

3.2 AGRICULTURAL RESOURCES

This section addresses agricultural resources within the project site and surrounding areas. It describes Sacramento County's agricultural land uses; describes the significance, quality, and extent of agricultural land on-site and within the County, including Important Farmland; and describes the factors that could potentially contribute to the conversion of irrigated agricultural land to non-irrigated uses.

3.2.1 ENVIRONMENTAL SETTING

Sacramento County is the state's 25th largest in terms of agricultural production. The gross valuation for all agricultural commodities produced in Sacramento County in 2015 was approximately \$470 million, which represents a 6.4 percent decrease from the adjusted 2014 figure of \$502 million, a record high. Wine grapes had the highest crop value (\$128 million) and represent almost a third of Sacramento County's production value. Milk production is the number two commodity at \$49 million, followed by pears (\$40 million), poultry (\$39 million), and aquaculture (\$33 million) (Sacramento County Agricultural Commissioner 2015).

SACRAMENTO COUNTY FARMLAND CONVERSION

The California Department of Conservation's Important Farmland classifications—Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance—identify the land's suitability for agricultural production by considering physical characteristics of the soil, such as soil temperature range, depth of the groundwater table, flooding potential, rock fragment content, and rooting depth. The classifications also consider location, growing season, and moisture available to sustain high-yield crops. (See "Regulatory Framework" below, for detailed descriptions of Important Farmland classifications.)

Table 3.2-1 summarizes acreages of agricultural land in Sacramento County between 2004 and 2014 and shows the net change in acreage over that 10-year period. The Department of Conservation estimated that Sacramento County included 384,653 acres of agricultural land in 2004, of which 221,480 acres (57.6 percent) were classified as Important Farmland and 163,173 acres (42.4 percent) were classified as Grazing Land (DOC 2014a). Overall, the total acreage of Important Farmland decreased by approximately 5.8 percent over the 10 years between 2004 and 2014, and the total acreage of agricultural land decreased by 5.9 percent (Table 3.2-1). However, the most productive categories of farmland (Prime Farmland and Farmland of Statewide Importance) experienced a steep decline between 2004 and 2014 (-17.0 percent and -23.2 percent respectively).

The Department of Conservation field reports for Sacramento County identify the factors contributing to changes in agricultural land uses. Between 2004 and 2008, most of the conversion of irrigated Important Farmland (i.e., Prime Farmland, Farmland of Statewide Importance, or Unique Farmland) was to urban land uses in the cities of Elk Grove, Rancho Cordova, Folsom, Galt; and in the Natomas area of the City of Sacramento (see Exhibit 3.2-3) (DOC 2014a). No recent annexation activity contributed to this conversion activity.

According to the Department of Conservation's most recent 2014 Field Report, Conversion of Important Farmland to Other Land resulted from land that was left idle for three or more update cycles, as well as the construction of rural residences, commercial and industrial buildings, parkland, and solar facilities (DOC 2014b). Conversely, Important Farmland increased in some instances, mainly from additions of vineyards, corn, alfalfa, various row crops, and irrigated pasture in the southern part of Sacramento County; multiple rice plantings east of

the Sacramento International Airport; and corn and irrigated hay near the unincorporated County place, Twin Cities (DOC 2014b).

Table 3.2-1. Summary of Agricultural Land Conversion in Sacramento County

Important Farmland Category	Acres				Net Change (2004–2014)	Percent Change (2004–2014)	Average Annual Change (2004–2014)
	2004	2010	2012	2014			
Prime Farmland	110,278	97,476	93,916	91,568	-18,710	-17.0%	-1.7%
Farmland of Statewide Importance	56,141	45,264	43,580	43,105	-13,036	-23.2%	-2.3%
Unique Farmland	15,188	15,076	15,060	15,125	-63	-0.4%	0.0%
Farmland of Local Importance	39,873	53,928	56,981	58,852	18,979	47.6%	4.8%
Important Farmland Subtotal	221,480	211,744	209,537	208,650	-12,830	-5.8%	-0.6%
Grazing Land	163,173	155,822	154,744	153,452	-9,721	-6.0%	-0.6%
Agricultural Land Total	384,653	367,566	364,281	362,102	-22,551	-5.9%	-0.6%

Source: DOC 2014a

WILLIAMSON ACT

Under the California Land Conservation Act of 1965, also known as the Williamson Act, local governments can enter into contracts with private property owners to protect land (within agricultural preserves) for agricultural and related open space purposes. Sacramento County had approximately 178,813 acres of land under Williamson Act contracts in 2013 (the most recent year for which data are available) (DOC 2015).

The nonrenewal process is the most common mechanism for termination of Williamson Act contract lands, and most Williamson Act contracts are terminated through this process. In Sacramento County as of 2013, approximately 9,741 acres were in some stage of the nonrenewal process and the amount of contract land terminated through nonrenewal expirations was approximately 1,984 acres (DOC 2015).

Urban development of Williamson Act lands prior to contract expiration requires cancellation of the contracts pursuant to California Government Code Section 51282 (see “Regulatory Framework,” below). No Williamson Act contracts in Sacramento County were cancelled in 2013 (DOC 2015). No lands within the SOIA Area have been subject to Williamson Act contracts.

FARMLAND SECURITY ZONE

There are no Farmland Security Zone properties in the vicinity of the SOIA Area. Sacramento County does not participate in the Farmland Security Zone program (DOC 2016, DOC 2015).

EXISTING AGRICULTURAL USES IN THE PROPOSED SOI AMENDMENT AREA

The proposed SOIA Area) is within unincorporated Sacramento County and is primarily used for extensive dry farmed and irrigated croplands and vineyard operations. The site also includes the McConnell Estates winery and tasting room, which hosts weddings, concerts, and other events throughout the year. Drainage is conveyed via a

series of maintained agricultural ditches. Irrigation to the eastern vineyards is achieved by an old borrow pit modified as a storm/irrigation runoff holding facility that is fully maintained on the most easterly parcel.

Important Farmland

According to the Sacramento County Important Farmland map, published by the California Division of Land Resource Protection (DOC 2014c), approximately 105 acres of land within the SOIA Area is designated as Prime Farmland, 405 acres of land within the SOIA Area is designated as Farmland of Statewide Importance, and approximately 627 acres of land is designated as Farmland of Local Importance (Exhibit 3.2-1). In addition, active agricultural fields are located surrounding the project site are designated as Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance.

Approximately 10 acres of the SOIA Area is designated as Other Land. Approximately 7 acres of land within the SOIA Area is designated as Urban and Built-Up Land.

Williamson Act

No parcels in the project are under Williamson Act contracts. Lands under Williamson Act contracts are located north and south of the proposed SOIA Area (Exhibit 3.2-2). No parcels in the vicinity of the SOIA Area have entered the nonrenewal process. No Williamson Act contracts in Sacramento County were cancelled in 2013 (DOC 2015).

Agricultural Designations and Zoning

The project site is designed in the County's General Plan as Agricultural Cropland (Exhibit 3.2-4) and is zoned by the County as ~~AG-20~~AG-80 (see Exhibit 3.2-5) (Agricultural, ~~2080~~-acre minimum). The ~~AG-20~~AG-80 zoning designation is used to eliminate the encroachment of land uses incompatible with the long term agricultural use of land, to preserve the maximum amount of the limited supply of agricultural land in order to conserve the County's economic resources that are vital for a healthy agricultural economy, to discourage the premature and unnecessary conversion of agricultural land to urban uses, and to encourage the retention of sufficiently large agricultural lots to assure maintenance of viable agricultural units (Sacramento County 2017).

3.2.2 REGULATORY FRAMEWORK

FEDERAL AND STATE PLANS, POLICIES, REGULATIONS, AND LAWS

No federal plans, policies, regulation, or laws pertaining to agricultural resources are applicable to the proposed project.

California Important Farmland Inventory System and Farmland Mitigation and Monitoring Program

The Farmland Mapping and Monitoring Program (FMMP) was established by the State of California in 1982 to continue the Important Farmland mapping efforts begun in 1975 by the U.S. Soil Conservation Service (now called the Natural Resources Conservation Service (NRCS), under the U.S. Department of Agriculture). The Soil Conservation Service produced agricultural resource maps, based on soil quality and land use. The Department of Conservation sponsors the FMMP and also is responsible for establishing agricultural easements, in accordance with California Public Resources Code Sections 10250–10255.

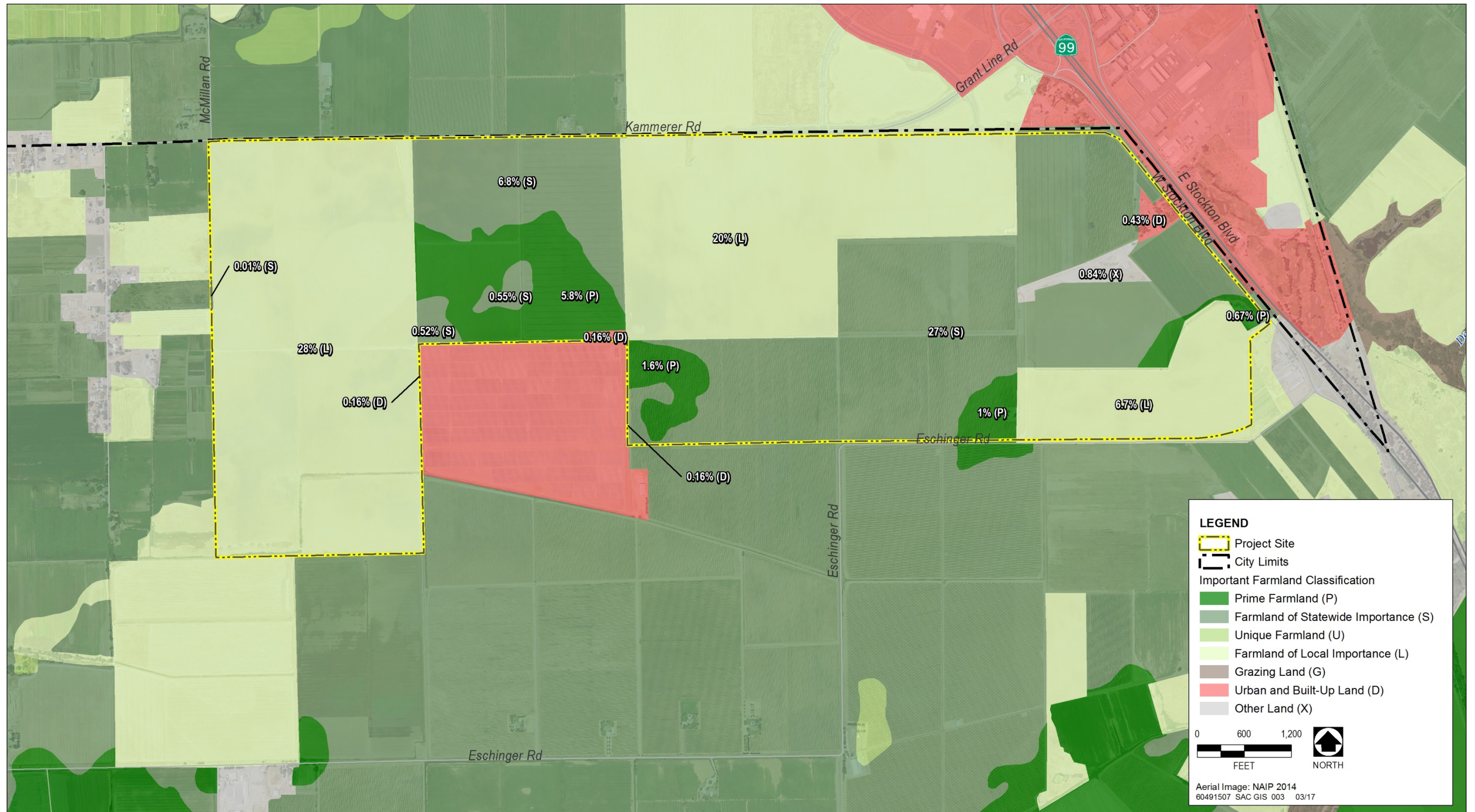
The Department of Conservation FMMP maps are updated every two years using aerial photographs, a computer mapping system, public review, and field reconnaissance. The following list provides a comprehensive description of all the categories mapped by the Department of Conservation:

- ▶ **Prime Farmland**—Land that has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields.
- ▶ **Farmland of Statewide Importance**—Land similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture.
- ▶ **Unique Farmland**—Land of lesser quality soils used for the production of the state’s leading agricultural cash crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California.
- ▶ **Farmland of Local Importance**—Land that is of importance to the local agricultural economy, as defined by each county’s local advisory committee and adopted by its board of supervisors.
- ▶ **Grazing Land**—Land with existing vegetation that is suitable for grazing.
- ▶ **Urban and Built-Up Lands**—Land that is used for residential, industrial, commercial, institutional, and public utility structures and for other developed purposes.
- ▶ **Land Committed to Nonagricultural Use**—Land that has a permanent commitment to development but has an existing land use of agricultural or grazing lands.
- ▶ **Other Lands**—Land that does not meet the criteria of any of the previously described categories and generally includes low-density rural developments, vegetative and riparian areas not suitable for livestock grazing, confined-animal agriculture facilities, strip mines, borrow pits, and vacant and nonagricultural land surrounded on all sides by urban development.

Important Farmland is classified by the Department of Conservation as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. Under CEQA, the designations for Prime Farmland, Farmland of Statewide Importance, and Unique Farmland are defined as “agricultural land” or “farmland” (California Public Resources Code Sections 21060.1 and 21095, and CEQA Guidelines Appendix G).

Williamson Act

The California Land Conservation Act of 1965, commonly known as the Williamson Act, enables local governments to form contracts with private landowners to promote the continued use of the relevant land in agricultural or related open space use. As noted previously, there are no active Williamson Act or nonrenewal contracts affecting land in the SOIA Area.

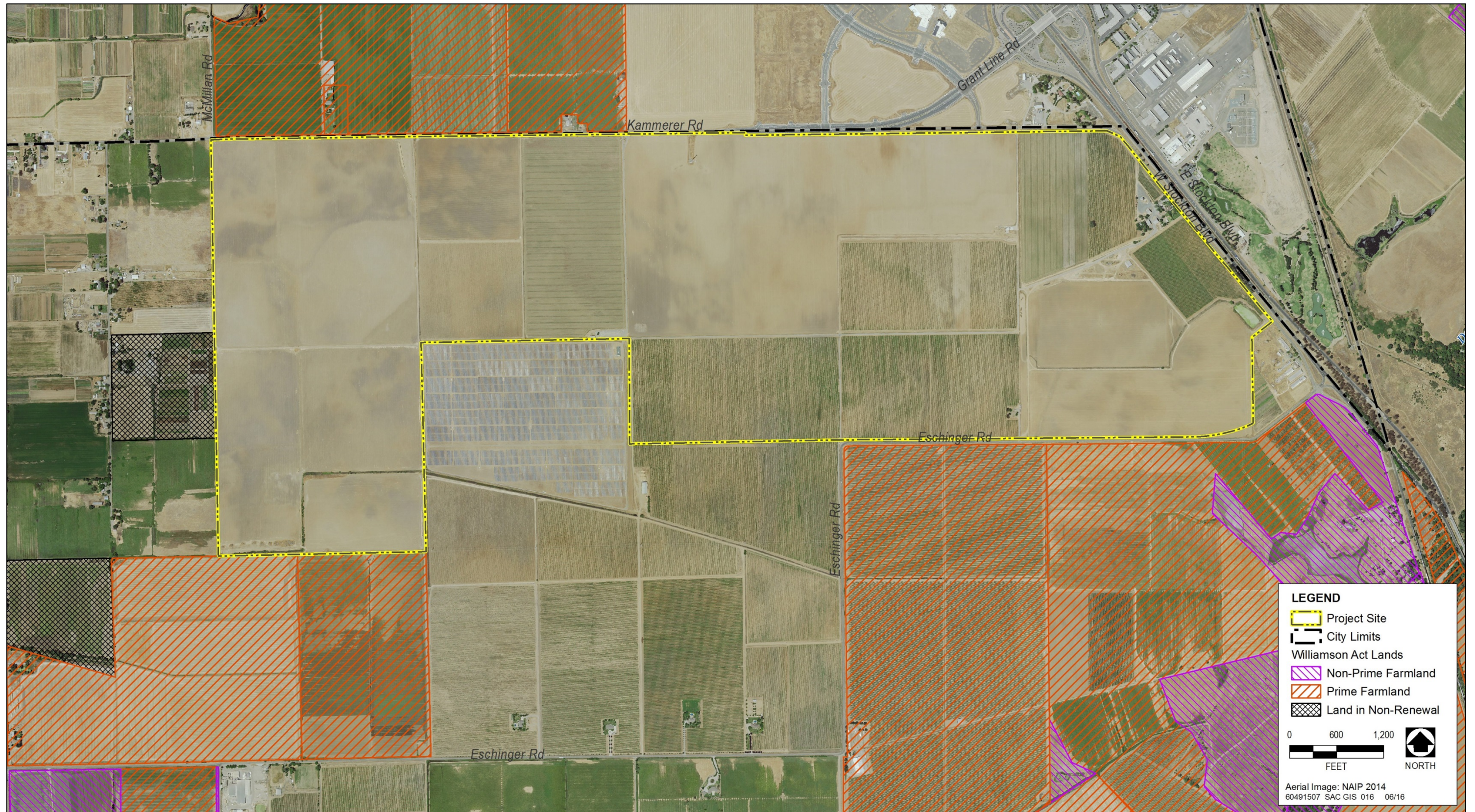


Source: DOC 2014c, Sacramento County 2014 adapted by AECOM in 2016

Exhibit 3.2-1

Important Farmland Map

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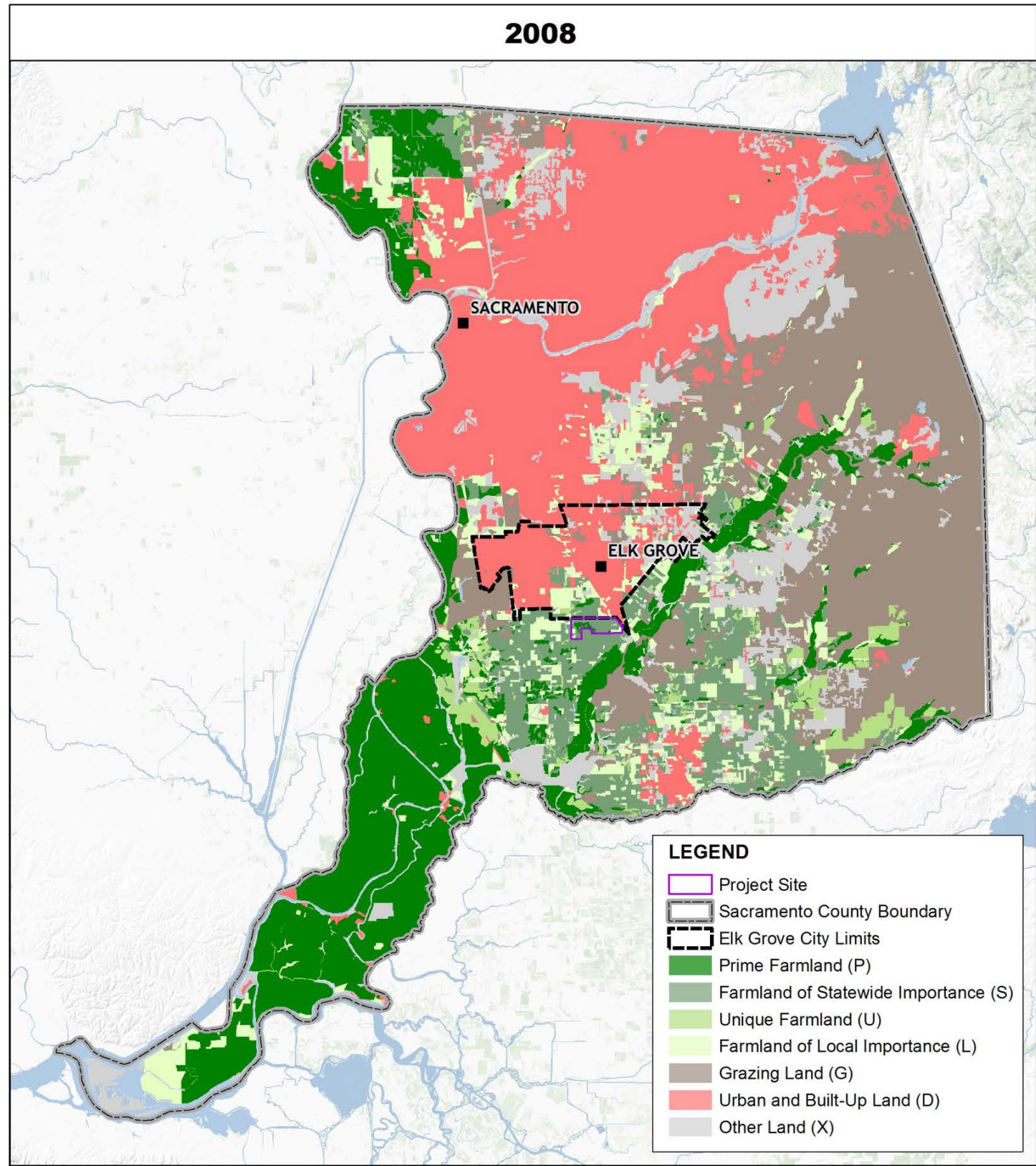
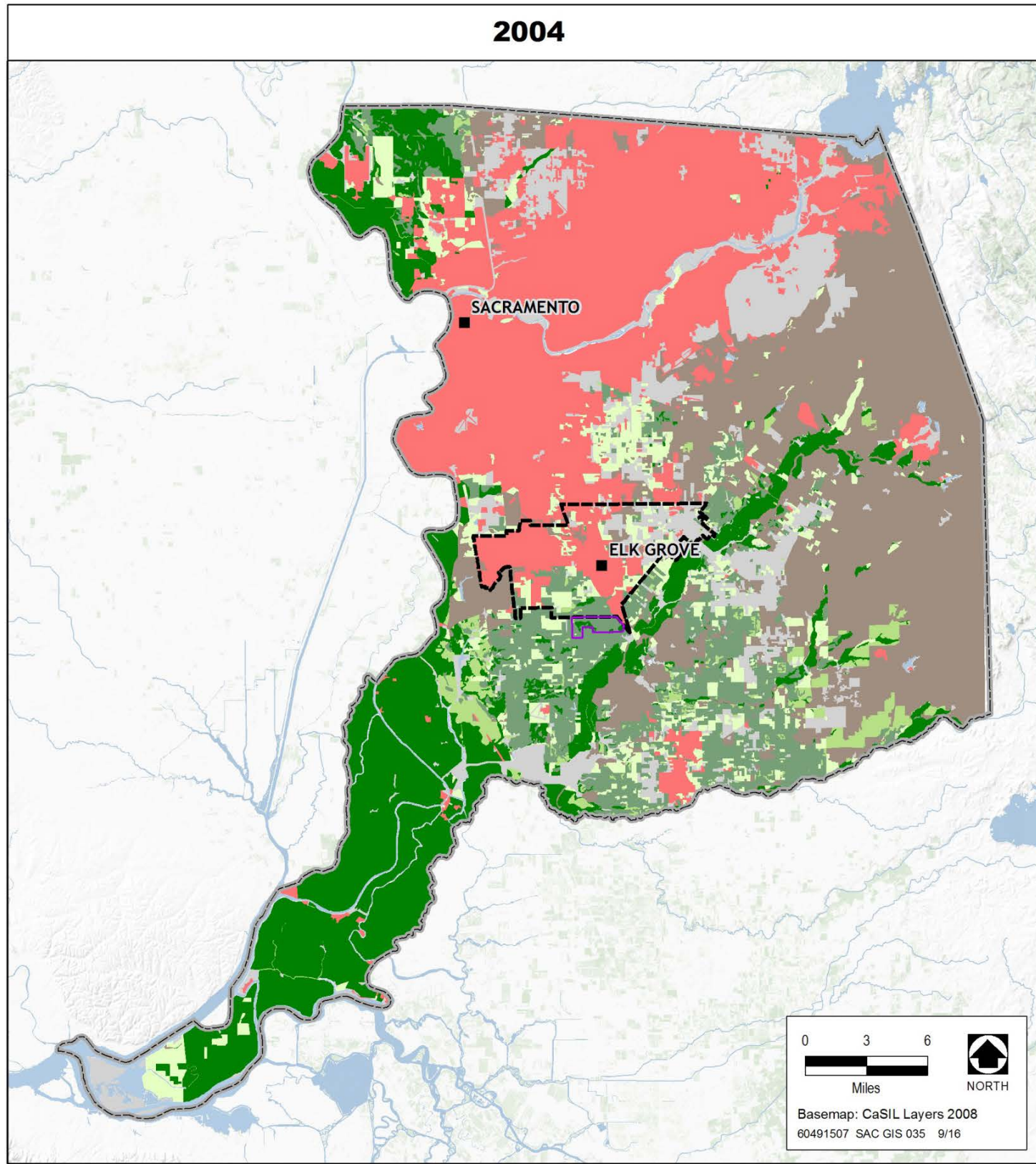


Source: DOC 2009 and 2015, Sacramento County 2014 adapted by AECOM in 2016

Exhibit 3.2-2

Lands under Williamson Act Contract Map

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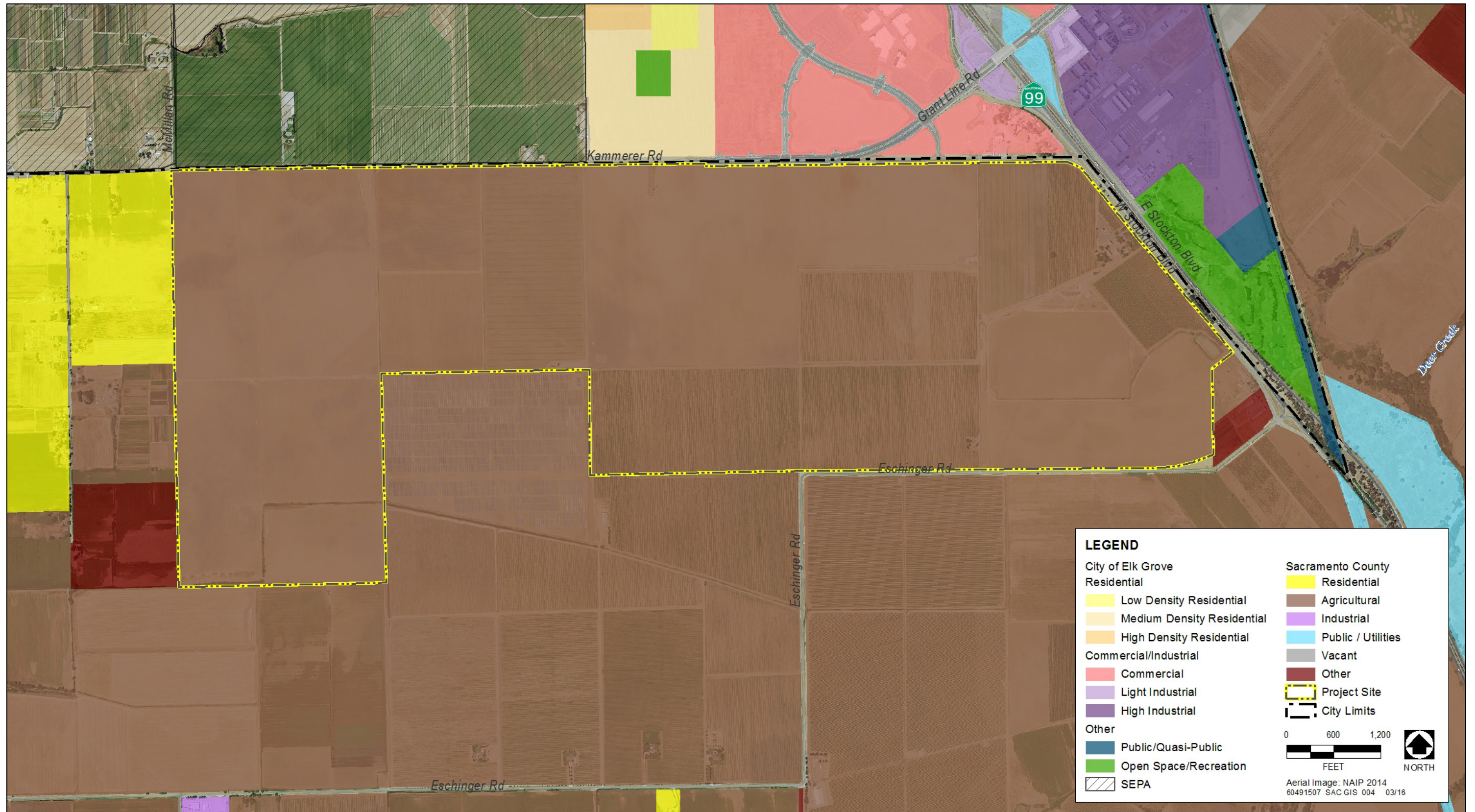


Source: FMMP 2004 and 2008, County of Sacramento 2016

Exhibit 3.2-3

Changes in Important Farmland

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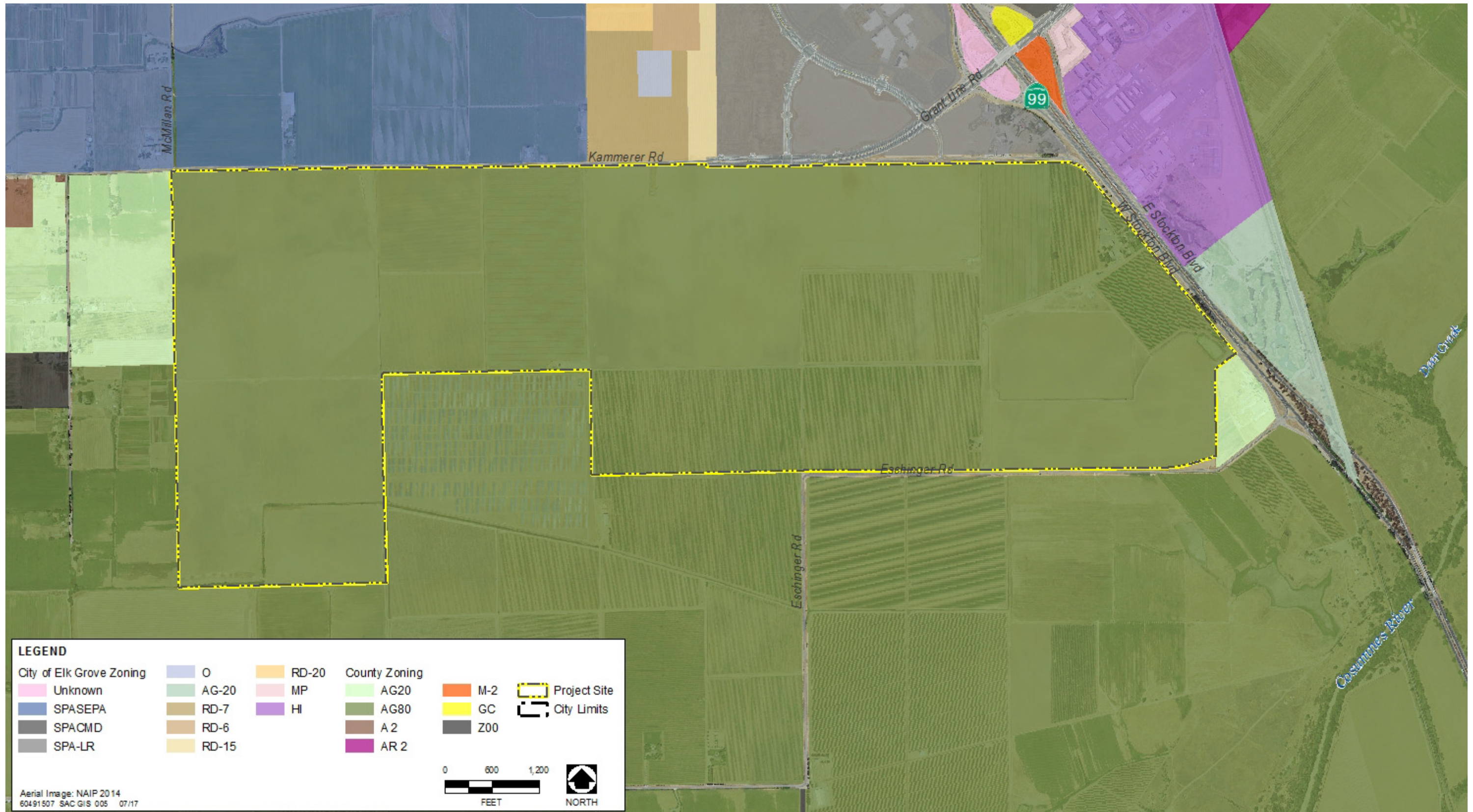


Source: Elk Grove 2015, Sacramento County 2014 adapted by AECOM in 2016

Exhibit 3.2-4

General Plan Land Use Designations

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Source: Elk Grove 2015Z, Sacramento County 2014 adapted by AECOM in 2016

Exhibit 3.2-5

Zoning Map

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REGIONAL AND LOCAL PLANS, POLICIES, REGULATIONS, AND LAWS

Sacramento County Local Agency Formation Commission

The proposed project would be subject to the following standards from the Policies, Standards, and Procedures Manual (Sacramento Local Agency Formation Commission [LAFCo] 2007) related to agricultural resources. The SOIA is not a change of organization. The following standards in Section E, “Agricultural Land Conservation,” of Chapter IIIIV: General Policies “General Standards” would apply: ~~This chapter contains the general policies that will apply to all LAFCo considerations of application for changes of organization or reorganization and Sphere of Influence determinations.~~

- ▶ **Standard E.1.** LAFCo will approve a change of organization or reorganization, which will result in the conversion of prime agricultural land in open space use to other uses, only if the Commission finds that the proposal will lead to the planned, orderly, and efficient development of an area. For purposes of this standard, a proposal leads to the planned, orderly, and efficient development of an area only if all of the following criteria are met:
 - a. The land subject to the change of organization or reorganization is contiguous to either lands developed with an urban use or lands which have received all discretionary approvals for urban development;
 - b. The proposed development of the subject lands is consistent with the Spheres of Influence Plan, including the Master Services Element of the affected agency or agencies;
 - c. Development of all, or a substantial portion of, the subject land is likely to occur within five years. In the case of very large developments, annexation should be phased whenever feasible. If the Commission finds phasing infeasible for the specific reasons, it may approve annexation if all or a substantial portion of the subject land is likely to develop within a reasonable period of time;
 - d. Insufficient vacant, non-prime lands exists within the applicable Spheres of Influence that are planned, accessible, and developable for the same general type of use;
 - e. The proposal will have no significant adverse effect on the physical and economic integrity of other agricultural lands. In making this determination, LAFCo will consider the following factors:
 - 1. The agricultural significance of the subject and adjacent areas relative to other agricultural lands in the region;
 - 2. The use of the subject and the adjacent areas;
 - 3. Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of adjacent or nearby agricultural land, or will be extended through or adjacent to, any other agricultural lands which lie between the project site and existing facilities;
 - 4. Whether natural or man-made barriers serve to buffer adjacent or nearby agricultural land from the effects of the proposed development; and

5. Applicable provisions of the General Plan open space and land use elements, applicable growth-management policies, or other statutory provisions designed to protect agriculture.

- ▶ Standard E.2. LAFCo will not make the affirmative findings that the proposed development of the subject lands is consistent with the Spheres of Influence in the absence of an approved Sphere of Influence Plan. LAFCo will not make the affirmative findings that sufficient non- prime land exists within the Spheres of Influence Plan unless the applicable jurisdiction has:
 - a. Identified within its Spheres of Influence all “prime agricultural land” as defined herein;
 - b. Enacted measures to preserve prime agricultural land identified within its Sphere of Influence for agricultural use; and
 - c. Adopted as part of its General Plan specific measures to facilitate and encourage infill development as an alternative to development of agricultural lands.

City of Elk Grove General Plan

If there is future development in the proposed SOIA Area, it would be subject to the following policies from the *Elk Grove General Plan Conservation and Air Quality Element* (City of Elk Grove 2015) related to agricultural resources.

- ▶ **Policy CAQ-2:** The loss of agricultural productivity on lands designated for urban uses within the city limits as of January 2004 is accepted as a consequence of the development of Elk Grove. As discussed in the Land Use Element, the City’s land use concept for the Planning Area outside the 2004 city limits anticipates the retention of significant areas of agricultural production outside the current city limits.
- ▶ **Policy CAQ-3:** The City of Elk Grove considers the only mitigation for the loss of agricultural land to consist of the creation of new agricultural land in the Sacramento region equal in area, productivity, and other characteristics to the area that would be lost due to development. The protection of existing agricultural land through the purchase of fee title or easements is not considered by the City to provide mitigation, since programs of this type result in a net loss of farmland.
- ▶ **Policy CAQ-4:** While agricultural uses are anticipated to be phased out within the city limits, the City recognizes the right of these uses to continue as long as individual owners/farmers desire. The City shall not require buffers between farmland and urban uses, relying instead on the following actions to address the impacts of farming on urban uses:
 - **CAQ-4-Action 1:** Implement the City’s “Right to Farm” ordinance.¹
 - **CAQ-4-Action 2:** Prospective buyers of property adjacent to agricultural land shall be notified through the title report that they could be subject to inconvenience or discomfort resulting from accepted farming activities as per provisions of the City’s right-to-farm ordinance.

¹ The “Right to Farm” ordinance referenced in this General Plan policy is now referred to as the “Agricultural Activities” ordinance.

As discussed further in Section 3.11, “Land Use, Population, Housing, Employment, Environmental Justice, and Unincorporated Disadvantaged Communities” of this Recirculated Draft EIR, the City of Elk Grove is currently updating its General Plan. The City intends to include an annexation strategy as a part of this update process that provides policies related to providing buffers between urban development and active agricultural operations. In addition, the City currently intends to retain areas located in the 100-year or 200-year floodplain for agriculture, if the agricultural use is economically viable and would not result in the islanding of higher-density land uses (City of Elk Grove 2017).

City of Elk Grove Municipal Code 14.05

Chapter 14.05, “Agricultural Activities,” of the City of Elk Grove Municipal Code ensures that agricultural operations that are operated in a manner consistent with proper and accepted customs and standards are allowed to continue and requires that notification be provided to residents of property located near properties designated for agricultural use; that these agricultural uses are encouraged; that accepted agricultural practices may continue; and that efforts to prohibit, ban, restrict, or otherwise eliminate established agricultural uses will not be favorably received. It also includes notification and mediation procedures for cases in which agricultural activities are not being conducted in a reasonable manner, or when the operator of an agricultural operation is not using currently acceptable methods in the conduct of the farm.

3.2.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

METHODOLOGY

The evaluation of the potential impacts of the proposed project on agricultural resources was based on a review of field conditions, aerial photographs, and policy guidance from the Sacramento LAFCo’s Policies, Standards, and Procedures (Sacramento LAFCo 2007).

The Important Farmland Map for Sacramento County, produced by the Department of Conservation Division of Land Resource Protection (DOC 2014c), and Williamson Act Contract Map (DOC 2009) for Sacramento County was used to evaluate the agricultural significance of the lands on the project site. Geographic information system (GIS) data were used to determine the potential acreage of impacts on designated farmland.

Appendix G of the CEQA Guidelines focuses the analysis on conversion of agricultural land on Prime Farmland, Farmland of Statewide Importance, or Unique Farmland.

According to Government Code Section 56668, the Sacramento LAFCo must evaluate effects on maintaining the physical and economic integrity of agricultural lands based on five factors identified in Standard E.1 below, and this EIR has considered all of the factors outlined in that policy below.

- ▶ **Factor 1.** The agricultural significance of the subject and adjacent areas relative to other agricultural lands in the region.
 - **Discussion 1.** As discussed in the Environmental Setting and displayed in Exhibit 3.2-1, the SOIA Area and surrounding areas contain lands classified as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance, with 1,137 acres or approximately 99 percent of the SOIA Area categorized under one of these classifications.

- ▶ **Factor 2.** The use of the subject and adjacent areas.
 - **Discussion 2.** As previously described, the project site is primarily used for extensive dry farmed and irrigated croplands and vineyard operations. Surrounding land uses north, south, and west of the SOIA Area are substantially similar to the SOIA Area, although the west also has a solar array and several rural residences. East of the project site is commercial/industrial development. Surrounding uses are disclosed and considered in the EIR analysis.
- ▶ **Factor 3.** Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of adjacent or nearby agricultural land, or will be extended through or adjacent to any other agricultural lands which lie between the project site and existing facilities.
 - **Discussion 3.** The project does not involve any changes to land use nor propose specific public facilities. Possible growth-inducing effects of the proposed SOIA are discussed in Chapter 5 of this EIR, “Other CEQA Considerations.”
- ▶ **Factor 4.** Whether natural or man-made barriers serve to buffer adjacent or nearby agricultural lands from the effects of the proposed development.
 - **Discussion 4.** The SOIA Area is bounded on the north and east by the City of Elk Grove and urban development. However, areas south and west of the SOIA Area boundary do not contain natural or man-made barriers to buffer adjacent or nearby agricultural lands from potential impacts of future, ~~indirect growth~~ development within the SOIA Area.
- ▶ **Factor 5.** Applicable provisions of the General Plan open space and land use elements, applicable growth-management policies, or other statutory provisions designed to protect agriculture.
 - **Discussion 5.** The City of Elk Grove General Plan policies are provided in the Regulatory Framework subsection. In addition, a General Plan consistency analysis is provided in Section 3.11 of this EIR, “Land Use and Planning, Population, Housing, and Environmental Justice,” for project consistency with the County of Sacramento General Plan, the City of Elk Grove General Plan, and the Sacramento LAFCo policies and standards in Table 3.11-1, Table 3.11-2, and Table 3.11-3, respectively.

THRESHOLDS OF SIGNIFICANCE

Based on Appendix G of the CEQA Guidelines, an impact related to agricultural and forestry resources is considered significant if the proposed project would:

- ▶ convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Important Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to nonagricultural use;
- ▶ conflict with existing zoning for agricultural use or a Williamson Act contract;
- ▶ conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g]);

- ▶ result in the loss of forestland or conversion of forestland to nonforest use; or
- ▶ involve other changes in the existing environment that, because of their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to nonforest use.

ISSUES NOT DISCUSSED FURTHER

- ▶ **Conflict with Existing Zoning for Agricultural Use**—The project site is zoned by the County as AG-2080. In general, the AG-2080 zoning designation is intended to promote long-term agricultural use. The proposed project would not change the zoning designations. The project would not allow land use change that would be inconsistent with this zoning designation. The project would not change any land use authority. Thus, the proposed project would not conflict with zoning for agricultural use (see Section 3.11, “Land Use and Planning, Population, Housing, and Environmental Justice” for further discussion). Therefore, this issue is not evaluated further in this document.
- ▶ **Conflict with Existing Zoning for, or Cause Rezoning of, Forest Land, Timberland, or Timberland Zoned Timberland Production**—The project site is not zoned as forestland, timberland, or a Timberland Production Zone. Thus, implementing the proposed project would not conflict with existing zoning for, or cause rezoning of, forestry resources and this issue is not evaluated further in this document.
- ▶ **Result in the Loss of Forest Land or Conversion of Forest Land to Non-Forest Use**—The project site does not contain timberland as defined by Public Resources Code Section 4526 or contain 10 percent native tree cover that would be classified as forestland under Public Resources Code Section 12220(g). Thus, implementation of the proposed project would not result in conversion of forest land to non-forest use. Therefore, this issue is not evaluated further in this document.
- ▶ **Conflict with Williamson Act Contract in the SOIA Area**— No parcels in the SOIA Area are under Williamson Act contracts. Therefore, this issue is not evaluated further in this document. Lands under Williamson Act contracts are located north and east of the SOIA Area. Conversion of adjacent agricultural lands, including lands under Williamson Act contract, is discussed under Impact 3.2-2.

IMPACT ANALYSIS

IMPACT 3.2-1 Direct loss of agricultural land, including Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. *Future development within the SOIA Area could result in the direct conversion of agricultural land, including Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural urban uses. This impact is considered significant.*

The SOIA Area and surrounding parcels are under agricultural production. The SOIA Area has an estimated 510 acres of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. Although the project does not propose any land use changes or development, future development could occur if the property is annexed.

Future development could take place on the entire project site, or could take place on individual parcels such that the parcels would become fragmented, reduced in size, or irregularly shaped to such a degree that continuing agricultural land uses could be difficult or infeasible.

In addition, off-site improvements to roads, sewer lines, drainage facilities, and water lines could also be required if future development were to occur in the SOIA Area. While some of the off-site improvements may occur within existing rights-of-way that are not under agricultural cultivation, other off-site improvements may occur in areas that are in agricultural production. Although it cannot be determined where these improvements would be located or how extensive the disturbance would be, it is possible that these improvements could take place on agricultural lands, including Important Farmland.

It is likely that future development within the proposed SOIA Area and associated off-site improvements would require the conversion of active agricultural land, including Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Due to the potential for direct conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and active agricultural lands on the project site resulting from future development, this impact is considered **significant**.

Mitigation Measures

Mitigation Measure 3.2-1: Preserve Agricultural Land

At the time of submittal of any application to annex territory within the SOIA Area, the City of Elk Grove shall require that applicants protect one (1) acre of existing farmland land of equal or higher quality for each acre of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance that would be developed as a result of the project. This protection may consist of the establishment of a farmland conservation easement, farmland deed restriction, or other appropriate farmland conservation mechanism to ensure the preservation of the land from conversion in perpetuity, but may also be utilized for compatible wildlife habitat conservation efforts (e.g., Swainson's hawk foraging habitat mitigation) that substantially impairs or diminishes the agricultural productivity of the land. The farmland/wildlife habitat land to be preserved must have adequate water supply to support agricultural use. The City shall consider the benefits of preserving farmlands in proximity to other protected lands. The preservation of farmland may be done at one time, or in increments with the buildout of the SOIA Area.

The total acres of land conserved will be based on the total on-site agriculture acreage converted to urban uses. Conserved agriculture areas may include areas on the project site, lands secured for permanent habitat enhancement (e.g., giant garter snake habitat, Swainson's hawk habitat), or additional land identified by the City. The City shall attempt to locate preserved farmland within 5 miles of the SOIA Area; however, the preserved farmland shall at a minimum be located inside Sacramento County. The City shall impose the conservation easement content standards to include, at a minimum: land encumbrance documentation; documentation that the easements are permanent, monitored, and appropriately endowed for administration, monitoring, and enforcement of the easements; prohibition of activity which substantially impairs or diminishes the agricultural productivity of the land; and protection of water rights.

In addition, the City shall impose the following or equally effective minimum conservation easement content standards:

- a) All owners of the agricultural/wildlife habitat mitigation land shall execute the document encumbering the land.

- b) The document shall be recordable and contain an accurate legal description of the agricultural/wildlife habitat mitigation land.
- c) The document shall prohibit any activity that substantially impairs or diminishes the agricultural productivity of the land. If the conservation easement is also proposed for wildlife habitat mitigation purposes, the document shall also prohibit any activity that substantially impairs or diminishes the wildlife habitat suitability of the land.
- d) The document shall protect any existing water rights necessary to maintain agricultural uses on the land covered by the document and retain such water rights for ongoing use on the agricultural/wildlife habitat mitigation land.
- e) Interests in agricultural/habitat mitigation land shall be held in trust by an entity acceptable to the City and/or by the City in perpetuity. The entity shall not sell, lease, or convey any interest in agricultural/wildlife habitat mitigation land that it acquires without the City's prior written approval.
- f) The applicant shall pay to the City an agricultural/wildlife habitat mitigation monitoring fee to cover the costs of administering, monitoring, and enforcing the document in an amount determined by the receiving entity, in an amount determined by the City.
- g) The City shall be named a beneficiary under any document conveying the interest in the agricultural/wildlife habitat mitigation land to an entity acceptable to the City.
- h) If any qualifying entity owning an interest in agricultural/wildlife habitat mitigation land ceases to exist, the duty to hold, administer, monitor, and enforce the interest shall be transferred to another entity acceptable to the City or transferred to the City.

Before committing to the preservation of any particular farmland pursuant to this measure, the project proponent shall obtain the City's approval of the farmland proposed for preservation.

Significance after Mitigation

Should the SOIA Area become developed, the City of Elk Grove would be the land use entitlement agency. Elk Grove General Plan Policy CAQ-2 indicates that the City accepts the loss of agricultural land within the City limits as of 2004, which does not include the SOIA Area. Policy CAQ-3 indicates that the City only considers the creation of new agricultural land to be mitigation for the loss of agricultural land and that the City does not consider the purchase of land for agricultural use or conservation easements to be mitigation. The City's General Plan does not indicate in what circumstances the City would apply the mitigation strategy of creating new agricultural land.

In *Masonite Corp. v. the County of Mendocino*, the First District Court of Appeals (Court) examined whether conservation easements represent feasible mitigation for the loss of agricultural land (*Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230). In an EIR that involved loss of agricultural land, the County of Mendocino suggested that conservation easements only mitigate indirect and cumulative effects, not direct effects. However, the Court found that conservation easements may appropriately mitigate for the direct loss of

farmland, even though this would not replace farmland. While there could be other reasons that agricultural conservation easements could be infeasible for a given project, based on the Court's direction, infeasibility should not be based on the idea that easements do not provide mitigation. The City of Elk Grove has recently identified 1:1 mitigation for the loss of agricultural lands through conservation easements or other similar mechanisms (City of Elk Grove 2014).

While conservation easements for the same area and quality of farmland placed elsewhere in the region could partially offset the direct conversion of agricultural land, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance attributable to future development that could occur within the SOIA Area, this approach would not create new farmland to replace farmland that could be lost. There is no additional feasible mitigation. The impact is **significant and unavoidable**.

IMPACT 3.2-2 Indirect loss of adjacent agricultural land, including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance or Lands Under Williamson Act Contract. *Future development could result in the conversion of neighboring agricultural land, including Prime Farmland, Unique Farmland, or Farmland of Local Importance or land under Williamson Act contract, to nonagricultural urban uses. This impact is considered significant.*

The SOIA Area and surrounding parcels are currently under agricultural production. Farming operations that currently occur on properties adjacent to the SOIA Area include hay and alfalfa to the north; pasture, hay, grapes, cherries, and alfalfa to the west; corn and grapes to the south, and developed areas to the east. The SOIA Area and several of the surrounding parcels are designated Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. No parcels on the project site are under Williamson Act contract; however, some parcels adjacent to the project site are under Williamson Act contracts.

Even though the project does not propose any land use changes or development, future development on the project site could occur if the property is proposed for annexation and then annexed, which could lead to conversion on neighboring agricultural lands, including those under Williamson Act contract.

If, in the future, there is an application for annexation and if annexation requests are approved, the newly-annexed property (which may be a portion of the project site) would be subject to applicable City policy consistency analysis and regulations, as described above. Compliance with the City's General Plan and Municipal Code would promote compatibility between possible future development in the SOIA Area and surrounding agricultural lands in operation at the time of development.

~~Since it is not known whether there would be annexation or development of the SOIA Area, or at what time it might occur, it is also not known whether there would be agricultural operations at the time of development in adjacent areas or if the type of agricultural operations would be prone to pressure to convert resulting from urban development. However, if there is future urban development of the SOIA Area adjacent to existing off-site agricultural lands, this could result in land use compatibility conflicts which could impair agricultural activities.~~

Agricultural-urban interfaces have the potential for conflicts between agricultural practices and adjacent landowners. Agricultural operations may create risks and nuisances for urban residences and businesses. Health risks and nuisances potentially created by agricultural operations in the project area include, but are not limited to exposure to pesticide applications; exposure to dust (from soil preparation); exposure to noise (from machinery

and trucks); odors from existing dairies, agricultural burning, and decaying rice stubble; and exposure to mosquitoes breeding in flooded fields.

Conversely, urban land uses and the associated population create operational difficulties for agriculture. Increased restrictions on agriculture processes and other aspects of encroachment on agricultural areas can lower productivity, increase costs, and otherwise impair agricultural operations (Sokolow 2003). Urban development could generate air pollution that could be harmful to crops, in certain instances. Urban activities can result in vandalism and the introduction of domestic animals that may disturb certain agricultural activities. Development would add vehicular traffic in areas where agricultural equipment uses roads, which could make it somewhat more difficult to move agricultural equipment.

The introduction of urban residents could become a constraint on adjacent agricultural operations. These constraints could result in increasing operational costs, phasing out of crops, and moving operations that create nuisances for adjacent urban areas. One or a combination of these conflicts could limit agricultural activities or encourage farmers to take their land out of agricultural production, resulting in adverse impacts to agricultural resources.

The SOIA Area is part of a larger 3,675-acre area identified in the City's EIR NOP for a General Plan update as the South Study Area. The South Study Area is south of the existing City limits and is bound by Kammerer Road on the north, State Route 99 on the east, Eschinger Road on the south, and Bruceville Road on the west. The planning objective for the South Study Area is to create a new major employment center that builds off of the proposed Southeast Policy Area's (SEPA's) business parks, comprising high-intensity office, industrial flex space, and light industrial uses. Lower-density residential neighborhoods will provide a buffer between agricultural land south of the South Study Area and the higher-intensity uses within the activity nodes (City of Elk Grove 2017a).

Buffering is intended to occur within new development areas and include interim buffers for phased development such that the physical and economic integrity of agricultural lands is maintained. Adoption of the General Plan update is anticipated in early 2018. If the SOIA Area, or a portion of it, is annexed, that area would be under City of Elk Grove jurisdiction and would be required to comply with Elk Grove General Plan policies. A draft of the City's updated General Plan is not yet available, so the existing (2003, amended 2015) General Plan policies and actions are described below. Any future development would be required to comply with the most recent General Plan.

Although the project does not allow any land use change, for the purposes of analysis in this EIR, LAFCo has assumed that future development of the SOIA Area could involve between 4,000 and 5,000 housing units and 18,000 to 20,000 jobs. It is not known whether development would occur, and the timing, location, and type of future land use is not known, ~~either~~. In addition, it is also not known whether there would be agricultural operations at the time of development in adjacent areas or if the type of agricultural operations would be prone to pressure to convert resulting from urban development, or whether future urban development would be of the type that could create pressure to convert agricultural lands. For example, residential uses typically create more pressure to convert adjacent agricultural lands than employment-generating uses. This makes it difficult to understand potential impacts on adjacent agricultural lands. However, if future urban development of the SOIA Area occurs adjacent to existing off-site agricultural lands, this could result in land use compatibility conflicts,

which could impair agricultural activities. Since the timing, location, and type of future uses is unknown, LAFCo cannot speculate further on this topic.

Although the project would not construct or develop any infrastructure or structures that could result in direct physical impacts to agriculture, the future development could result in indirect effects on adjacent agricultural land. These effects may contribute to the conversion of agricultural land, including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance, as well as land under Williamson Act Contracts. Thus, this impact is considered **potentially significant**.

Mitigation Measures

Mitigation Measure 3.2-2: Prepare an Agricultural Land Use Compatibility Plan

At the time of submittal of any application to annex territory within the SOIA Area, the City of Elk Grove shall prepare an agricultural land use compatibility plan for the SOIA Area. The plan shall include implementation of the City's Agricultural Activities ordinance (Municipal Code, Chapter 14.05, "Agricultural Activities"), as required under Elk Grove General Plan Policy CAQ-4-Action 1, site design, screening, fencing, landscaping, and setbacks. Prospective buyers of property adjacent to agricultural land shall be notified through the title report that they could be subject to inconvenience or discomfort resulting from accepted farming activities as per provisions of the City's Agricultural Activities ordinance (City of Elk Grove Municipal Code Chapter 14.05).

Mitigation Measure 3.2-2 would reduce potential conflicts that could adversely affect agricultural operations. However, it is not feasible to fully mitigate agriculture/urban interface conflicts, especially as this relates to farm equipment and vehicle conflicts on area roadways and potential trespassing and vandalism to active farmlands and growth pressures on farmland in proximity to urban uses. No feasible mitigation measures are available to fully mitigate this impact because the process does not guarantee resolution of all conflicts. Although the timing of any future applications for development on the project site is unknown and applicants would be subject to future CEQA review and any mitigation measures imposed by the responsible jurisdiction, a significant impact could potentially occur. Thus, the impact is considered **significant and unavoidable**.