

## 7. OTHER CEQA CONSIDERATIONS

### 7.1. SIGNIFICANT UNAVOIDABLE IMPACTS

Section 15126(b) of the CEQA Guidelines requires each EIR to identify “significant environmental effects which cannot be avoided if the proposed project is implemented.” This includes any impacts that remain significant, despite the implementation of feasible mitigation measures that lessen the extent of such impacts. Section 15126.2(c) provides that significant unavoidable impacts must be discussed as follows: “Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.”

The significant unavoidable impacts associated with implementation of the proposed VCIP Energy Resource and Infrastructure Plans are discussed below.

As discussed throughout Section 4. *Environmental Impact Analysis* of this PEIR, all but two of the potential impacts associated with VCIP implementation would either be less than significant or can be avoided or reduced to less than significant through mitigation measures identified in this PEIR which are to be implemented at the project level. Implementation of the VCIP would result in significant and unavoidable impacts related to aesthetics and agricultural resources, as discussed below.

As described in Section 4.1 of this PEIR (*Aesthetics*), while the severity of aesthetic impacts would be reduced through implementation of feasible mitigation measures, they would not be reduced to a level less than significant. Specifically, Mitigation Measure AES-1 provides that at the project stage, the following measures will be required, as applicable:

- 1) For VCIP solar and energy storage projects located adjacent to public roadways: On the solar/energy storage project site, provide a 50-foot setback from the road right-of-way to the nearest project structure, not including fencing or internal driveways;
- 2) For residences with planned solar/energy storage projects located adjacent to any residential property line: On the solar/energy storage project site, provide a 50-foot setback from the adjacent residential property line(s) to the nearest project structure, not including fencing or internal driveways.

These measures would reduce the potential aesthetic impacts of VCIP implementation that would affect residential viewers, which typically have the highest sensitivity to visual changes. However, due to the overall scale of VCIP energy and infrastructure development, the aesthetic impact of VCIP implementation as a whole would be significant and unavoidable after mitigation. The aesthetic impact of any given VCIP project may be found to be less than significant, however, depending on that individual project’s circumstances.

As described in Section 4.2 of this PEIR (*Agriculture and Forestry Resources*), while permanent conversion of Farmland to non-agricultural uses would be avoided in the implementation of the VCIP, the construction of the proposed VCIP Substation No. 5 at its proposed location would result in the permanent conversion of up to 60

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acres of Prime Farmland. As discussed in Chapter 6. *Alternatives to the Proposed Project*, there are no feasible alternative sites available for Substation No. 5 which would be capable of avoiding or substantially reducing this potentially significant and unavoidable impact.

The analysis of cumulative impacts for each environmental topic addressed in Section 4. *Environmental Impact Analysis* found that, except for aesthetic impacts and impacts to agricultural resources, there are no other impacts associated with VCIP implementation which, when considered in combination with other cumulative projects, would result in a significant and unavoidable cumulative impact, as summarize below.

Implementation of the proposed VCIP would result in a significant and unavoidable cumulative aesthetics impact. The severity of this impact can be reduced with feasible mitigation measures but not to a level less than significant. Implementation of Mitigation Measure AES-1 (i.e., increased setbacks from existing residences) would reduce the impact for individual residences; however, considering the overall scale of the VCIP combined with other pending, approved, and completed development, the incremental contribution of VCIP projects would be cumulatively considerable and the cumulative aesthetic impact would be significant and unavoidable.

Implementation of the VCIP would result in a significant and unavoidable cumulative impact related to agricultural resources. The severity of this impact may be reduced with feasible mitigation measures, which would be applied in the discretion of Fresno County, but not to a level less than significant.<sup>1</sup> While implementation of Mitigation Measure AG-2 (i.e., acquisition of conservation easements or similar) would reduce the impact but not to a less-than-significant level, and combined with other pending, approved, and completed development, the incremental contribution of VCIP implementation would be cumulatively considerable and the cumulative impact related to agricultural resources would be significant and unavoidable.

As described in the Alternatives analysis contained in Chapter 6. *Alternatives to the Proposed Project* of this PEIR, it is not feasible to achieve the VCIP's project objectives and their associated environmentally beneficial effects without resulting in significant and unavoidable impacts related to aesthetics and agricultural resources. The VCIP's environmental benefits associated with generating renewable energy sources that would displace fossil fuel consumption in furtherance of the state's renewable energy and carbon neutrality targets, facilitating Sustainable Groundwater Management Act (SGMA) implementation, and promoting greater water supply reliability are all directly related to the VCIP's scale and the quantity of renewable energy that could be generated, stored, and dispatched to meet the needs of the state's major population centers. The Reduced Project Size Alternative, which would enable approximately 52 percent of the generation and storage capacity contemplated by the proposed VCIP, would substantially reduce the VCIP's significant effects associated with aesthetics by virtue of its smaller size. However, the overall aesthetic impact would still be significant and unavoidable, and the significant and unavoidable impact related to agricultural resources also would not be lessened under this alternative. Thus, it is not feasible to achieve the project objectives by imposing an alternative design. Additionally, as demonstrated in the Alternatives analysis, the proposed VCIP would result in significantly greater environmental benefits than the Reduced Project Alternative and the No Project Alternative due to the VCIP's substantially greater potential to generate renewable energy and offset fossil fuel-based generation. These distinct environmental benefits demonstrate that the VCIP is the

<sup>1</sup> As discussed in Section 4.2 *Agriculture and Forestry Resources*, at the project level Fresno County may consider implementation of the VCIP exempt from agricultural mitigation pursuant to Fresno County General Plan policy LU-A.23 because the VCIP would be implemented pursuant to the Westside Subbasin Groundwater Sustainability Plan and would provide numerous benefits that may be found, based upon substantial evidence, to outweigh the loss of agricultural land caused by the proposed conversion.

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environmentally superior alternative. Thus, due to its overall environmental benefits and ability to fully satisfy the project objectives, the VCIP is being proposed, notwithstanding its effects related to aesthetics and agricultural resources.

## 7.2. GROWTH-INDUCING EFFECTS OF THE PROPOSED PROJECT

CEQA Guidelines section 15126(d) requires each EIR to discuss the potential “growth-inducing impact of the proposed project.” Section 15126.2(e) of the CEQA Guidelines provides that the growth-inducing impact of a project shall be addressed as follows: “[d]iscuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects.”

Typically, growth-inducing effects would be considered significant if a project may result in population growth that is above levels assumed in local and regional land use plans, or would result in urban growth beyond the areas designated for such growth in such land use plans.

The growth-inducing effects associated with implementation of the VCIP Energy Resource and Infrastructure Plans are discussed below.

### **Removal of Physical Obstacles to Growth**

Growth inducement can occur where a project would result in expansions or extensions of infrastructure which can in turn support additional development. For example, road widenings add traffic capacity to the local transportation system which can facilitate further growth. Extensions of water and sanitary sewer lines to previously unserved areas can facilitate development of additional lands to the extent that surplus capacity is available in the lines.

VCIP development would not result in any off-site improvements to urban infrastructure (see Section 4.17. *Utilities and Service Systems*). The existing roadway network is sufficient to accommodate traffic generated during VCIP project construction and operation (see Section 4.16. *Transportation*). Operational water needs would be provided from existing agricultural water pipelines operated by the District or from groundwater pumped on-site (see Section 4.17. *Utilities and Service Systems* and Appendix F of this PEIR). All groundwater use would be governed by the Groundwater Sustainability Plan and Article 1 of the District’s Rules and Regulations, which would require a groundwater allocation or transfer of groundwater credits approved by the District and would require all groundwater to be used on-site. Any surface water deliveries to potential VCIP projects pursuant to Article 19 of the District’s Rules and Regulations would be strictly limited to use by solar facilities and limited to 5 acre-feet per 160 acres. These restrictions would preclude more intense land uses such as urban development. Therefore, the VCIP development would not induce growth through increased infrastructure capacities.

VCIP implementation would involve construction of supporting infrastructure such as gen-tie lines, collection substations, and connecting transmission lines to deliver the generated power to the electrical grid. This

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infrastructure would be sized to accommodate only the collection and delivery of electrical generation from potential VCIP solar and Battery Energy Storage System (BESS) facilities. There would be no surplus infrastructure capacity that could serve additional electrical generation beyond that planned under the VCIP. Therefore, the VCIP infrastructure elements would not be growth inducing.

### **Removal of Regulatory Obstacles to Growth**

Growth inducement may occur where a project approval includes a major change in land use designation for the property, such as a General Plan amendment or zoning change which would allow the conversion of rural lands to urban uses. Such a land use change could also indirectly increase pressure for similar land use changes that would authorize the conversion of adjacent or nearby lands.

Implementation of the VCIP Energy Resource and Infrastructure Plans is fully consistent with the current Fresno County General Plan and Ordinance Code, both of which permit utility-scale solar/BESS development on agricultural lands within the Plan Area with an Unclassified Conditional Use Permit (UCUP), subject to the County's Solar Facility Guidelines (see Section 4.11. *Land Use and Planning*)(Fresno County 2024b). Since no change in land uses or zoning designations is required for VCIP development, approval of the VCIP would not set a precedent which might indirectly increase pressures for conversion of other lands. While the Fresno County General Plan would allow for solar/BESS development on other agricultural lands within the County, the amount of solar development that will ultimately occur would be primarily limited by external factors such as transmission capacity in the state power grid. Also, since the terms of the land use permits issued for such projects would be limited by their lease terms under the County's Solar Facility Guidelines, such projects would represent temporary uses of the land (Fresno Co. 2017c). Any lands upon which potential VCIP projects are implemented would retain their existing agricultural character, as fundamental objectives of the VCIP are to promote the agricultural productivity of the overall farming units within the Plan Area and to facilitate SGMA implementation through long-term but temporary repurposing of lands included in the Development Focus Areas (DFAs). Therefore, the VCIP implementation would not be growth inducing by way of removing regulatory obstacles to future growth.

### **Stimulus for Economic Growth**

Projects can stimulate economic growth through direct employment, as well as indirectly through demand for goods and services. This can contribute to incremental secondary effects such as increased hiring by suppliers. Projects can also generate additional property and sales tax revenue for local government, enabling expenditures on capital improvement projects that could also stimulate secondary economic activity. During the construction phase of development projects, temporary jobs are created and others supported in the purchase of materials.

During the 10-year VCIP buildout period, up to 6,000 workers would be engaged in the construction of the VCIP energy and infrastructure projects. Most solar components would originate from ports in northern and southern California. Most construction equipment would originate from the Fresno area, and materials such as aggregate and concrete would be supplied from local sources, as would the haul trucks and drivers that would deliver them. To the extent that the solar facilities would seek materials, supplies, and equipment from local sources, additional economic activity could be stimulated in the area. The employment generated by the VCIP development would result in increased purchases of goods and services by the workers, and could in turn generate secondary employment in the local retail and service sectors. Increased local sales taxes resulting from increased local purchases by workers and solar companies could contribute to local government hiring, purchases, and procurement. Property tax receipts would be limited since solar improvements, including BESS

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facilities, are exempt from property tax, at least through 2026 (California Rev. & Tax Code, § 73). The construction of VCIP projects would result in economic stimulus in the region during the 10-year buildout period. However, consistent with the VCIP’s objective to provide community benefits through job creation and training programs for local residents, most of the construction workers are expected to be drawn from the existing labor pool in the region and equipment and materials would be procured from existing local businesses and vendors. Given the temporary nature of the economic stimulus from VCIP construction, it is expected that the increased demand would be absorbed by existing businesses without inducing formation of new businesses.

Upon full buildout of the VCIP, the solar/BESS facilities would include a total of approximately 800 permanent on-site operations staff plus about 400 occasional maintenance staff. This increase in permanent and part-time employment would occur incrementally as the VCIP facilities come online over the 10-year development period. Once fully operational, the energy and infrastructure facilities would require minimal materials or equipment. The economic stimulus resulting from VCIP facility operation would be relatively modest, resulting mainly from incremental employment growth, and would not be sufficient to induce additional growth in the region.

### **Population and Housing Growth**

The potential VCIP energy and infrastructure facilities would not include residential components, so they would not directly induce population growth in the Plan Area or its vicinity. Non-residential projects can result in added population and increased local housing demand, to the extent that the project employees do not already live within commuting range.

For VCIP implementation, most employees would consist of construction workers. Given the high unemployment rate in Fresno County (i.e., 9.0% in Fresno County, and 8.5 to 11.4% in the surrounding valley counties as of March 2025)(EDD 2025a), and reduction in farming operations due to water shortages, it is expected that construction workers would be drawn from the local labor pool and that few workers would migrate to the area. Additionally, one of the VCIP’s project objectives is to provide community benefits through job creation and training programs for local residents. For these reasons, it is expected that the permanent staff of each VCIP facility would almost entirely consist of existing residents in the area, although some specialized technical or supervisory personnel may transfer to the area if it is not feasible to hire locally. Thus, potential VCIP development may result in a slight increase in demand for housing locally. But this slight increase would be consistent with population projections contained in the 2024 Fresno County General Plan and other regional planning documents (see Section 4.14. *Population and Housing*). As discussed in Section 4.14. *Population and Housing*, the overall housing vacancy rate in the County was 5.8 percent in 2022, with the unincorporated areas having the highest vacancy rate at 12.2 percent, compared to vacancy rate of 3.8 percent in the City of Fresno, and vacancy rates ranging from 2.0 percent to 8.1 percent in other incorporated cities in the County (Fresno COG 2023). Based on 2020 census data, there were over 11,500 rental units on the market in the five counties surrounding the VCIP (i.e., within an approximately 50-mile radius of the Plan Area)(U.S. Census 2020). It is expected that the availability of rental housing will keep pace with regional growth to result in an adequate supply of rental units to meet any incremental demand resulting from VCIP development commencing in 2029. Therefore, little if any population and housing growth is anticipated to be induced by VCIP development.

As described in Section 4.14. *Population and Housing*, the potential for “unplanned” growth has long been avoided by the preparation and implementation of robust general plan documents at the county and local level. It is the purpose of all general plans to forecast community growth within the “planning horizon” (usually 20 years) and to designate areas to accommodate the anticipated land uses. A major purpose of city general plans is to define the urban limit line or planning boundary for the future growth planned in the General Plan. The {AM0008.1}

purpose of County general plans is to similarly define the limits of unincorporated communities within their jurisdiction. The objectives of both city and county general plans is to confine urban growth to existing urban areas and limit growth in rural areas. Because any growth would be required to be consistent with local general plans, as implemented through local zoning ordinances, of the surrounding counties and cities, no unplanned growth would occur and any impacts associated with insubstantial potential population and housing growth resulting from VCIP implementation would be less than significant.

### **Increased Power Generation**

The VCIP solar facilities would add to the state's overall energy supply, which indirectly supports growth and development. However, the solar photo-voltaic (PV) generation from implementation of the VCIP is intended to help meet the state's renewable energy targets under the Renewable Portfolio Standard (RPS) by replacing fossil-fueled generation with renewable generation. As described in Section 4.6. *Energy* of this PEIR, fossil fuel energy sources account for approximately 43.8 percent of the state's power mix, whereas renewable energy sources account for approximately 35.5 percent. This disparity demonstrates the substantial need to replace existing fossil fuel generation with renewable sources like utility-scale solar and BESS to meet established targets. The proposed VCIP is not intended as a source of baseload power to meet increased electrical demand to support growth. Moreover, while outside the scope of the proposed VCIP, new electrical service using electricity generated by the VCIP could not be provided to a particular location until the relevant jurisdiction approves development at that location. Ongoing energy planning efforts at the state level by the California Independent System Operator (Cal ISO), the California Public Utilities Commission (CPUC), and the California Energy Commission (CEC), combined with procurement programs by the electric utilities, ensure that power generation is constantly augmented to meet projected growth in demand, before it occurs, and that improvements to the electrical grid are in place when needed to convey power from the generation facilities to the electricity users. Thus, while the generation capacity that would be added by VCIP solar facilities to the state grid may be growth accommodating, the added generation would not remove any infrastructure obstacle or constraint to growth and therefore would not be considered growth inducing.

In summary, VCIP development would have an insubstantial growth-inducing effect locally through direct employment of construction workers and operations staff by the solar facility operators, and through demand for goods and services. While implementation of the VCIP may result in minor population growth, this potential growth would be anticipated by the relevant land use plans and associated demands would keep pace with regional growth to result in an adequate supply of rental units to meet any incremental demand resulting from VCIP development, as discussed above and in Section 4.14. *Population and Housing*. The VCIP would not result in growth inducement by way of removing physical or regulatory obstacles to further growth, or through increased generation of baseload power. Accordingly, implementation of the VCIP Energy Resource and Infrastructure Plans would not have a significant growth-inducing effect.

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### 7.3. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

This section was prepared pursuant to CEQA Guidelines section 15126(c), which requires a discussion of the significant irreversible changes that would result from implementation of a proposed project. CEQA Guidelines section 15126.2(d) provides that “[u]ses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely.” It further provides that primary impacts, and particularly secondary impacts such as providing transportation access to previously inaccessible areas generally commit future generations to similar uses. Section 15126.2(d) also provides that irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified. The potential significant irreversible environmental changes associated with VCIP implementation are discussed in turn below.

#### **Use of Nonrenewable Resources**

The construction phase for each VCIP facility would involve the use and consumption of nonrenewable building materials such as concrete, metals, and composites. Nonrenewable resources and energy would also be consumed in the manufacturing and delivery of solar and electrical components, the extraction, processing and hauling of building materials, transportation by workers to and from the site, as well as in grading and excavation. Operation of the potential VCIP projects would consume energy in the form of electricity for multiple purposes including operation of solar tracking systems, solar monitoring and control systems, building heating and cooling, lighting, and appliances. Energy in the form of gasoline and diesel fuel would be used for private vehicles and delivery trucks that would travel to the facilities, as well as maintenance vehicles used at each facility. Use of nonrenewable materials and energy sources represents an irretrievable commitment of resources. However, the startup and operation of the completed solar facilities would allow the decommissioning of fossil-fueled generating stations elsewhere. These offsets would more than compensate for the inputs of non-renewable energy sources consumed in the construction and operation of the VCIP facilities. Also, most of the materials used in solar generating facilities are recyclable. The solar panels, racking systems and other components would be recycled for reuse upon decommissioning of each solar facility. Thus, while some irretrievable commitment of nonrenewable resources would occur, this would be more than offset by the avoided commitment of nonrenewable resources at fossil generating facilities that would occur elsewhere in the state without the VCIP solar facilities. Therefore, implementation of the VCIP Energy Resource and Infrastructure Plans would not result in a significant irretrievable commitment of nonrenewable resources.

#### **Opening New Areas for Transportation Access**

The potential VCIP facilities would all have entrances on existing state highways and county roads within the Plan Area. All VCIP facilities would have internal gravel access driveways for operations and maintenance. However, these driveways would only be available for internal access to the solar/BESS facilities and access to them would be restricted by entry gates and perimeter security fencing around each facility. Therefore, the VCIP facilities would not include the construction of public roadways or highways that could be used to provide public access to previously inaccessible areas. Thus, VCIP implementation would not result in indirect commitment of resources in the development of such previously inaccessible areas.

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### **Commitment of Future Generations to Similar Use**

Each VCIP solar and BESS facility would have a productive life of about 35 years. At the end of 35 years, each facility would be decommissioned, and the soil would be reclaimed to a condition suitable for agricultural cultivation, in accordance with conditions of approval that would be placed on each facility, and as additionally required for privately-owned lands by Article 2 of the District's Rules and Regulations. Therefore, the implementation of solar and BESS projects on the VCIP DFAs for facilities would not commit future generations to solar PV or similar land uses.

The gen-tie lines that would be constructed to deliver electricity from the solar/BESS facilities to the collection substations would be expected to be decommissioned along with the facilities they serve, although some or all gen-tie lines may be retained if needed for grid reliability. VCIP infrastructure such as the collection substations and connecting transmission lines would likely be retained as part of the state grid where they would serve a vital role in providing resilience and redundancy by providing alternative transmission pathways and to help avoid congestion on the overall grid. The use of the contemplated collection substations and connecting transmission lines would essentially be permanent. While some transmission towers and conductors may be decommissioned over time, it is likely that they would be replaced and upgraded with new equipment. The potential decommissioning of the collection substations and connecting transmission lines in the future is not currently foreseeable, so the construction of this infrastructure would be considered a permanent commitment to this or similar uses. However, these uses would transmit significant quantities of renewable resources, which would more than offset the consumption of nonrenewable resources associated with the collection substations and outside transmission lines. Therefore, implementation of the VCIP would not result in significant irreversible environmental changes in this regard.

### **Potential for Environmental Accidents and Contamination**

A project would result in significant irreversible environmental changes if the project involves uses in which irreversible damage could reasonably foreseeably result from any potential environmental accidents associated with the project. Construction and operation of the VCIP facilities would involve the use of hazardous materials such as fuels, lubricants, and cleaning solvents, and the potential use of solar panels with imbedded toxic elements. However, all VCIP activities would be subject to implementation of hazardous materials management plans, spill response plans, and a Storm Water Pollution Prevention Plan (SWPPP) with Best Management Practices (BMPs). As discussed in detail in Section 4.9. *Hazards and Hazardous Materials*, under Impact HAZ-2, the BESS facilities would also be subject to strict regulations and fire codes to prevent and limit the potential for fire. These applicable requirements would significantly reduce the likelihood and severity of accidents that could result in irreversible environmental damage. Any solar panels and storage batteries containing toxic elements would be safely recycled as universal waste. Thus, the potential for permanent damage or contamination due to environmental accidents is insubstantial and is considered less than significant.

In summary, the contemplated VCIP solar/BESS facilities would be removed at the end of their useful lives and thus would neither result in significant irretrievable use of nonrenewable materials, nor commit future generations to similar uses, nor result in environmental accidents causing permanent damage or contamination. Therefore, implementation of the VCIP Energy Resource Plan would not result in significant irreversible environmental changes. The planned collection substations and connecting transmission lines, and some or all gen-tie lines would be needed for grid resilience after the solar and BESS facilities are removed, and thus this infrastructure would be considered a permanent commitment to this or similar uses.

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## 7.4. REFERENCES – OTHER CEQA CONSIDERATIONS

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