

**Rio Mesa Solar Electric Generating Facility (RMSEGF)
(11-AFC-4)**

**Applicant's General Comments and Comments to Conditions of Certification
on the Preliminary Staff Assessment**

LAND USE

GENERAL COMMENTS

1. The PSA should find that there are noteworthy public benefits to land use from the project. The PSA mentions that development of the project is intended to address the requirements of federal and state mandates to develop renewable energy sources, but incorrectly notes that no noteworthy public benefits created by the project have been identified for this analysis (land use). The PSA land use section should recognize that the project will put unutilized private property owned by Metropolitan Water District to productive use, will increase property and sales and use tax revenues for local government, will create jobs and will advance state and federal renewable energy generation goals.
2. Applicant recognizes that Staff's analysis of Agriculture and Forestry Resources, Section A, pages 4.5-8 through 4.5-10, is correct to suggest that upon implementation of LAND-1, the project would create a less than significant impact on the environment. Additionally, Applicant concurs with Staff that the California Agricultural Land Evaluation and Site Assessment Model (LESA) is an appropriate tool to assess the project's soil quality and general availability/suitability for farming. Applicant also agrees with Staff that the soil quality within the project site is not prime, unique, or farmland of statewide importance. Staff performed the LESA model for each of the two drainage upgrades noted at 30th and S.R. 78; and on 34th Avenue at the C-2 canal crossing as shown on Land Use Figure 8. Page 4.5-10 concludes that the two drainage crossing upgrades resulted in a LESA final score of 59.15 and 68.73. A score of 59.15 is only significant if the Land Evaluation (LE) and Site Assessment (SA) subscores are each greater than or equal to 20 points. A score of 68.73 is considered significant unless either LE or SA subscore is less than 20 points. Staff evaluated the impacted to prime farmland based on an environmental study area, and not on the actual anticipated permanent impacts from construction of the new crossings. Due to the presence of a farm road on either side of the C-2 canal, Applicant has calculated that no permanent impact to prime farmland would occur due to the crossing of the canal with the new road. Similarly, Applicant does not anticipate any impact on prime farmland due any canal crossings on 30th Avenue/Bradshaw Trail. Since no impacts occur from upgrades to these drainage crossings, no LESA modeling is required.

FINDINGS OF FACT

No findings of fact listed are listed in this section of the PSA.

CONDITIONS OF CERTIFICATION

1. As explained in General Comment 2, construction of the project drainage crossings will not impact agricultural land and, therefore, **LAND-1** should be deleted in its entirety.

LAND USE

~~**LAND-1** The project owner shall restore disturbed agricultural land used during construction activities for the upgrading of two (2) drainage crossings; the drainage crossing near the corner of 30th Avenue and State Highway 78, and the drainage crossing on 34th Avenue closest to State Highway 78 shown on Land Use Figure 8 in the Energy Commission Staff Assessment.~~

~~The project owner shall submit to the Compliance Project Manager (CPM) for approval a restoration plan that with its full implementation will satisfy this requirement. The plan, at a minimum, shall show the area(s) to be restored, identify what is to be planted, and a schedule for the planting.~~

~~**Verification:** No more than 30 days following completion of the drainage improvements at both locations, the project owner shall submit the agricultural land restoration plan to the CPM for approval.~~

~~If the CPM notifies the project owner that any revisions of the agriculture land restoration plan are needed, within 30 days of receiving that notification the applicant shall submit to the CPM a plan with the specified revisions.~~

~~The project owner shall complete the agriculture land restoration within 90 days after approval of the plan by the CPM.~~

~~The project owner shall notify the CPM within seven days after completion of restoration that the restored area(s) is ready for inspection.~~

2. Reversions to acreage and parcel merger are distinct concepts and project owner, as a lessee, cannot file a reversionary map application without land owner approval. Accordingly, please revise **LAND-2** as follows:

~~**LAND-2** Prior to the start of construction, the project owner shall cause the filing with the County of Riverside Planning Department a "Reversionary Map" prepared in accordance to the provisions of the State Subdivision Map Act and the applicable provisions of County of Riverside Ordinance No. 460.151 merging combining individual parcels within the boundary of the project site to create a single parcel. The project owner shall provide to the CPM a copy of the recorded "Reversionary Map" filed with the County of Riverside Assessor-County Clerk-Recorder.~~

~~**Verification:** Thirty (30) days prior to the start of construction, the project owner shall provide to the CPM a copy of the recorded "Reversionary Map" final parcel map filed with the County of Riverside Assessor-County Clerk-Recorder.~~