

DEPARTMENT OF WATER RESOURCES

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August 10, 2020

Cindi Hoover
Kern County Planning and Natural Resources Department
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8/10/2020

Governor's Office of Planning & Research

Aug 11 2020

STATE CLEARINGHOUSE

SCH# 2019090305 Pastoria Solar Project by Pastoria Solar Energy, LLC Draft
Environmental Impact Report (EIR)

Dear Ms. Hoover:

The California Department of Water Resources (DWR) State Water Projects Division of Operations and Maintenance (O&M) staff have reviewed the Draft EIR for the Pastoria Solar Project. DWR has the following comments.

Project Description and General Comments

The proposed project is described as the installation of 350,000 PV panels in a gross area of 650 acres. Construction is expected to last for approximately 240 construction days over a 12-month period occurring Monday through Friday between the hours of 7:00 am and 6:00 pm but may be subject to additional hours/days if needed. Construction workforce is expected to peak at 400 individuals with an average of 190 individuals per day. During the same 12-month construction period, approximately 5 to 10 trucks per day will deliver loads to the site, primary by use of Edmonston Pumping Plant Road (the Road).

Specific Comments

DWR May Be a Public Agency Whose Approval Is Required.

Where a project receives a discretionary permit from state agencies, the issuing agencies are considered "other public agencies whose approval is required." Edmonston Pumping Plant Road is a private roadway owned and maintained by DWR. If a proposed project encroaches on DWR's right-of-way, it is an identifiable impact to DWR's right-of-way and an encroachment permit will be required.

Information regarding DWR encroachment permits can be found at:
<https://water.ca.gov/Work-With-Us/Real-Estate/Encroachment-Permits>.

Transportation

The Transportation impacts analyzed in the Draft EIR and the Traffic Study contained in Appendix M are inadequate and fail to address potentially significant impacts. While the Transportation impacts discuss increased traffic and issues regarding traffic volume, nowhere does the Draft EIR address the impact of the project on the physical condition of the roadways used, including Edmonston Pumping Plant Road. As a necessary part of the Final EIR, DWR requests Kern County conduct a study of the proposed project's impact to the physical condition and integrity of the Road, its bridges, and its approaches during construction and operation of the proposed project.

DWR has concerns about the safety and integrity of the Road because all workforce and delivery trucks involved in the proposed project would need to enter and exit the Road and cross DWR's bridge over the California Aqueduct for the duration of the construction phase

If the study's report recommends improvements or upgrades to the Road, bridges, or approaches in order to accommodate the proposed project's impacts, DWR's encroachment approval would be conditioned, in part, upon upgrading or improving the Road as described in the report. Additional DWR conditions for the use of Edmonston Pumping Plant Road may include use fees.

In addition to mitigation measures proposed as a result of Kern County conducting a study of the proposed project's impacts to the Road, a traffic mediation plan should be implemented to address increased traffic during construction and delivery hours for the duration of the construction phase.

DWR requests a joint inspection of the road between DWR and Pastoria Solar Energy, LLC be performed prior to and after completion of the proposed project as a component of the traffic mitigation plan. Any damage associated with increased traffic caused by the proposed project shall be the responsibility of Pastoria Solar, LLC. Pastoria Solar, LLC shall provide DWR with the contact of the construction site manager during the construction of the proposed project, to inform Pastoria Solar, LLC of a DWR road closure due to a DWR emergency or other event.

If you have any questions, please contact Kristen Greenacre by phone at 916-653-4264 or by electronic mail at: Kristen.Greenacre@water.ca.gov.

Please provide DWR with a copy of any subsequent project documents when available by mail to:

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Kristen Greenacre
State Water Project Right-Of-Way Management Section
Division of Operations and Maintenance
Department of Water Resources
1416 Ninth Street, Room 641-1
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Sincerely,

A handwritten signature in black ink, appearing to read 'Casey Pancaro', with a stylized flourish at the end.

Casey Pancaro
Staff Attorney