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VIA EMAIL: CEQA@SACCOUNTY.NET

Todd Smith, Interim Environmental Coordinator
Office of Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814

Governor's Office of Planning & Research

Oct 15 2020

STATE CLEARINGHOUSE

Dear Mr. Smith:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE OE3 TRAINING CENTER (CONTROL NUMBER: PLNP2017-00199), SCH# 2019029097

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the OE3 Training Center Project (Project). 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 project's potential impacts on agricultural land and resources.

Project Description

The applicant is seeking approval of a new use permit to replace the existing mining use permit to allow a new training center that includes construction and operation of a new campus facility, and allowance for field instruction in construction equipment on the property.

The new OE3 training center will be located on approximately 450 acres within the 1,500-acre project site. Approximately 25 of the 450 acres will be used for the campus and associated facilities. The remaining 425 of the 450 acres will allow for expanded equipment movement and field instruction. Field instruction includes training students to use various pieces of mobile construction equipment by simulating real-world construction activities. Only 80 acres will be subject to field training activities at a time, with the remainder lying fallow for cattle grazing on a rotational basis. Rotation will occur approximately every 5 years. The remaining 1,050 acres on-site may be permanently preserved depending on acceptance by State and federal permitting agencies.

Department Comments

In May of 2018 the Department provided comments and recommendations on the then proposed Conditional Use Permit. In summary, the Department recommended that if the County was unable to meet the statutory requirements for compatible use that the applicant consider waiting until the contract's non-renewal status has ended and the contract has expired before moving forward with the proposed project. The Department also noted that if the applicant wished to move forward before expiration of the contract, they may consider partial contract cancellation for that portion of the project site.

As stated in the Agricultural Resources section of the DEIR:

As seen from this analysis, the cancellation of the existing Williamson Act for the 25-acre proposed education campus is justified. Further, the applicant proposes to re-enter into an active contract for a large portion of the remaining property. Since the field instruction area will disturb up to 80 acres during each five-year rotation, there will always be an 80-acre portion that is not used for agricultural (grazing) practices. Thus, this area will be left to non-renew and the new contract would include all remaining land. The new contract will include the field instruction/heavy equipment operation as a compatible use.¹

The DEIR mentions that approximately 425 acres would allow for expanded equipment movement and field instruction, and that field instruction includes training students to use various pieces of mobile construction equipment by simulating real-world activities.

If the County has established, or will establish, "field instruction and heavy equipment operation" as a compatible use on Williamson Act contract land then it would not be necessary to wait for the proposed field instruction area to exit the Act through the nonrenewal process. However, if the proposed land use for the field instruction area is not found to be a compatible use on Williamson Act contracted land, then all areas proposing those uses would first need to exit the Act through either the nonrenewal or cancellation process.

It appears that the project's field instruction area would be limited to an 80-acre portion of the project area at any one time, and proposes:

to restore this disturbed area back to agricultural uses, while opening up another 80-acre portion of the property to heavy equipment instruction, on a rotating basis, thereby only disturbing 80 acres at a time for instruction purposes.²

¹ OE3 Training Center DEIR, PLNP2017-00199, Agricultural Resources, page 4-15, <https://planningdocuments.saccounty.net/ViewProjectDetails.aspx?ControlNum=PLNP2017-00199>

² OE3 Training Center DEIR, PLNP2017-00199, Agricultural Resources, page 4-16, <https://planningdocuments.saccounty.net/ViewProjectDetails.aspx?ControlNum=PLNP2017-00199>

Proposed rotation of the field instruction area would require that each new proposed field instruction area not be encumbered by a Williamson Act contract; therefore, the applicant should nonrenew, and allow the contract to expire, on all proposed field instruction areas. Simply nonrenewing one 80-acre portion of the overall project site and then rotating this one 80-acre portion to each new proposed field instruction area is not allowable under the Williamson Act.

Conclusion

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the OE3 Training Center Project. 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 via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Monique Wilber".

Monique Wilber
Conservation Program Support Supervisor