

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: San Joaquin

44 N San Joaquin St #280

Stockton, CA 95202

From: (Public Agency): Banta Carbona Irrigation District
3514 W Lehman Rd

Tracy, CA 95304

(Address)

Project Title: Banta Carbona Irrigation District (BCID) Solar Project

Project Applicant: White Pine Renewables

Project Location - Specific:

32 acres of a 43-acre parcel, APN 239-270-12 in San Joaquin County

Project Location - City: Tracy

Project Location - County: San Joaquin

Description of Nature, Purpose and Beneficiaries of Project:

Construction and operation of an approximately 5-megawatt behind-the-meter solar photovoltaic energy generation facility on an approximately 30 acre site to provide an alternative energy source for the BCID Pump Station. See Attachment A for additional information about the project.

Name of Public Agency Approving Project: Banta Carbona Irrigation District

Name of Person or Agency Carrying Out Project: Banta Carbona Irrigation District

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☒ Statutory Exemptions. State code number: 15268

Reasons why project is exempt:

CEQA Guidelines Section 15268 state that ministerial projects are statutorily exempt from CEQA. The Project site is designated General Agriculture (A/G) in the San Joaquin County General Plan and requires ministerial approval only for a building permit and also requires a Zoning Compliance Review. See Attachment A for additional information and reasoning.

Lead Agency

Contact Person: David Weisenberger Area Code/Telephone/Extension: 209-835-4670

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: David Weisenberger Date: 10/15/2025 Title: General Manager

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

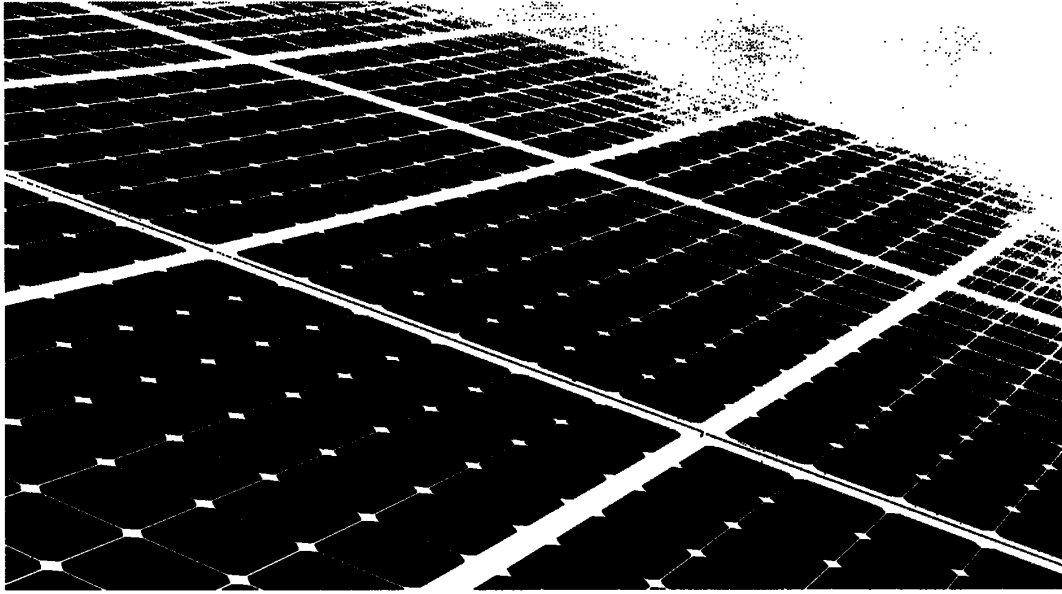
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Page: 1 of 13 Fee: \$50.00
Steve J. Bestolarides
San Joaquin County Clerk

By Deputy: cperezsuarez



Revised 2011



Banta Carbona Irrigation District Solar Project

Statutory Exemption Report

prepared for

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prepared by

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September 2025



RINCON CONSULTANTS, INC. SINCE 1994

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1 Introduction

This report serves as the documentation of analysis performed by Rincon Consultants, Inc. (Rincon) on behalf of BCID Solar, LLC ("Applicant") for the Banta Carbona Irrigation District Solar Project (Project). The Project involves construction and operation of an approximately 4.989-megawatt (MW) behind-the-meter solar photovoltaic (PV) energy generation facility located on Assessor Parcel Number (APN) 239-270-12. The Project is located on approximately 36 acres of a 46.68-acre parcel in unincorporated San Joaquin County, California, and would serve the Banta Carbona Irrigation District's (BCID) water pump facility. Power lines would extend from the Project site east towards a 12kV overhead electrical line that is connected to existing pump stations on the adjacent parcel, APN 239-230-07. The Project is located on previously disturbed land and would serve the existing BCID pump facility.

CEQA Guidelines Section 15268 state that a Statutory Exemption can be made for ministerial projects. According to Section *CEQA Guidelines* Section 15369, "Ministerial" describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal, subjective judgment in deciding whether or how the project should be carried out. The determination of what is "ministerial" can most appropriately be made by the public agency involved based upon its analysis of its own laws, and each public agency should make such determination either as a part of its implementing regulations or on a case-by-case basis which projects are considered exempt from CEQA.

This analysis evaluates whether the Project qualifies for a Statutory Exemption under the California Environmental Quality Act (CEQA) with the Banta Carbona Irrigation District as the CEQA Lead Agency. This report provides an introduction, project description, and evaluation of the Project's consistency with the requirements for a Statutory Exemption. The report concludes that the Project is eligible for a Statutory Exemption.

2 Project Description

2.1 Project Title

Banta Carbona Irrigation District Solar Project (Project)

2.2 Project Location and Setting

The Project is located at 190 W. Homestead Road in unincorporated San Joaquin County on Assessor's Parcel Number 239-270-12. The Project will occur on approximately 36-acres of a 46.68-acre parcel. A new power line will extend to the east to the adjacent parcel 239-230-07 to connect the new solar system to a 12kV overhead line. The Project site is located approximately 2.5 miles south of the edge of the City of Lathrop in an area characterized by agricultural land, water utility infrastructure, and rural residences. The Project site is bounded by agricultural land to the north and south, rural residences to the west, and an irrigation canal to the east. The site is accessed via Homestead Road and the terrain is generally flat.

Figure 1 illustrates the regional location of the Project site and Figure 2 shows the Project site boundary and the immediate surroundings.

2.3 General Plan and Zoning Designations

The Project site has a San Joaquin County General Plan land use designation of Agriculture/General (A/G).

The Project site is zoned as General Agriculture (AG-40) in the San Joaquin County Development Title.

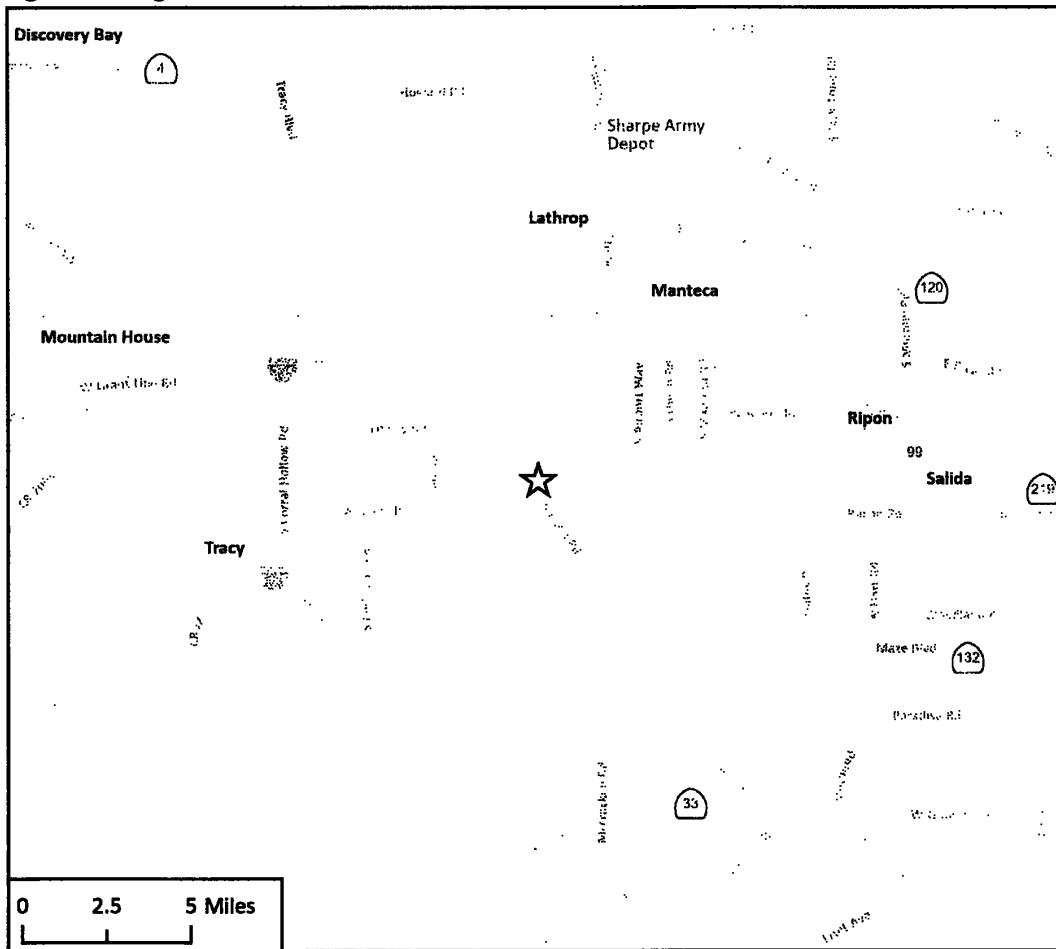
2.4 Project Characteristics

The Applicant has entered into a Solar Power Services Agreement with the BCID for construction, operation, and maintenance of the solar facility and associated infrastructure to provide power for BCID's pump facility. The Project would generate approximately 4.989 MW of PV energy that will be used to operate the existing pump station and will not exceed the total power demand, nor be sold into the grid. Figure 3 shows the site plan for the Project.

The Project would involve the following components:

- Construction of a 4.989 MW solar PV system consisting of modules on a ground mounted, fixed tilt system.
- Installation of approximately 8,456 modules mounted on a single-axis tracking system to optimize sunlight capture.
- Installation of a new underground medium voltage utility line connecting to an existing riser and 12kV overhead electrical utility line.
- Construction of a 20-foot-wide compacted access road around the solar arrays and installation of perimeter fencing. Site access will continue to be provided from Homestead Road.

Figure 1 Regional Location



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★ Project Location

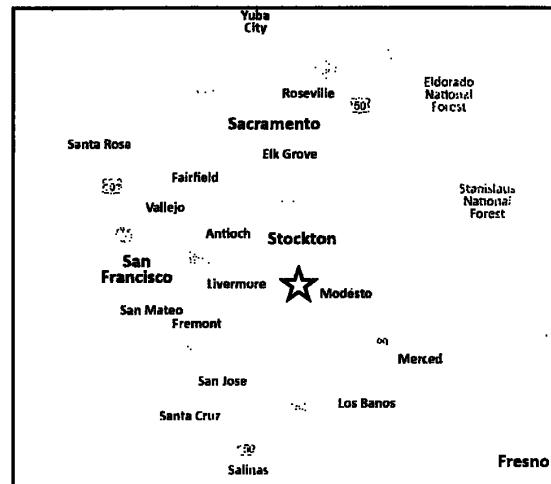
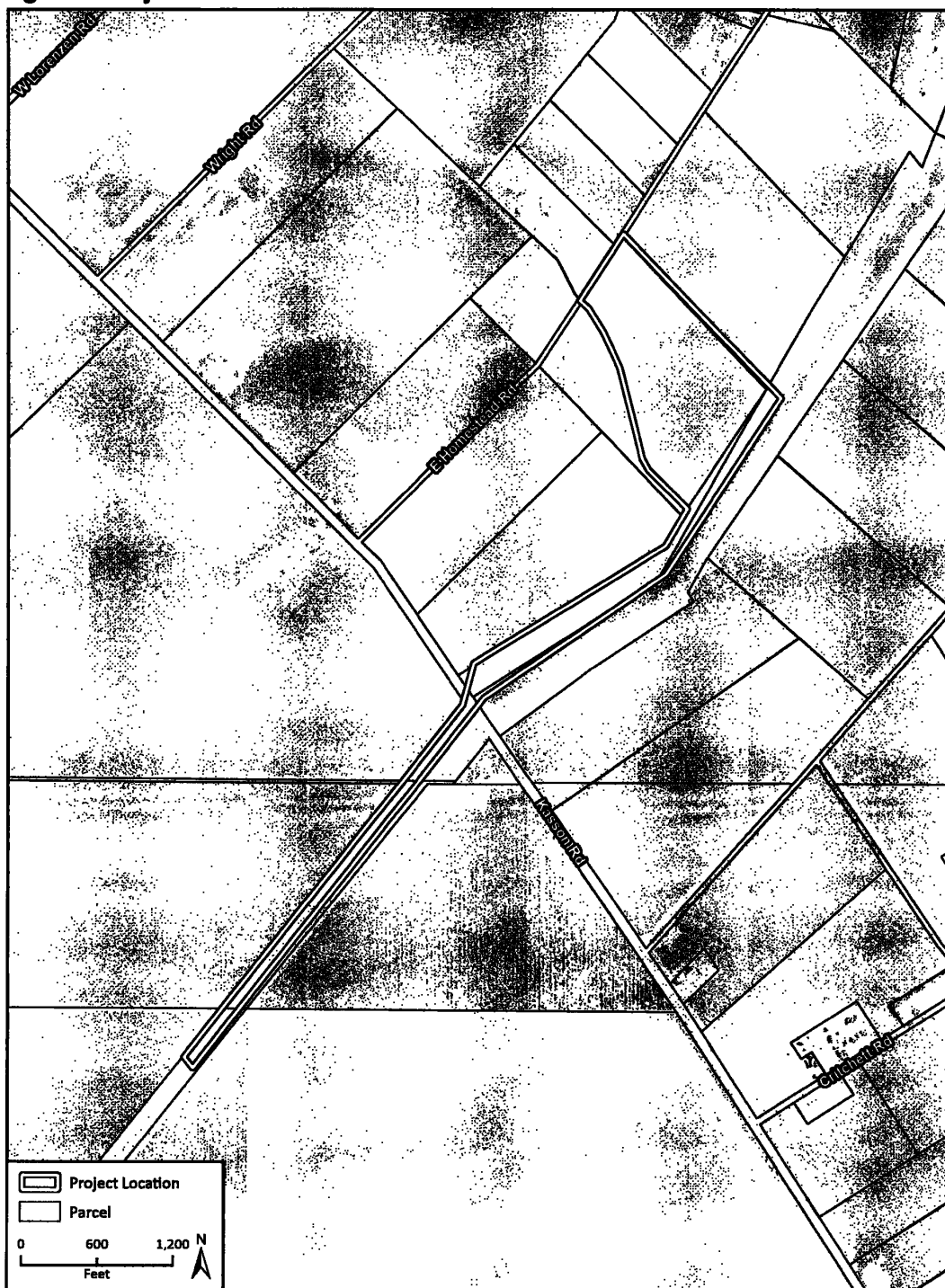
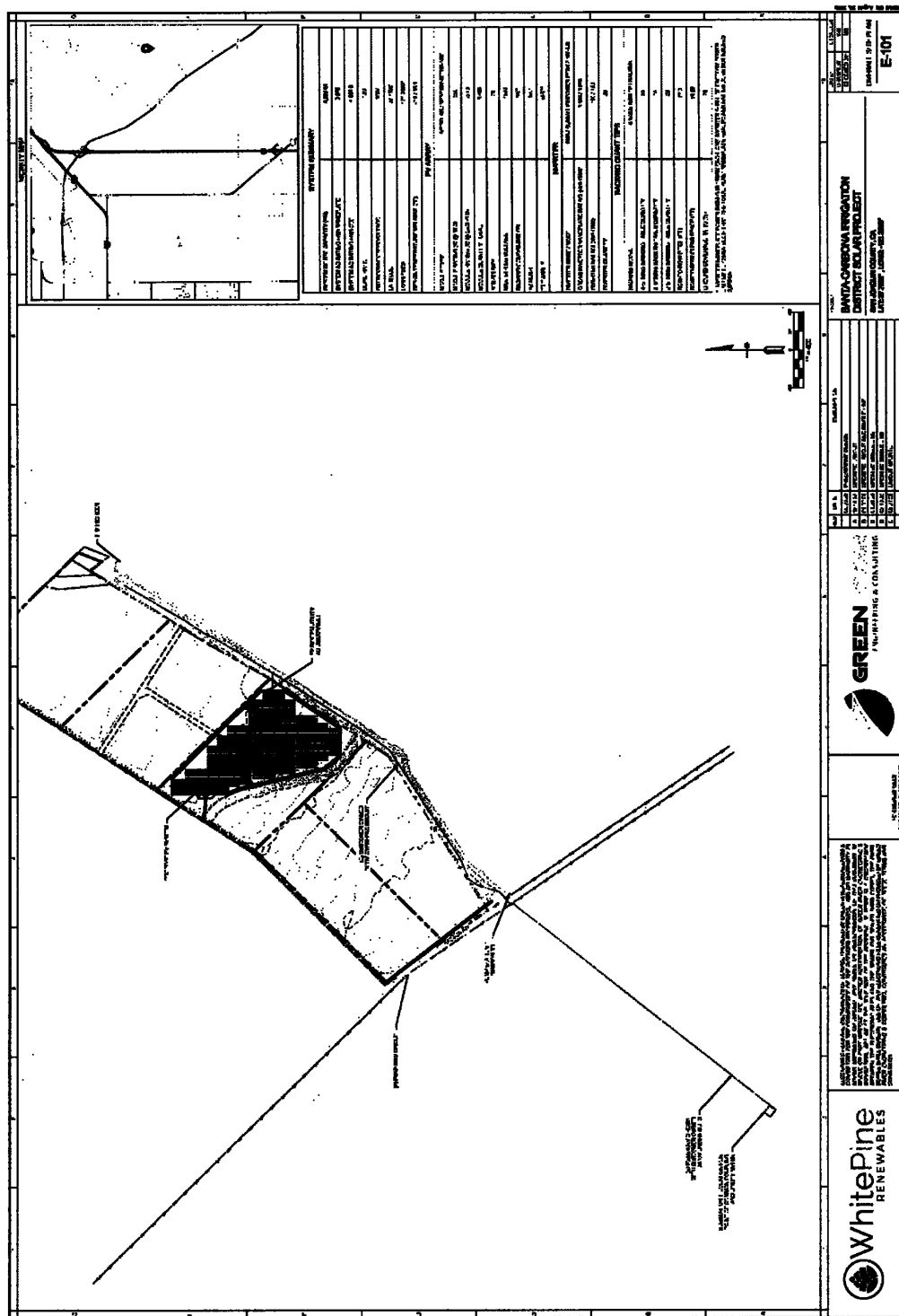


Figure 2 Project Site Location



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Additional data provided by San Joaquin County, 2025.

Figure 3 Project Site Plan



No additional structures, such as operations buildings or restrooms, are proposed.

Construction Activities

Project construction is expected to take approximately 8 months. Construction activities are anticipated to occur five days a week (Monday through Friday) from approximately 6:00 AM to 4:00 PM. Construction of the proposed project would begin with initial clearing and grubbing of the site. Staging and construction worker parking would be provided on site. The panels would be mounted on pile-driven posts installed at a depth of between 5 and 10 feet. Grading is anticipated to be balanced on site with no import or export of earth material.

During construction, water would be used for civil activities and dust control. Water use is anticipated to be brought on-site from TBID sources by a 2,000-gallon truck filled three times per day, or approximately 6,000 gallons per day, five days per week. Portable restrooms would also be brought to the site during construction for worker use.

Operations and Maintenance

Once operational, the facility will run autonomously without on-site staff. Production and system health data, as well as onsite weather data, would be monitored remotely. The district currently manages vegetation onsite by keeping the ground denuded; the Applicant or the BCID will continue to manage the vegetation in the same manner that it is currently managed. Further, management will ensure that vegetation is maintained adequately to prevent negative impacts on adjacent properties from spreading wildfire and to ensure no interference with onsite solar production.

No onsite restroom facilities are included in the proposed project because the project site would not house any permanent employees. Additionally, no water service is proposed to the project site. No lighting is required for the project.

3 Statutory Exemption Applicability

Article 18 of the *CEQA Guidelines* describes the exemption from CEQA granted by the California Legislature, which are referred to as Statutory Exemptions. Pursuant to *CEQA Guidelines* Section 15268, this includes ministerial projects. The determination of what is ministerial “can most appropriately be made by the particular public agency involved based upon its analysis of its own laws.” In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the issuance of building permits and business licenses as well as the approval of final subdivision maps and individual utility service connections and disconnections are presumed to be ministerial (*CEQA Guidelines* Section 15268[b]).

The Project site is designated General Agriculture (A/G) in the San Joaquin County General Plan. The Land Use Element of the General Plan identifies appropriate uses for this designation, including crop production, grazing, livestock raising facilities, agricultural processing facilities, single-family detached dwellings, and compatible public, quasi-public, and special uses. As a solar facility for an existing irrigation district, the project is substantially a “public or quasi-public use” and is therefore consistent with the General Agriculture designation.

Additionally, Table 9-203.020 of the San Joaquin County Development Title lists permitted uses in the Agriculture zoning district. This table lists small scale energy systems as “P/Z” meaning Permitted Use (Building Permit may be required) and Zoning Compliance Review required. According to Development Code Section 9-409.430(a)(1), “small energy systems less than 2.5 acres in size are allowed as accessory uses by right; only a building permit is required.” However, the Project is larger than 2.5 acres in size; therefore, it is not exempt. According to Development Code Section 9-409.430(a)(2), non-exempt small-scale energy systems require a Zoning Compliance Review. Chapter 9-803 of the Development Code sets forth the process for Zoning Compliance Review, which involves review and approval by the Zoning Administrator. If the Zoning Administrator determines that the proposal conforms to the requirements of the Development Title, a Zoning Certificate will be issued. Because the zoning compliance review is an administrative check to ensure the project complies with zoning regulations, it is considered a ministerial approval. As explained in Section 1, Introduction, *CEQA Guidelines* Section 15268 state that a Statutory Exemption can be made for ministerial projects.

4 Summary

Based on the analysis presented herein, the Project meets all criteria to be Statutorily Exempt from CEQA pursuant to *CEQA Guidelines* Section 15268. The San Joaquin County Development Code Section 9-409.430(a)(2) allows this facility with a Zoning Compliance Review, thereby making this project a ministerial project per County regulations and therefore statutorily exempt. Therefore, it is concluded pursuant to *CEQA Guidelines* Section 15268 that the Project is ministerial and thus exempt from further CEQA analysis.

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