

5.2 Agriculture and Forest Resources

This section describes the environmental and regulatory setting and discusses impacts associated with the construction and operation of the Sanger Substation Expansion Project (proposed project) proposed by Pacific Gas and Electric Company (PG&E, or the applicant) with respect to agriculture and forest resources.

As part of the proposed project, PG&E would mount two dishes, each measuring about four feet in diameter, on an existing tower at the Fence Meadow Repeater Station in the Sierra National Forest. No ground disturbance would occur as a result of the installation, and existing roads would be used to access the site; therefore, there would be no impacts to forest land as a result of work on the proposed project at the Fence Meadow Repeater Station. The antenna system at Fence Meadow Repeater Station would also not impact agricultural resources and is therefore not discussed further in this section.

Forest land, timberland, and timberland zoned timberland production as defined by Public Resources Code Section 12220(g), Section 4526, and Government Code Section 51104(g), respectively, are not present on or near any areas of the proposed project site other than forest land around the Fence Meadow Repeater Station. The proposed project would therefore not impact these resources, so they are not discussed further in this section.

5.2.1 Environmental Setting

Agriculture Resources

The proposed project would be located in Fresno County, one of eight counties that make up the San Joaquin Valley in the southern portion of California's Central Valley (Galloway et al. 1999). Positioned just south of the Sacramento-San Joaquin River Delta, bounded to the east by the Sierra Nevada Mountains, and to the west by the Coastal Ranges, the San Joaquin Valley is California's most agriculturally productive region. Since the 1950s, Fresno County has been a national leader in the production of high-value farm products (Fresno County 2000). Almonds, milk, livestock, raisin grapes, and tomatoes are among the county's leading commodities (CDFA 2013).

To quantify the types and importance of agricultural land uses, the California Department of Conservation maintains the Farmland Mapping and Monitoring Program (FMMP) to monitor and rate agricultural resources. The FMMP categorizes agricultural land based on soil quality, irrigation status, and aerial photography (CDC 2015). The FMMP categories for California Environmental Quality Act (CEQA) purposes include:

- Prime Farmland;
- Farmland of Statewide Importance;
- Unique Farmland;
- Farmland of Local Importance; and
- Grazing Land (CDC 2015).

Table 5.2-1 summarizes FMMP designated Farmland in Fresno County.

Table 5.2-1 FMMP Farmland in Fresno County

Farmland Types in Fresno County	Acres
Prime Farmland	678,103
Farmland of Statewide Importance	404,085
Unique Farmland	93,655
Farmland of Local Importance	179,494
Grazing Land	825,275

Source: CDC 2014

1
2

Williamson Act

3 As described in greater detail in Section 5.2.2, “Regulatory Setting,” the Williamson Act (California Land
 4 Conservation Act of 1965) enables local governments to enter into contracts with private landowners for
 5 the purpose of restricting the use of those lands to agricultural or compatible uses. Figure 5.2-1 shows
 6 land under the Williamson Act in the project area and vicinity. With the exception of the land east of the
 7 project area, the land surrounding the existing Sanger Substation is under Williamson Act contracts. The
 8 existing Sanger Substation is not located on a parcel under a Williamson Act contract, but the substation
 9 expansion area would be located primarily on a portion of a parcel under a Williamson Act contract. The
 10 entire Williamson Act parcel measures 112.2 acres. The reconfigured power line would be located on this
 11 same parcel but also on two additional parcels to the west and south that are also under a Williamson Act
 12 contract. The parcel to the south of the existing Sanger Substation measures 36.0 acres; the parcel to the
 13 west measures 38.7 acres.

14

5.2.2 Regulatory Setting

15

Federal

16

17 There are no federal laws or regulations for agricultural resources that are applicable to the proposed
 18 project.

19

State

20

California Land Conservation Act of 1965

21

22 The California Land Conservation Act of 1965, commonly referred to as the “Williamson Act,” enables
 23 local governments to enter into ongoing, minimum 10-year contracts with private landowners for the
 24 purpose of restricting specific parcels of land to agricultural or compatible uses (Government Code
 25 §51200 et seq.). In return, restricted parcels are assessed for property tax purposes at a rate consistent with
 26 their actual uses, farming uses, and open space uses, as opposed to potential market value.

27

28 Government code section 51238.1(a) states that uses on the land must be consistent with the following
 29 specific compatibility criteria:

30

- 31 1. *The use will not significantly compromise the long-term productive agricultural capability of the*
 32 *subject contracted parcel or parcels or on other contracted lands in agricultural preserves.*
- 33 2. *The use will not significantly displace or impair current or reasonably foreseeable agricultural*
 34 *operations on the subject contracted parcel or parcels or on other contracted lands in*
 35 *agricultural preserves. Uses that significantly displace agricultural operations on the subject*
 36 *contracted parcel or parcels may be deemed compatible if they relate directly to the production*
 37 *of commercial agricultural products on the subject contracted parcel or parcels or neighboring*
 38 *lands, including activities such as harvesting, processing, or shipping.*

39

- 1 3. *The use will not result in the significant removal of adjacent contracted land from agricultural or*
2 *open-space use. In evaluating compatibility a board or council shall consider the impacts on non-*
3 *contracted lands in the agricultural preserve or preserves.*

4 5 **Local**

6 **Fresno County Code of Ordinances**

7 Pursuant to Fresno County Code of Ordinances § 816.2-D, electrical transmission and distribution
8 substations are permitted uses within Exclusive Agriculture (AE) Districts, subject to approval of a
9 conditional use permit by the Fresno County Director of Public Works and Planning. However, the CPUC
10 has preemptive power under the California Constitution (Article XII, Section 8) over local jurisdictions
11 with respect to regulation of investor-owned public utilities and electric utility siting.¹ The CPUC
12 therefore has ~~ultimate~~ discretionary decision making authority over land use decisions for the proposed
13 project.

14 15 **Fresno County General Plan**

16 The following Fresno County General Plan (Fresno County 2000) policy is relevant to the proposed
17 project:

- 18
19 • *Policy LU-A.13: The County shall protect agricultural operations from conflicts with*
20 *nonagricultural uses by requiring buffers between proposed non-agricultural uses and adjacent*
21 *agricultural operations.*

22 23 **5.2.3 Environmental Impacts and Assessment**

24 25 **Applicant Proposed Measures**

26 The applicant has incorporated an applicant proposed measure (APM) into the proposed project to
27 specifically minimize or avoid impacts on agriculture. A list of all project APMs is included in Table 4-5.

28
29 **APM AGR-1: Agriculture Impacts Avoidance and compensation.** To avoid potential impacts on
30 agriculture, PG&E will work with farmers to conduct its work between their harvest and planting
31 periods where and whenever possible. In areas containing crops that must be removed and replaced to
32 gain access to pole sites for construction purposes, PG&E will provide compensation to farmers
33 and/or landowners in accordance with PG&E's Property Damage Settlement Guidelines, including
34 compensation to replace the removed crops. Within 6 months of completion of project construction,
35 PG&E shall also repair, replace or provide compensation for damage to fences, irrigation facilities
36 and other such agricultural infrastructure. Access across active crop areas will be negotiated with the
37 farmers and/ or owners in advance of any construction activities.

38 39 **Impacts on Agriculture and Forest Resources**

40 Table 5.2-2 includes the significance criteria from Appendix G of the CEQA Guidelines for Agriculture
41 and Forestry Resources to evaluate the environmental impacts of the proposed project. As previously
42 discussed, there would be no impact to forest land at the Fence Meadow Repeater Station. Furthermore,
43 no forest land, timberland, or timberland zoned timberland production as defined by Public Resources
44 Code Section 12220(g), Section 4526, and Government Code Section 51104(g), respectively, are present

¹ Public Utilities Commission General Order -131D, section XIV, states: This General Order clarifies that local jurisdictions acting pursuant to local authority are preempted from regulating electric powerline projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction.

1 on or near any areas of the proposed project site other than forest land around the Fence Meadow
 2 Repeater Station. There would be no impact to these resources. A detailed analysis for significance
 3 criteria (c) and (d) is therefore not provided.
 4

Table 5.2-2 Agriculture and Forest Resources Checklist

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5
 6 **a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide**
 7 **Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and**
 8 **Monitoring Program of the California Resources Agency, to non-agricultural use?**
 9

10 *LESS THAN SIGNIFICANT WITH MITIGATION*

11
 12 The California Department of Conservation maps FMMP land in units that are 10 acres in size or greater.
 13 Conversion of 10 acres or more of Farmland would, on its own, require re-designation of Farmland to
 14 non-Farmland uses. Furthermore, in the Williamson Act, the legislature declared that agricultural land is
 15 presumed large enough to sustain agricultural use if it is at least 10 acres for prime agricultural land and at
 16 least 40 acres for land that is not prime agricultural land. “Prime agricultural land” is defined differently
 17 under the Williamson Act (see California Government Code §51201(c)), but the legislative declaration is
 18 indicative of the minimum size of productive agricultural land. The substation expansion area and most of
 19 the power line reconfiguration area are located on soil that when irrigated is designated as class 2 under
 20 the Natural Resources Conservation Service (NRCS) land use capability classification and therefore is
 21 considered “prime agricultural land” (California Government Code § 51201(c)(1); NRCS 2016). The
 22 remainder of the power line reconfiguration work would occur on land that would not be “prime
 23 agricultural land.” Given that the majority of the proposed project would be located on “prime agricultural
 24 land,” an impact is therefore considered significant if it would result in conversion of 10 acres or more
 25 such that the conversion would eliminate an area of land that could on its own sustain agricultural use.

1
 2 **Construction**

3 Construction of the proposed project would temporarily impact and disturb about 21.84 acres of
 4 Farmland, 14.94 acres of which are Prime Farmland and 6.9 acres of which are Farmland of Statewide
 5 Importance (Table 5.2-3; Figure 5.2-1). The proposed project would not be located on or affect Unique
 6 Farmland.

Table 5.2-3 Farmland in the Sanger Project Area

Farmland Category	Temporary Disturbance Acreage	Permanent Disturbance Acreage
Prime Farmland	14.94 acres	7.09 acres
Farmland of Statewide Importance	6.90 acres	0.06 acres
Total*	21.84 acres	7.15 acres

Source: CDC 2014

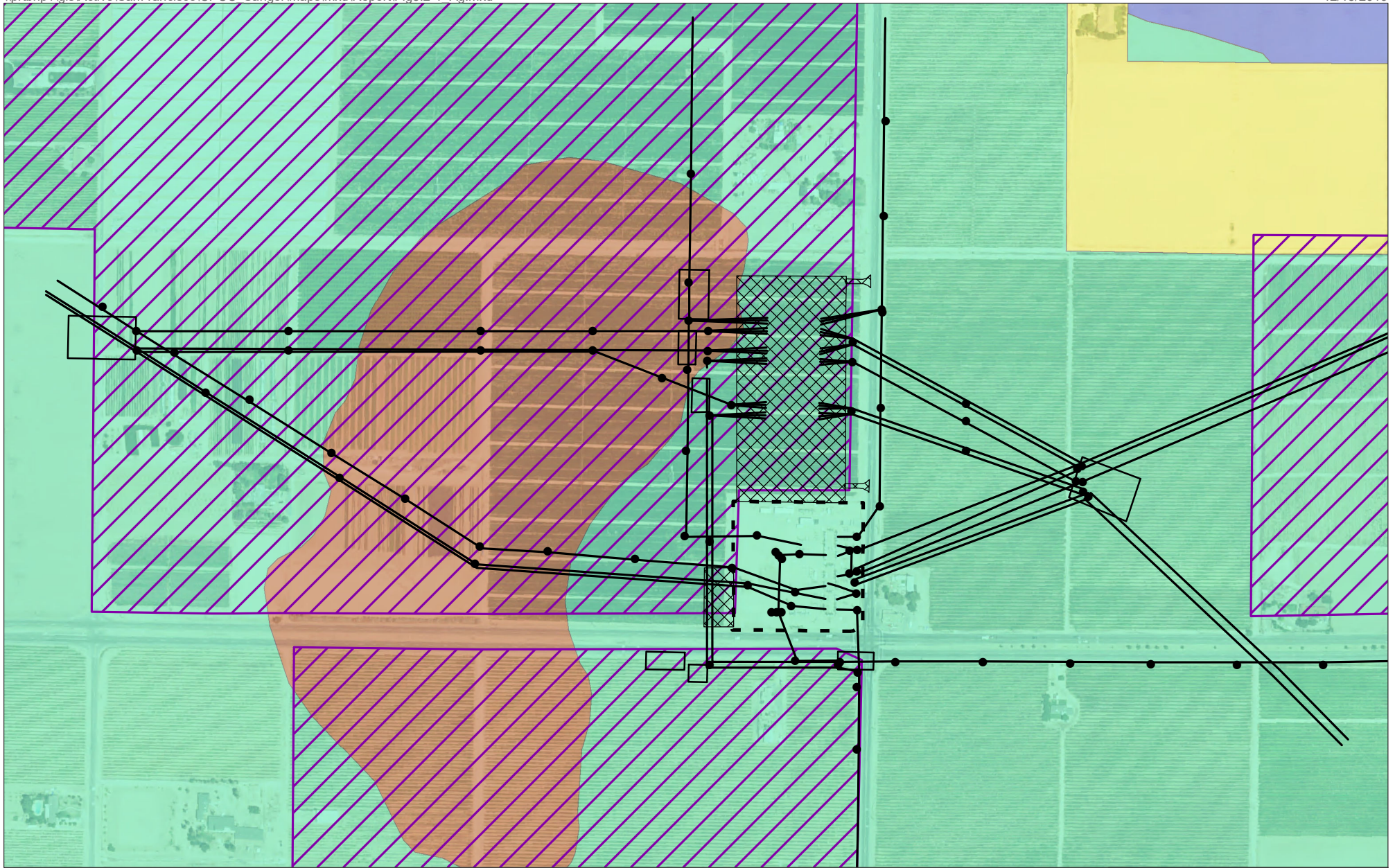
*Total values were rounded to the nearest tenth after adding unrounded values for Prime Farmland and Farmland of Statewide Importance.







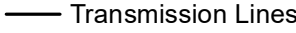
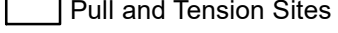
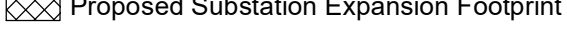

7
 8 Ground disturbing activities would occur for up to 24 to 30 months during construction, which could
 9 affect multiple growing seasons and could affect the grade of the land and condition of the soil.
 10 Furthermore, the removal of orchard trees and vineyards would be a long-term impact due to the length of
 11 time it takes for trees to mature.

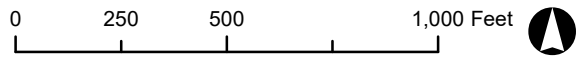
12
 13 The proposed project would temporarily impact more than 10 acres of Farmland (Prime Farmland and
 14 Farmland of Statewide Importance), as shown in Table 5.2-3. Impacts on Farmland would be significant
 15 given the substantial acreage that would be temporarily converted. Per APM AGR-1, PG&E would
 16 coordinate construction to be outside of harvest and planting periods to the extent feasible and would
 17 provide compensation to farmers and/or landowners for the removal of permanent crops. Implementation
 18 of APM AGR-1 would reduce some temporary impacts due to scheduling and would address the financial
 19 impacts of the temporary disturbance of the proposed project; however, the environmental effects of the
 20 proposed project to Farmlands would remain significant because APM AGR-1 does not address
 21 restoration of farmland to pre-project conditions. Mitigation Measure (MM) AGR-1 supplements APM
 22 AGR-1 and would require the applicant to restore the temporarily disturbed Farmland to preconstruction
 23 conditions at the completion of construction. Impacts to Farmlands during construction would be less than
 24 significant after implementation of APM AGR-1 and MM AGR-1.

25
 26 **MM AGR-1: Farmland Construction Impact Mitigation (supplements APM AGR-1).** PG&E
 27 shall implement the following measures for temporarily disturbed Farmland:

- 28 • The applicant shall survey agricultural fields prior to construction and return all temporary
 29 disturbance areas to pre-construction conditions (i.e, meeting the definition of Prime Farmland,
 30 Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant
 31 to the Farmland Mapping and Monitoring Program of the California Resources Agency) after the
 32 completion of construction, except that crops will not be replanted.
- 33 • If topsoil is removed from an area to accommodate temporary construction activities, it shall be
 34 restored to preconstruction conditions within two months of the completion of construction,
 35 except that crops will not be replanted by PG&E.



-  Williamson Act
-  Prime Farmland
-  Farmland of Statewide Importance
-  Farmland of Local Importance
-  Unique Farmland
-  Poles and Towers
-  Transmission Lines
-  Pull and Tension Sites
-  Proposed Substation Expansion Footprint
-  Existing Substation Footprint



Sources: CA DOC 2012, 2014; PG&E 2015, 2016
 Basemap: NAIP 2014

Figure 5.2-1
FMMP and
Williamson Act Land
 Sanger Substation
 Fresno County, CA

1 **Operation and Maintenance**

2 During operation, the proposed project would permanently impact about 7.15 acres of land, 7.09 acres of
3 which are Prime Farmland and 0.06 acres of Farmland of Statewide Importance (Table 5.2-3). The
4 proposed project would permanently convert less than 10 acres of Farmland. Impacts would be less than
5 significant, and no mitigation would be required.
6

7 *b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*
8

9 **Zoning for Agricultural Use**

10 *NO IMPACT*
11

12 The entire proposed project would be within an AE District zone designated by Fresno County. Fresno
13 County Code of Ordinances § 816.2-D permits electrical transmission and distribution substations on this
14 land designation with approval of a conditional use permit by the Fresno County Director of Public
15 Works and Planning; therefore, the proposed project would not conflict with existing zoning for
16 agricultural use. Impacts related to conflicting with agricultural zoning would be less than significant.
17

18 **Williamson Act Contract**

19 *NO IMPACT*
20

21 The policy of the state, consistent with the purpose of the Williamson Act to preserve and protect
22 agricultural land, is to avoid, whenever practicable, locating public improvements and any public utilities
23 improvements in agricultural preserves (Government Code §51290(a)). An “agricultural preserve” is an
24 area devoted to agricultural use (Government Code §51201(d)). If it is necessary to locate a public
25 improvement within a preserve, it is state policy that the improvement shall, whenever practicable, be
26 located on land that is not under a Williamson Act contract (Government Code §51290(b)).
27

28 A part of the substation expansion area, as well as most of the power line reconfiguration routes, would be
29 located on parcels that are currently under Williamson Act contracts. For the proposed project, PG&E has
30 indicated it would acquire the land and land rights necessary to construct the project “in lieu of eminent
31 domain” or with eminent domain. The Williamson Act contract would be terminated upon acquisition, and
32 there would be no conflict with contracted land (Government Code §51295). There would be no impact.
33

34 *e. Would the project involve other changes in the existing environment which, due to their location or*
35 *nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land*
36 *to non-forest use?*
37

38 **Construction**

39 *LESS THAN SIGNIFICANT*
40

41 The proposed project would involve ground disturbing activities throughout construction, which could
42 damage agricultural facilities such as irrigation infrastructure. Damage to such facilities could interfere
43 with normal agricultural operations and could therefore result in conversion of Farmland to non-
44 agricultural use. This would be a significant impact. APM AGR-1 would require that PG&E compensate
45 farmers and landowners in accordance with their Property Damage Settlement Guidelines and would
46 require the applicant to restore damaged agricultural infrastructure to preconstruction conditions at the
47 completion of construction or provide compensation for damage. Impacts resulting in the conversion of
48 farmland infrastructure during construction would be less than significant after implementation of APM
49 AGR-1.

1

2 **Operation and Maintenance**

3 Operation and maintenance of the proposed project would not involve other changes in the existing
4 environment, such as precluding access or water supply to an agricultural area that would result in
5 conversion of Farmland to non-agricultural use. There would be no impact.