



September 24, 2019

VIA EMAIL: PNIXON@IHWD.ORG

Phillip D. Nixon, General Manager
Berrenda Mesa Water District
14823 Highway 33
Lost Hills, CA 93249

Governor's Office of Planning & Research

SEP 24 2019

STATE CLEARINGHOUSE

Dear Mr. Nixon:

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE BERRENDA MESA
WATER DISTRICT SOLAR PROJECT, SCH# 2019089091

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Initial Study/Mitigated Negative Declaration for the Berrenda Mesa Water District Solar Project (Project). The Division monitors farmland conversion on a statewide basis and administers the Williamson Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The proposed project includes the construction and installation by Tesla Inc. of a fenced and gated 8-megawatt (MW) solar photovoltaic (PV) energy generation facility, interconnection to Pump Station A, and installation of electrical connection equipment at Pump Station A. The solar array is proposed to generate approximately 1,300 MWh per year, approximately 80 percent of the electrical needs at Pump Station A. The project would consist of two large solar arrays including approximately 22,000 total PV panels mounted on a single-axis tracking system in order to maximize sunlight capture. The project site is Grazing Land as defined by the Department of Conservation's Farmland Mapping and Monitoring Program.¹

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. Under CEQA, a lead

¹ Department of Conservation, Farmland Mapping and Monitoring Program, California Important Farmland Finder, 2019, <https://maps.conservation.ca.gov/DLRP/CIFF/>

agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.² All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Agricultural conservation easements on land of at least equal quality and size can mitigate the project impacts in accordance with CEQA Guideline § 15370. The Department highlights agricultural conservation easements because of their acceptance and use by lead agencies as an appropriate mitigation measure under CEQA. Agricultural conservation easements are an available mitigation tool and should always be considered; however, any other feasible mitigation measures should also be considered.

On page 18 of the Initial Study/Mitigated Negative Declaration, it states that the project site is not under a Williamson Act contract³. This information, which is being quoted as Department of Conservation's (DOC) data, seems to be incorrect. As stated in the disclaimer on the DOC map being quoted, "For the most accurate and up to date information regarding the status of specific contracted lands, contact the county assessor or planning agency office as the status of enrolled lands may change throughout the year."

It appears, through research on the Kern County Assessor's website⁴, that the project site parcel is currently under a Williamson Act contract. Williamson Act enrollment should be confirmed with the Kern County assessor's office, and if under contract, should be discussed further in terms of solar development as a compatible use on Williamson Act contracted land.

Conclusion

The Department recommends further discussion of the following topics before considering approval of the proposed project:

- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Proposed contract resolutions for land uses not compatible with land in an agricultural preserve and/or enrolled in a Williamson Act contract.

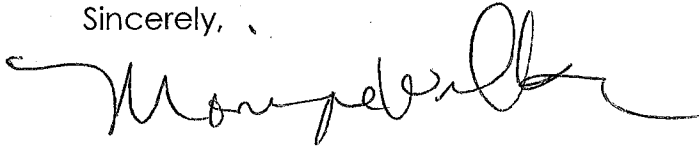
² Public Resources Code section 21002.

³ Berrenda Mesa Water District Solar Project, Initial Study-Mitigated Negative Declaration, p. 18

⁴ <http://assessor.co.kern.ca.us/propertydetails.php?srctext=057070252&srctype=apn>, September 2019.

Thank you for giving us the opportunity to comment on the Initial Study/Mitigated Negative Declaration for the Berrenda Mesa Water District Solar Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Environmental Planner at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Monique Wilber". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Monique Wilber
Conservation Program Support Supervisor

