

STAFF REPORT

SUBJECT:

Breitenbucher Farms - East, Plan
Participation and Buffer Reduction

RECOMMENDED ACTION:

Motion to 1) Allow the Breitenbucher Farms
- East to Participate in the SJMSCP and; 2)
Allow a Revision to the Incidental Take
Minimization Measures for Giant Garter
Snake (GGS) and Western Pond Turtle
(WPT)

DISCUSSION:

SUMMARY:

The project applicant, JKB Energy, is requesting coverage under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) through the San Joaquin County Community Development Department because the site is in an unmapped area of the Plan. The project site is located on the north side of Kettleman Lane and west of Clements Road, east of the City of Lodi in the Central and Vernal Pool Zones (attachments 1 & 2).



RECOMMENDATION:

SJCOG, Inc. staff and HTAC recommend the SJCOG, Inc. Board to:

- 1) Allow the project to participate under the SJMSCP to provide biological coverage for the project impacts to the habitat types under the federal and state permits;
- 2) Allow a revision to the Incidental Take Minimization Measures for Giant Garter Snake (GGS) and Western Pond Turtle (WPT).

FISCAL IMPACT:

If approved, SJCOG, Inc. will be provided mitigation for project impacts as required under the SJMSCP, for approximately 0.69 acres at the appropriate rate of disturbance under the Plan. The impacts for this project would consist of 0.69 acres of Multi-Purpose Open Space (C2) habitat.

BACKGROUND:



This project consists of the installation of a 136.5-kW ground mount solar for ongoing and a private farming operation (attachment 3).

For the proponents to construct and trench the solar mount, the project will impact potential Giant Garter Snake (GGS) habitat within the suggested 200-foot buffer and Western Pond Turtle (WPT) within the 300-foot buffer. As identified in Section 5.59 of the Plan, HTAC, on a case by case review, can establish a setback and buffer zone to be used by the project in place of the 200 and 300 feet suggested.

The project proponent has requested a reduction in the buffer to a 0' setback for the installation of a solar mount and associated trenching near Paddy Creek for site impacts. All other ITMM measures for GGS (*e.g. construction window between May and October and required survey work*) and WPT will remain standard. Reducing the buffer for GGS and WPT will allow the project to construct up to 0' feet of the banks of Paddy Creek during the species' active period.

The SJMSCP GIS habitat layer classifies the project site as Multi-Purpose Open Space (C2) Habitat.

If allowed to participate in the SJMSCP, the total disturbed area will consist of 0.69 acres Multi-Purpose Open Space (C2) impacts. The project applicant will be responsible for mitigating for the habitat impacts that is consumed by this project by either paying the appropriate fees at the time of ground disturbance or dedicating land in lieu of a fee at the appropriate SJMCP ratio.

Adjacent Vegetation and Land Use

Location	SJMSCP Vegetation Map Classification	Habitat Type Category	Actual Use Of Property
Site	Multi-Purpose Open Space (C2)	Multi-Purpose Open Space (C2)	Multi-Purpose Open Space (C2)
North	Agriculture (C34)	Agriculture (C34)	Agriculture (C34)
South	Agriculture (C34), Natural (W3)	Agriculture (C34), Natural (W3)	Agriculture (C34), Natural (W3)
East	Natural (G2), Vernal Pool (G3)	Natural (G2), Vernal Pool (G3)	Natural (G2), Vernal Pool (G3)
West	Natural (G)	Natural (G)	Natural (G)

COMMITTEE ACTIONS:

- Habitat Technical Advisory Committee: Recommended for Approval
- SJCOG, Inc. Board: Action Required

ATTACHMENTS:

1. General Location Map
2. Project Location Map
3. Project Site Map

ATTACHMENT 1





