

**EXHIBIT LRP 2014-00015:E
AMENDMENTS TO THE RULES OF PROCEDURE
TO IMPLEMENT THE LAND CONSERVATION ACT OF 1965**

Amendments to Table 2 Agricultural and Compatible Uses for Lands Subject to Land Conservation Contracts and Farmland Security Zone Contracts

- The current USE GROUP “Electric Generation Plants” (renamed “Energy Generating Facilities” in the draft Renewable Energy Streamlining Program) to be retained as referenced in Table 2 – not allowed on contracted land.
- Add a new USE GROUP entitled “Renewable Energy Facilities” allowed subject to the criteria in new Appendix E 6 on property under contract in the Inland area of the county.
- Add note 12 to Table 2 referencing proposed Land Use Ordinance Section 22.32.020.A.2 Accessory Renewable Energy-Generating Facilities. On-site use Renewable Energy Facilities are allowed on contracted land subject to Title 22.
- Add note 13 to Table 2 referencing Appendix E 6 Criteria for RESP

The criteria to be added to the Rules of Procedure as Appendix E 6 are as follows:

Renewable Energy Facility (REF) projects are allowed on contracted land if they can satisfy the following criteria:

- a) These criteria apply to Renewable Energy Facilities only, not “Non-Renewable Energy Facilities” (“Electric Generation Plants” renamed “Energy Generating Facilities” in the draft Renewable Energy Streamlining Program) as defined in Title 22 which are not allowed uses on contracted land.
- b) Each property must meet and maintain the current eligibility criteria in the Rules of Procedure for both establishment of an agricultural preserve and entering into a land conservation contract as well as the “Minimum Parcel Size for Conveyance” required by each contract. A land owner with a contract not compliant with current eligibility standards may apply to requalify their property and enter into a new replacement contract as part of the application process for a REF project.
- c) A REF project may not be located on prime or potentially prime soils. (Prime or potentially prime soils are any soils classified as Class 1 or Class 2 by the Natural Resource Conservation Service soils survey).
- d) REF projects are not allowed on properties qualifying for preserves and contracts as High Productivity Prime Land (Small specialized Farms).

- e) For properties qualifying as a Prime Land Preserve the site area acreage for REF projects shall be in addition to the minimum acreage required to meet the 40 acre eligibility criteria. (A REF project on prime land preserve property must exceed 40 acres by the amount of the REF site acreage).
- f) For properties qualifying as Mixed Use (irrigated and non-irrigated uses) the required acreage shall be consistent with the 80 to 160 acre minimum parcel size based on eligible soils classes and uses. The acreage required for the REF site shall be in addition to the applicable minimum parcel size.
- g) For properties qualifying as Dry Land Preserves (non-irrigated Class 3 & 4 soils, minimum 160 acres in size — with 100 acres of Class 3 & 4 qualifying soils and current or historical dry farm agricultural use) the acreage required for the REF site shall be in addition to minimum parcel size of 160 acres.
- h) For properties qualifying as Rangeland Preserves (Class 6 & 7 or better soils and minimum 320 acres in size — with 100 acres of Class 6 & 7 qualifying soils and 100 acres with soils moderately to well-suited as rangeland) the REF project site shall be in addition to the minimum parcel size of 320 acres.
- i) REF project site acreage may not exceed 10% of the total acreage of the property under a land conservation contract up to but not to exceed 20 acres in size.
- j) The proposed REF project must be found consistent with the Principles of Compatibility in the Williamson Act [Government Code Section 51238.1(a) et seq.].
- k) All REF projects shall be reviewed by Department of Planning and Building staff through Site Plan application for projects up to 10 acres in site area and Minor Use Permit for projects over 10 acres in site area. All REF projects shall be reviewed for compliance with the above criteria. REF projects subject to Minor Use Permit review (or Conditional Use Permit if otherwise required) shall be presented to the Agricultural Preserve Review Committee for a recommendation to the Review Authority. The Agricultural Preserve Review Committee shall base their review on the criteria in the Rules of Procedure and the Principles of Compatibility.