



DECEMBER 10, 2024

VIA EMAIL: [DIANNA.BECK@DOT.CA.GOV](mailto:DIANNA.BECK@DOT.CA.GOV)

DIANNA BECK, SENIOR ENVIRONMENTAL PLANNER  
CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 5  
50 HIGUERA STREET  
SAN LUIS OBISPO, CA 93401

Dear Ms. Beck:

NOTICE OF PREPARATION OF A DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT  
REPORT/ENVIRONMENTAL ASSESSMENT FOR THE STATE ROUTE 25 CORRIDOR  
IMPROVEMENT PROJECT, SCH# 2024110307

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation of a Draft Programmatic Environmental Impact Report/Environmental Assessment for the State Route 25 Corridor Improvement 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 project proposes to improve State Route 25 from Hollister to Gilroy. Given the magnitude and length of the proposed project, it is anticipated that construction would be phased, and individual segments would be constructed over the course of several years. The timing of the phased construction may be affected by factors such

as available funding, location of other nearby highway construction projects, railroad involvement, utility relocation needs, and required permitting. Individual phases of the construction would not span the entire time but would be on a shorter timeline to minimize impacts to the adjacent communities.

Other features of the proposed project include the following: bridge replacements over Pajaro River and Carnadero Creek, an overhead crossing at the railroad near Pajaro River, frontage roads, reduction of at grade intersections with driveways and local roads, construction of an interchange at the junction of State Route 25 and State Route 156, and drainage improvements. The project will also include maintenance or rehabilitation work along the existing State Route 25 alignment to bring the highway into a state of good repair. The project is anticipated to require right-of-way acquisitions and utility relocations to accommodate the proposed alignment of the State Route 25 corridor. Temporary construction easements are also anticipated.

The project site contains Prime Farmland, Farmland of Statewide Importance, and Unique Farmland as designated by DOC's Farmland Mapping and Monitoring Program. A portion of the project site 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.
- Implementation of any City or County Agricultural Mitigation Plans, Programs, or Policies.
- Proposed mitigation measures for impacted agricultural lands within the proposed project area.
- The project's compatibility with lands within an agricultural preserve and/or enrolled in a Williamson Act contract.

#### WILLIAMSON ACT

Where, as here, the project site is located on land subject to a Williamson Act contract, the Department advises that the environmental review discuss the compatibility of the project with the contract and local Williamson Act program requirements.

## 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 Notice of Preparation of a Draft Programmatic Environmental Impact Report/Environmental Assessment for the State Route 25 Corridor Improvement 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

Conservation Program Support Supervisor