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VIA EMAIL: [KRAIG.MAGNUSSEN@KERMANUSD.COM](mailto:KRAIG.MAGNUSSEN@KERMANUSD.COM)

KRAIG MAGNUSSEN  
ASSISTANT SUPERINTENDENT/CHIEF BUSINESS OFFICIAL  
KERMAN UNIFIED SCHOOL DISTRICT  
15218 W. WHITESBRIDGE AVENUE  
KERMAN, CA 93630

Dear Mr. Magnussen:

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THE KERMAN HIGH SCHOOL ATHLETIC FACILITIES MASTER PLAN EXPANSION PROJECT, SCH# 2024120432

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Initial Study and Mitigated Negative Declaration for the Kerman High School Athletic Facilities Master Plan Expansion 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 proposed project includes a covered parking lot with solar panels; a battery storage/utility building; a maintenance, operations, and transportation facility; a food service building; an office and printshop; and a stormwater basin. These improvements would have an approximate footprint of 51,100 square feet. The limits of the expansion area extend to the centerline of North Del Norte Avenue and SR 180, to address

required future street and frontage improvements that could include new curb and gutter, added acceleration/deceleration lanes on SR 180, and installation of street signage and pavement improvements.

The expansion area also accommodates the proposed internal access road and roundabout running between SR 145 and North Del Norte Avenue at the north edge of the site. Improvements to the 2016 Project site (proposed as part of the 2024 Project) include a storage facility, gymnasium, entry booths to the soccer/football stadium, two restroom facilities, two snack bars, grandstand seating for the soccer/football stadium, and three buildings to support the aquatics facilities (one building with restrooms/showers, one building with a snack bar, coaches offices, and team room, and one building with pool chemical and equipment storage).

The project site contains Prime Farmland as designated by DOC's Farmland Mapping and Monitoring Program.

### 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.

### 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 Initial Study and Mitigated Negative Declaration for the Kerman High School Athletic Facilities Master Plan Expansion 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