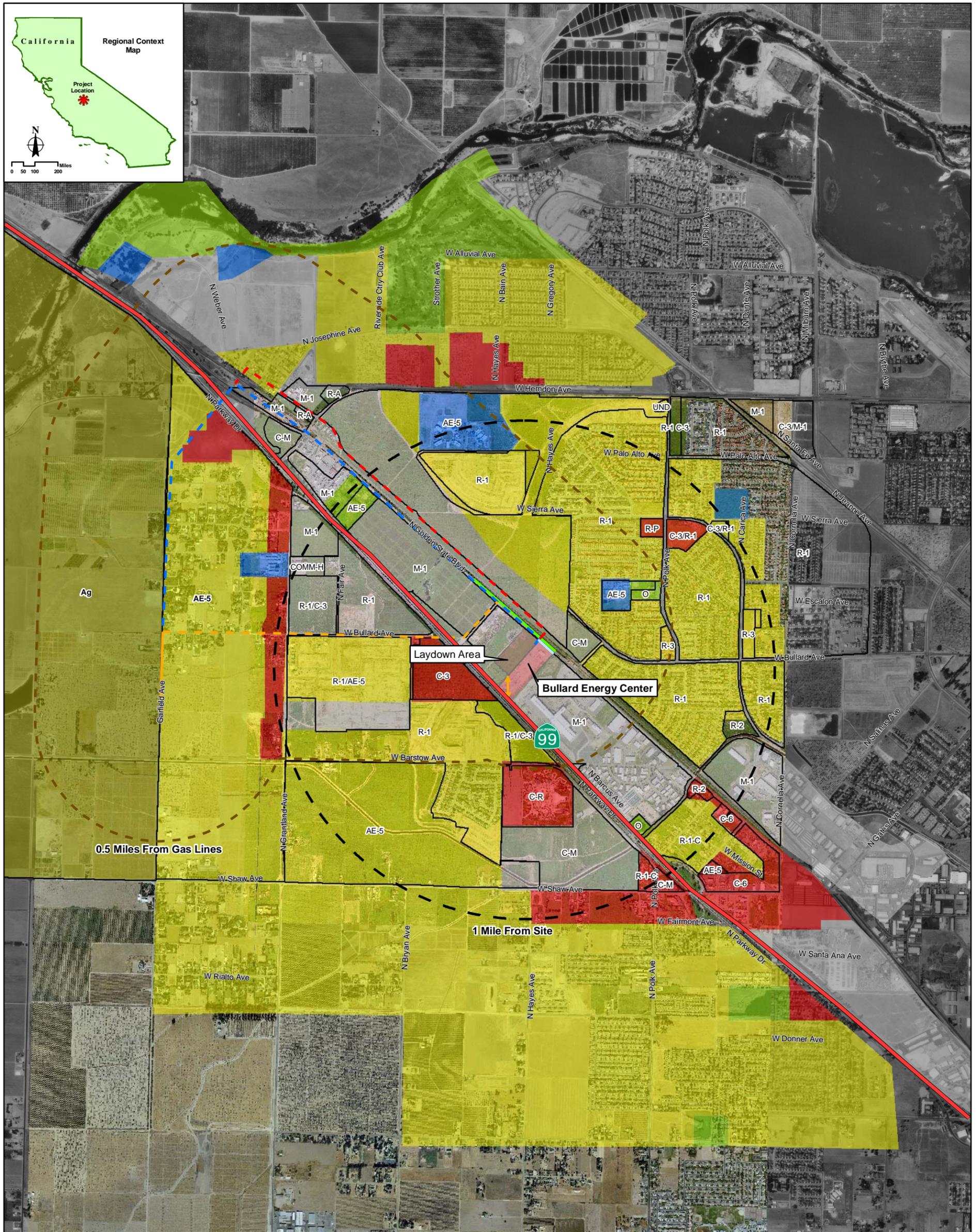
SOURCES:
 US Geological Survey (aerial 1998);
 Airphoto USA (color aerial Feb. 2005);
 ESRI (county/city boundaries);
 Fresno Sphere of Influence, Bullard and West Area
 Community Plan Boundaries were hand digitized from
 data on City of Fresno's GIS page
 (<https://dpuweb.ci.fresno.ca.us/VIEWFresno/start.cfm>).

Jurisdictional Map

Bullard Energy Center



FIGURE 5.9-1



- City of Fresno
Planned Land Use:**
- Residential
 - Commercial
 - Industrial
 - Open Space
 - Public Facilities
- Fresno County
Planned Land Use:**
- Agricultural

- City Zoning Designations**
- O Open Conservation District
 - AE-5 Exclusive Five Acre Agricultural District
 - R-1 Single Family Residential District
 - R-1-C Single Family Residential District
 - R-2 Low Density Multiple Family Residential District
 - R-3 Medium Density Multiple Family Residential District
 - R-P Residential and Professional Office District
 - C-3 Regional Shopping Center District
 - C-6 Heavy Commercial District
 - C-M Commercial and Light Manufacturing District
 - M-1 Light Manufacturing District

- County Zoning Designations**
- Ag Agricultural Land
- Other Designations:**
- Bullard Energy Center
 - Laydown Area

- Water Supply
- Electric Transmission Line
- Gas Route A
- Gas Route B
- Gas Route C
- PG&E Gas Reinforcement
- Proposed Sewer Line

1,000 0 1,000 2,000
Feet
SCALE: 1" = 2000'



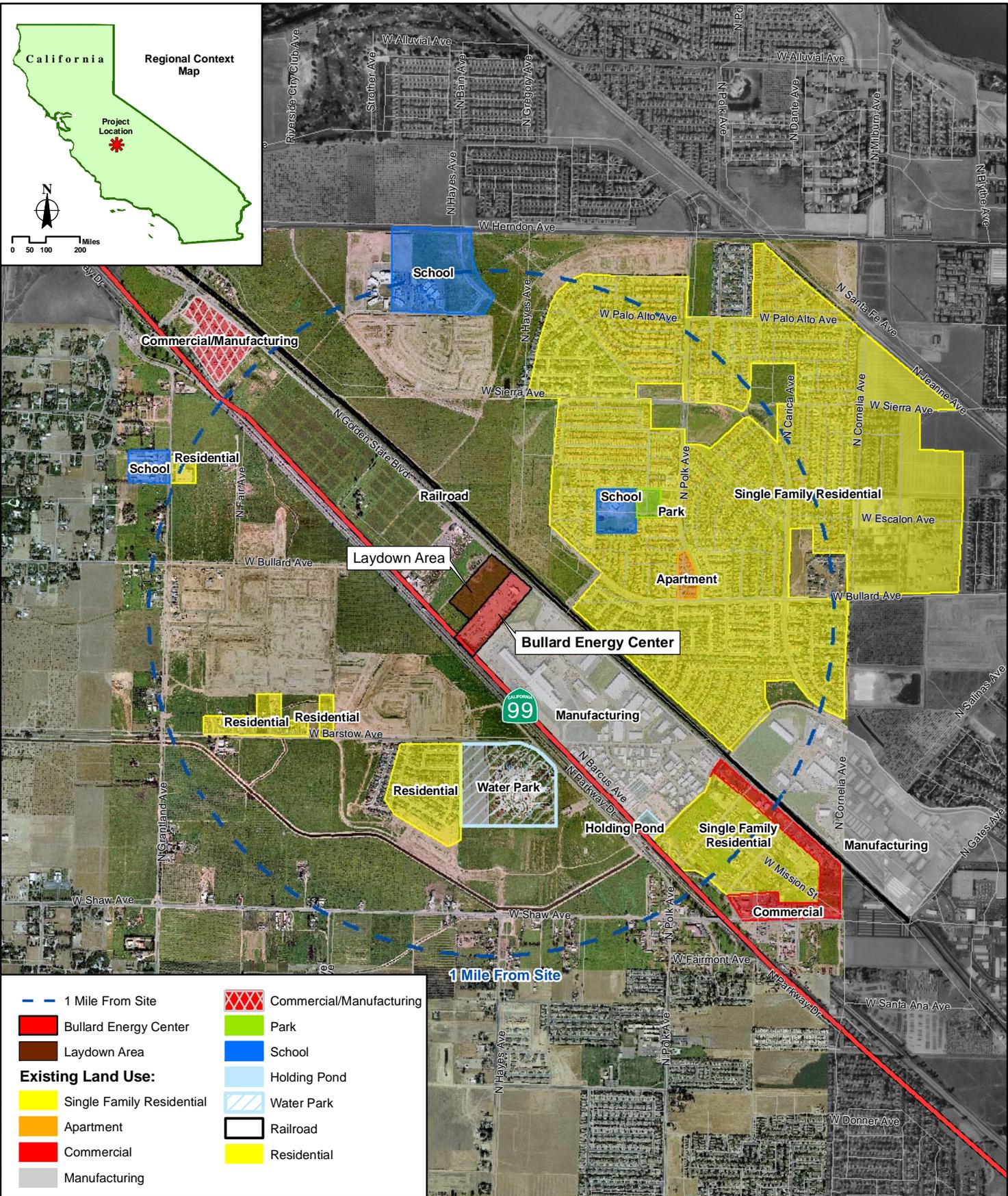
SOURCES:
Airphoto USA (color aerial Feb. 2005);
Western Mapping Center (aerial 1998);
Streetmap USA (streets);
Land Use and Zoning data hand digitized from data
on City of Fresno's GIS page
(<https://dpuweb.ci.fresno.ca.us/VIEWFresno/start.cfm>)

Zoning and Planned Land Use

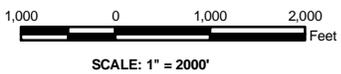
Bullard Energy Center



FIGURE 5.9-2



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SOURCES:
 Airphoto USA (color aerial Feb. 2005);
 Western Mapping Center (aerial 1998);
 Streetmap USA (streets);
 Land Use data was hand digitized
 from data on City of Fresno's GIS page
 (<https://dpuweb.ci.fresno.ca.us/VIEWFresno/start.cfm>)

Existing Land Use Map

Bullard Energy Center



FIGURE 5.9-3

