

DOCKETED	
Docket Number:	26-OPT-01
Project Title:	Vaca Dixon Power Center Project
TN #:	268302
Document Title:	Agricultural Mitigation Strategy
Description:	Summarizes coordination between Applicants and Solano Land Trust related to agricultural mitigation for the Project, and describes the Applicant's intended approach for meeting the City of Vacaville's (City's) mitigation requirements using the in-lieu fee program.
Filer:	Megan Knight
Organization:	Rincon Consultants, Inc.
Submitter Role:	Applicant Consultant
Submission Date:	1/23/2026 4:13:38 PM
Docketed Date:	1/23/2026



January 23, 2026
Docket No: 26-OPT-01

Renee Longman
California Energy Commission
715 P Street
Sacramento, California 95814

**Subject: Agricultural Mitigation Strategy for the Vaca Dixon Power Center
Battery Energy Storage System (BESS)
City of Vacaville, California**

Dear Ms. Longman:

The information below summarizes recent coordination between Vaca Dixon BESS LLC and Arges BESS LLC (Applicants) and Solano Land Trust related to agricultural mitigation for the Vaca Dixon Power Center Project (Project) and describes the applicant's intended approach for meeting the City of Vacaville's (City's) mitigation requirements using the in-lieu fee program.

Mitigation Requirements

The Project would permanently convert approximately 10 acres of active agricultural land within the City of Vacaville, designated as Unique Farmland and Farmland of Statewide Importance, to non-agricultural use. City of Vacaville's Agricultural and Avian Habitat Mitigation Program, within Chapter 14.28 of the Vacaville Municipal Code, requires mitigation for the loss of agricultural land.

Applicant Coordination with Solano Land Trust

On January 5, 2026, the Applicants provided a Mitigation Project Application form to Solano Land Trust via e-mail. The Mitigation Project Application form listed two potential options for fulfilling the City of Vacaville mitigation requirements, a conservation easement and an in-lieu fee. Solano Land Trust confirmed that the City's in-lieu fee program is the appropriate pathway for addressing the Project's agricultural mitigation requirement based on the size of the Project and noted that they are the entity contracted to implement mitigation using those funds. Solano Land Trust recommended confirming with the California Energy Commission that this approach is acceptable. Copies of all correspondence with Solano Land Trust as well as the Mitigation Project Application, which was included, are provided in Attachment 1.

City of Vacaville Municipal Code Provisions

The Agricultural and Avian Habitat Mitigation Program, within Chapter 14.28 of the Vacaville Municipal Code, establishes agricultural and avian habitat mitigation requirements for development projects. The chapter allows applicants to select their preferred method of mitigation. Specifically, Section 14.28.010 states:

“Development projects required to provide mitigation under this division may elect one or a combination of the following options to satisfy the project's mitigation obligations:

- Provide direct agricultural and or avian habitat foraging mitigation as specified in subsection D.
- Pay the appropriate fee as indicated in subsection E.”



Agricultural Mitigation Strategy for the Vaca Dixon Power Center

The Municipal Code also establishes timing requirements for the in-lieu fee payment. Section F states that the fee is required prior to issuance of each grading permit or, if approved by the Community Development Director, prior to recording each final map. The fee amount is determined on a pro rata basis according to the acreage associated with each permit or map. The City does not require an applicant to secure mitigation land directly when using this option because the fee is used by the City and the Solano Land Trust to secure and manage agricultural mitigation lands.

Applicant's Proposed Mitigation Approach

The applicant intends to pursue the in-lieu fee option as described within the City of Vacaville's Agricultural and Avian Habitat Mitigation Program to satisfy the agricultural land conversion requirement for the project. This approach is consistent with the Land Use section submitted as part of the CEC AB 205 Opt-in Application and the City's Agricultural and Avian Habitat Mitigation Ordinance.

Requested CEC Confirmation

The applicant respectfully requests that CEC staff confirm the following:

1. The in-lieu fee program administered by the City of Vacaville and the Solano Land Trust is an acceptable method to satisfy the Project's agricultural mitigation obligation.
2. The City's timing requirement for fee payment prior to grading permit issuance is acceptable for meeting the project's mitigation obligations.

The applicant is available to provide supplemental documentation or participate in additional coordination as needed.

Sincerely,

Jon Boyer

Director – Environmental, Health, and Safety

Attachments

Attachment 1 Correspondence with Solano Land Trust

From: Tracy Ellison <tracy@solanolandtrust.org>
Sent: Wednesday, January 7, 2026 11:18 AM
To: Jon Boyer <jboyer@mrpgenco.com>; Christopher Lopez <clopez@mrpgenco.com>
Subject: RE: Solano Land Trust Mitigation Project Application Form

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Yes. Tracy

From: Jon Boyer <jboyer@mrpgenco.com>
Sent: Wednesday, January 7, 2026 11:17 AM
To: Tracy Ellison <tracy@solanolandtrust.org>; Christopher Lopez <clopez@mrpgenco.com>
Subject: RE: Solano Land Trust Mitigation Project Application Form

Can we push this meeting to 2:30? I do have a meeting at 2.

Jon Boyer | Director of Environmental, Health, and Safety | Middle River Power | C: 760.912.3007

From: Tracy Ellison <tracy@solanolandtrust.org>
Sent: Wednesday, January 7, 2026 11:06 AM
To: Christopher Lopez <clopez@mrpgenco.com>
Cc: Jon Boyer <jboyer@mrpgenco.com>
Subject: RE: Solano Land Trust Mitigation Project Application Form

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2:00 on Monday the 12th works good for me.

Would you like to send a video link?

Tracy

From: Christopher Lopez <clopez@mrpgenco.com>
Sent: Wednesday, January 7, 2026 9:52 AM
To: Tracy Ellison <tracy@solanolandtrust.org>

Cc: Jon Boyer <jboyer@mrpgenco.com>

Subject: Re: Solano Land Trust Mitigation Project Application Form

Good morning, Tracy Ellison,

I think a call would be helpful, would sometime this week or early next week work for you?

Here is Jon 's and my availability for the next couple of days;

Thursday 8th from 10 am - 12 noon

Friday 9th from 1 pm - 3 pm

Monday 12th from 8 am - 2 pm

Tuesday 13th from 9 am - 12 noon and 1 pm - 3 pm

Please let me know if any of these time slots work for you, and your preferred date.

Thank you,

Christopher Lopez | Environmental Engineer | Middle River Power |(O): (619)661-7307 (C): (619)653-9601

From: Tracy Ellison <tracy@solanolandtrust.org>

Sent: Tuesday, January 6, 2026 4:41 PM

To: Christopher Lopez <clopez@mrpgenco.com>

Cc: Jon Boyer <jboyer@mrpgenco.com>

Subject: RE: Solano Land Trust Mitigation Project Application Form

Caution: This email originated from outside your organization. Do not click links or open attachments unless you recognize the sender and know the contents are safe. If you have ANY reason to doubt the authenticity of this message, contact IT before you open or click on anything.

Thank you for your application. I have read through the application and initially have a few responses. I am happy to schedule a call for further conversation.

1. SLT and the tool of a conservation easement would be hard pressed to attempt a single 10-ac conservation easement. Our mission is to preserve farmland and open space and work with mitigation proponents like you to meet our goal and your need. Though a 10-ac or even 20-ac conserved property is not the impact we are looking to engage in. 10-ac is not a viable, farm production parcel of land that is going to impact the larger ag conservation mission. Granted a mitigation proponent may be able to fund a transaction, the land trust's approach is our time and capacity to do this work would be best served on a larger more impactful project.

2. You mentioned the two mitigation options with the City of Vacaville; 1. Pay the In Lieu Fee that the city offers or 2. place the easement with SLT and a private landowner. SLT is the organization that is under contract with the City of Vacaville to work to execute the mitigation via a paid In Lieu Fee to the City by the mitigation proponent. This I think is your better option as long as CEC accepts that. That would be question 1. To the City is the In Lieu Fee available to you and 2. Would CEC accept that process the City offers. The In Lieu Fee allows small acreage projects and the fee to be pooled together in order for the impact to be worthy and a land trust to do those larger more mission supported projects.

3. If you could get the CEC to agree to paying an In Lieu Fee to SLT under an agreement with SLT and allow us to match the funds and the mitigation with other same mitigation projects and funding out there in the landscape. Allow us to cobble the small project mitigation for Ag, Avian or both.
4. I do think the timeframe of 27-28 and 28-29 do allow for conversations with CEC and the mitigation proponent to try to figure out the best approach.

These are just a few thoughts as I read through the application and think maybe a conversation would be helpful.

Tracy Ellison
Conservation Director
707.580.4263 cell



solanolandtrust.org

Land connects us all – protecting it today, saving it for tomorrow

From: Christopher Lopez <clopez@mrpgenco.com>
Sent: Monday, January 5, 2026 12:21 PM
To: Tracy Ellison <tracy@solanolandtrust.org>
Cc: Jon Boyer <jboyer@mrpgenco.com>
Subject: Solano Land Trust Mitigation Project Application Form

Good morning, Tracy Ellison,

I am Christopher Lopez, an Environmental Engineer working under Jon Boyer. He has asked me to fill out the Solano Land Trust Mitigation Project Application Form, which I have completed and attached here. Please let me know if this is sufficient and/or if you have comments on any part of the application, it would be greatly appreciated. Also, if there are any forms or templates that need to be filled out and submitted, do not hesitate to send them.

Thank you very much,

Christopher Lopez

Environmental Engineer | Middle River Power
C: (619)653-9601
clopez@mrpgenco.com
middleriverpower.com

FOR SOLANO LAND TRUST USE ONLY

Date of first contact:

Date application received:

Staff reviewing application:

Application fee received?

**SOLANO LAND TRUST
MITIGATION PROJECT APPLICATION FORM**
(please type)

1. *Date:* 01/05/2026

2. *Name of Project:*

Vaca Dixon Power Center Project; Vaca Dixon 57 MWh BESS, Arges 400 MWh BESS

3. *Name and contact information for project proponent:*

Jon Boyer email: jboyer@mrpgenco.com phone: (760)912-3007
Christopher Lopez email: clopez@mrpgenco.com phone: (619)661-7307

4. *Name and contact information for consultant and individual preparing this application, if different.*

5. *Describe location of project if mitigation is onsite. Include maps for the general vicinity and the project site. (NA if SLT is to provide for off-site land)*

The proposed project location is in the City of Vacaville, California, encompassing 10 acres on APN 0133-060-060. The Vaca Dixon 57 MWh BESS component is located on the southern portion of the site, encompassing 4.25 acres, and the Arges 400 MWh BESS component is located on the northern portion of the site, encompassing 5.75 acres. The project area is designated by the City of Vacaville General Plan as a Business Park, and the proposed site is located in the City's Northeast Growth Area, which is intended for job generating uses like industrial uses. BESS facilities are not included; however, CEC has exclusive approval authority through the AB Opt-In process. The BESS project site is bordered by Interstate 80 (under Caltrans jurisdiction), a PG&E transmission easement and agricultural land within Vacaville city limits to the east, and Kilkenny Road along with agricultural land in Solano County to the south.

6. *Describe purpose of project. What resources will be affected/protected by this project (e.g., ag land, vernal pool, burrowing owl, prime agricultural land, etc.)? How will this project affect these resources?*

The project aims to construct, operate, and eventually repower or decommission the BESS facilities totaling 457 MWh of storage capacity in Vacaville, Solano County, California. This project will;

support California's grid reliability during peak demand periods, help meet state renewable energy and greenhouse gas reduction goals (e.g., SB 100 and SB 1020), reduce reliance on fossil-fuel generation by storing excess renewable energy and delivering it when needed, avoid building new regional transmission infrastructure by leveraging existing PG&E facilities, and provide economic benefits and local jobs during construction and operation. The following resources will be affected:

- **Agricultural land:** The site will convert land previously used for agriculture into an industrial energy facility. Existing irrigation systems will be removed, reducing farmland availability.
- **Stormwater and drainage:** Construction introduces ~7.6 acres of impervious surfaces, requiring detention basins and infiltration trenches to manage runoff. Managed through engineered basins and infiltration systems to mimic pre-construction runoff.
- **Water resources:** Minimal operational water use (<1 acre-foot/year), primarily for fire protection; construction water use estimated at 4.8–5.6 acre-feet for dust suppression.
- **Wildlife habitat:** The area includes open land near residential and agricultural zones, so species like burrowing owls or other grassland species could be impacted (though specific surveys would confirm presence). Potential habitat disturbance during grading and construction; transmission lines will follow avian protection guidelines (APLIC standards).
- **Visual and noise resources:** Landscaping and possible sound walls will mitigate visual and noise impacts on nearby residences.

7. *Describe the mitigation requirements that require creation of a Conservation Easement (looking for agency requirements listed in EIR or CEQA.)*

The conversion of Farmland of Statewide Importance and Unique Farmland within the Vaca Dixon Power Center Project area triggers mitigation under CEQA and the City of Vacaville Agricultural Mitigation Policy. Mitigation must occur at a 1:1 ratio (one acre preserved for every acre impacted). This requirement can be satisfied through either (1) payment of in-lieu fees or (2) direct provision of agricultural mitigation land. When mitigation is provided through land, the applicant must grant a permanent agricultural conservation easement or similar permanent mechanism to an entity qualified to hold such easements (e.g., a land trust or public agency). This ensures long-term preservation of agricultural land consistent with CEQA and local policy. Estimated cost range of \$47,339-\$151,500 based on Vacaville Agricultural Mitigation Policy and CEQA standards.

8. *List each permit and/or approval required for this project. Provide copies of application(s) filed and any permits and/or approvals issued.*

- **Opt-in Application:** Nearing completion, to be submitted to the CEC at the beginning of the year, a website will be created where the entire application will be present.
- **Hazardous Material Transportation License:** To be obtained prior to transportation of hazardous materials.
- **Solano County and Caltrans Transportation Permits:** To be obtained prior to transporting large construction equipment across County roads or Caltrans jurisdiction.

- **Caltrans Encroachment Permit:** To be obtained prior to installation of the gen-tie line across I-80.
- **Hazardous Materials Business Plan (HMBP):** To be submitted at least 30 days prior to operation via California Environmental Reporting System (CERS); fees to be paid to Solano County Environmental Health Hazardous Materials and Waste Program.
- **Spill Prevention, Control, and Countermeasure Plan (SPCC):** To be submitted at least 30 days prior to operation to Solano County Environmental Health Hazardous Materials and Waste Program.
- **Trenching and Excavation Permit:** To be submitted to any Cal/OSHA district or field office prior to construction and at least 24 hours before activities begin.
- **Risk Management Plan (RMP):** To be submitted at least 30 days prior to operation via CERS; fees to be paid to Solano County Environmental Health Hazardous Materials Program.
- **Tower Crane Permit:** To be submitted to any Cal/OSHA district or field office at least 24 hours prior to initiation of activities; fees to be paid to Department of Industrial Relations.
- **NPDES Statewide General Permit for Stormwater Discharges:** To be obtained prior to construction.
- **Major Grading Permit:** To be obtained prior to construction; application will follow completion of CEC Opt-In process.

9. *Describe exactly what the Solano Land Trust is being asked to do. If perpetual or long-term maintenance/management is contemplated, list all duties.*

Solano Land Trust (SLT) will accept and steward a permanent agricultural conservation easement (ACE) at a 1:1 ratio to offset approximately 10 acres of Farmland of Statewide Importance/Unique Farmland converted by the VDPC project or alternatively administer approved in-lieu fees to acquire and encumber suitable mitigation lands. SLT's perpetual duties include baseline documentation; annual monitoring; landowner relations; enforcement and defense of easement terms; preparation and periodic update of a management/stewardship plan; establishment and conservative investment of endowments for stewardship and easement defense; program administration and reporting; and maintenance of complete records. SLT will implement its three-phase acceptance process (screening, preparation/evaluation, execution) prior to recordation or fee expenditure.

10. *What is the timeline for this project?*

This Project will be completed in two different phases given the Vaca Dixon 57 MWh BESS and the Arges 400 MWh BESS components. The Vaca Dixon 57 MWh BESS component is estimated to start on July 2027 and end in July 2028. The Arges 400 MWh BESS component is estimated to start on June 2028 and end in June 2029.

Figure 1 - Project Location

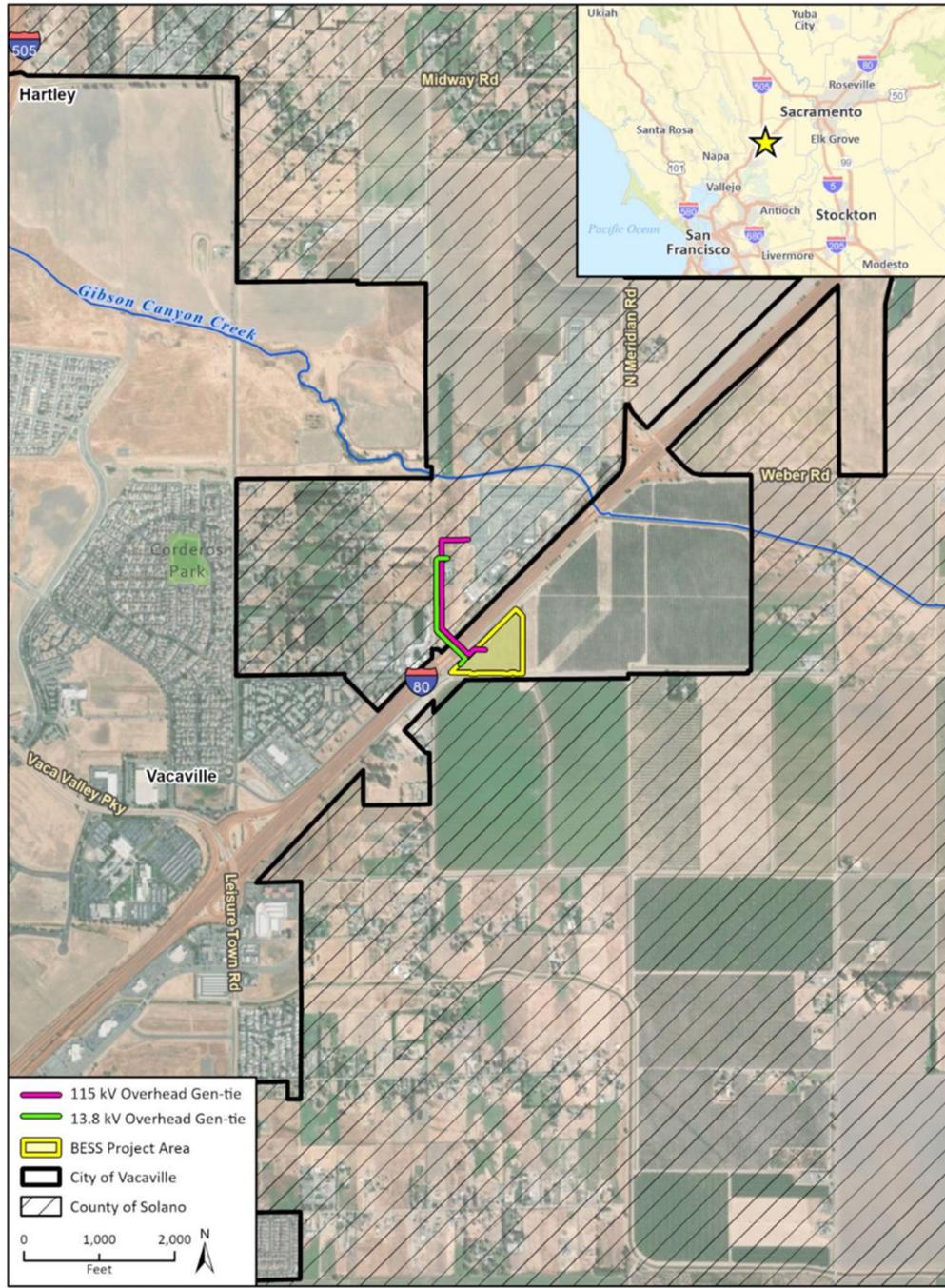


Figure 2 - Project Site

