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VIA EMAIL: [HGUERRA@TULARECOUNTY.CA.GOV](mailto:HGUERRA@TULARECOUNTY.CA.GOV)  
HECTOR GUERRA, CHIEF ENVIRONMENTAL PLANNER  
TULARE COUNTY RESOURCE MANAGEMENT AGENCY  
200 W. OAK AVENUE  
VISALIA, CA 93291



Dear Mr. Guerra:

MITIGATED NEGATIVE DECLARATION FOR THE TULARE CSG 2 SOLAR PROJECT, SCH#  
2023070349

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Mitigated Negative Declaration for the Tulare CSG 2 Solar Project (Project).

The Division monitors and maps farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. Public Resources Code, section 614, subdivision (b) authorizes the Department to provide soil conservation advisory services to local governments, including review of CEQA documents.

Protection of the state's agricultural land resources is part of the Department's mission and central to many of its programs. The CEQA process gives the Department an opportunity to acknowledge the value of the resource, identify areas of Department interest, and offer information on how to assess potential impacts or mitigation opportunities.

The Department respects local decision-making by informing the CEQA process, and is not taking a position or providing legal or policy interpretation.

We offer the following comments for consideration with respect to the project's potential impacts on agricultural land and resources within the Department's purview.

#### PROJECT ATTRIBUTES

The applicant proposes to construct and operate the Tulare CSG 2 Solar Project; a single-axis tracker ground mounted photovoltaic (PV) community solar and battery storage facility, approximately 6.6MWdc/5MWac in capacity, on approximately 31 acres of the approximately 77 acres. The project would include clearing and grading of the site, solar modules, battery energy storage system, underground electrical conductors, balance of system equipment (e.g., inverters, AC combiner boxes,

transformers, and/or medium voltage switchgear), access roads, and fencing. The purpose of the project is to construct and operate a PV solar array with attached battery storage, which will generate and store clean and renewable solar energy, with electricity offtake sold to residential customers within Tulare County and the larger Southern California Edison ("SCE") Utility Territory. The project site is designated as Prime Farmland by DOC's Farmland Mapping and Monitoring Program and is subject to a Williamson Act contract.

### PROJECT CONSIDERATIONS

The conversion of agricultural land represents a permanent reduction and impact to California's agricultural land resources. The Department generally advises discussion of the following in any environmental review for the loss or conversion of agricultural land:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation 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.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Proposed mitigation measures for impacted agricultural lands within the proposed project area.

### MITIGATING AGRICULTURAL LAND LOSS OR CONVERSION

Consistent with CEQA Guidelines, the Department advises that the environmental review address mitigation for the loss or conversion of agricultural land. An agricultural conservation easement is one potential method for mitigating loss or conversion of agricultural land. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."]; see also *King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814.)

Mitigation through agricultural conservation easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land may be viewed as an impact of at least regional significance. Hence, the search for replacement lands may not need to be limited strictly to lands within the project's surrounding area.

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation

policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

[California Council of Land Trusts](#)

Of course, the use of conservation easements is only one form of mitigation, and the Department urges consideration of any other feasible measures necessary to mitigate project impacts.

Thank you for giving us the opportunity to comment on the Mitigated Negative Declaration for the Tulare CSG 2 Solar Project. Please provide the 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 via email at [Farl.Grundy@conservation.ca.gov](mailto:Farl.Grundy@conservation.ca.gov).

Sincerely,

*Monique Wilber*

Monique Wilber  
Conservation Program Support Supervisor