

| DOCKETED | |
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| Docket Number: | 19-SPPE-04 |
| Project Title: | SJ2 |
| TN #: | 232026 |
| Document Title: | Report of Conversation with Kerri Kisko, California Department of Conservation |
| Description: | ROC with Kerri Kisko, Environmental Scientist, California Dept of Conservation (CDOC), Division of Land Resources Protection regarding applying the CA Agricultural Land Evaluation and Site Assessment (LESA) model to the project site. |
| Filer: | Steve Kerr |
| Organization: | California Energy Commission |
| Submitter Role: | Commission Staff |
| Submission Date: | 2/13/2020 2:39:33 PM |
| Docketed Date: | 2/13/2020 |



**Siting, Transmission
and Environmental
Protection Division**

FILE: n/a

PROJECT TITLE: San Jose City Data Center **Docket:** 19-SPPE-04

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| TECHNICAL AREA(s): Agricultural Resources | | | |
| <input checked="" type="checkbox"/> Telephone | <input checked="" type="checkbox"/> Email | <input type="checkbox"/> Meeting Location: N/A | |
| NAME(s): | Jeanine Hinde, Planner II, Energy Commission | DATE: | 02/04/20 phone call 02/06/20 e-mail |
| WITH: | Kerri Kisko, Environmental Scientist, California Dept. of Conservation (CDOC), Division of Land Resource Protection | | |
| SUBJECT: | Applying the CA Agricultural Land Evaluation and Site Assessment (LESA) model to the project site | | |

COMMENTS:

Telephone Call

Jeanine Hinde (staff) contacted Kerri Kisko with questions about how to apply CDOC’s LESA model to evaluate potential impacts of the proposed project on agriculture and farmland. Staff asked for guidance on how to determine the feasibility of irrigated and dryland agriculture on a site and the existence of any physical or economic restrictions influencing the feasibility of agricultural production (components of the water resource availability score).

Staff provided the following background information on the project site:

- Previous property owner representative, Mr. Carl Cilker, reported that cultivation of crops occurred on the property through the late 1990s. The agricultural land was fallowed starting in approximately 2000. Mr. Cilker stated that it had been difficult to attract farmers to lease land in the San Jose area due to rising cost-of-living expenses (Cornerstone Earth Group 2015).
- Assessed value of the property as of 06/30/2019 is \$74.6 million (property transfer date 09/27/2017). Microsoft intends to develop a data center on the site, and at the current assessed value, leasing the property for agricultural operations would be infeasible. The previous assessed value as of 06/30/2017 was \$1.45 million.
- City of San Jose GIS data (based on County of Santa Clara map records) and the Preliminary Title Report show there is no evidence of the property ever having been under a Williamson Act contract.

Staff discussed the nature of the economic restriction with Ms. Kisko as a key point in determining the feasibility of agricultural production for the site. The LESA model instructions ask whether it is possible to achieve a viable economic return on crops through irrigated production. Ms. Kisko stated that even if a physical restriction such as water availability is not an issue, an economic restriction can cause irrigated or dryland farming to be infeasible. Ms.



Kisko further stated that if a profit cannot be made from irrigated farmland production, it would not be possible (i.e., feasible) using dryland production. Ms. Kisko agreed that the encroachment of development in the City is obviously driving prices up, and that an overall economic restriction exists making farming the property infeasible for either irrigated or dryland production.

E-mail Communication

Ms. Kisko e-mailed staff with additional data on the project site:

- Historical aerial imagery from the Farmland Mapping and Monitoring Program (FMMP) show that the project site was in irrigated agricultural use in 2005 and 2006. Imagery for 2008 is missing from the record. After 2008, aerial imagery shows that the land was fallowed in 2009, 2010, 2012, 2014, 2016, and 2018. (As described above, the previous property owner representative stated that the property was fallowed starting around 2000 after last producing crops in the late 1990s.)
- Sometimes a local jurisdiction will assign a property to a Farmland of Local Importance category. However, the project site property would not qualify for the category of Farmland of Local Importance due to the Santa Clara County definition, which would require the land to be dryland farmed (non-irrigated grains like winter wheat).
- Available records at CDOC also show that the site was not subject to a Williamson Act contract.
- FMMP maps show that the site is not mapped as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, which means that no impact relating to conversion of Important Farmland would occur, based on California Environmental Quality Act guidelines.

Reference

Cornerstone Earth Group 2015 – Phase I Environmental Site Assessment, 1595 and 1657 Alviso-Milpitas Road, San Jose, California. Project No. 834-2-1. Date October 14, 2015. See *Appendix F – Prior Reports and Selected Agency Files*, containing the Phase I ESA of Agricultural Land Adjacent to 800 Thomas Foon Chew Way. Project No. 118EM01032. Page 20. March 20, 2015. Available online at: <https://www.sanjoseca.gov/home/showdocument?id=20875>. Accessed on February 11, 2020.

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| cc: | <p>Signed:</p> <p> s _____</p> <p>Name: Jeanine Hinde, Planner II</p> |
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