



SEPTEMBER 16, 2020

VIA EMAIL: TKOBAYASHI@FRESNOCOUNTYCA.GOV

Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division

Attn: Thomas Kobayashi
2220 Tulare Street, Suite A
Fresno, CA 93721

Governor's Office of Planning & Research

September 17 2021

STATE CLEARINGHOUSE

Dear Mr. Kobayashi:

INITIAL STUDY NO.7859 AND MITIGATED NEGATIVE DECLARATION, SCH# 2021080624

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed Initial Study No. 7859 and the associated Mitigated Negative Declaration. The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various 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 project proposes to add paved 8-foot wide shoulders, should backing, and traffic striping along E. Goodfellow Avenue from 0.71 miles east of S. Channel Road to S. Reed Avenue. The project site is public right-of-way situated in a mainly agricultural area. Single family residential uses and agricultural operations front E. Goodfellow Avenue. Currently, the project site contains Prime Farmland, Farmland of Statewide Importance, and Unique Farmland as identified by the Department of Conservation's Farmland Mapping and Monitoring Program¹. Portions of the project site are under Williamson Act contracts.

Department Comments

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

¹ California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, <https://maps.conservation.ca.gov/DLRP/CIFF/>

not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

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.

As the courts have shown², agricultural conservation easements on land of at least equal quality and size can mitigate 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.

Conclusion

The Department recommends further analysis of the following issues:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Proposed mitigation measures for all impacted agricultural lands within the proposed project area.
- Projects compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.
- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.
- Compliance with [Government Code Section 51291](#) for any projects considered for public acquisition.

Thank you for giving us the opportunity to comment on Initial Study No. 7859 and the associated Mitigated Negative Declaration. 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, Associate Environmental Planner at (916) 617-0522 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor

² *Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230, 238.