

4.2 AGRICULTURAL RESOURCES

This section describes the existing agricultural resources in the Specific Plan Area and evaluates the Project's potential direct and cumulative impacts to agricultural resources.

A. Regulatory Framework

This section summarizes existing State and local laws, policies, and regulations relevant to agricultural resources in the Specific Plan area. There are no federal policies or regulations applicable to agricultural resources that are relevant to this environmental evaluation.

1. State Laws and Regulations

a. Williamson Act

The California Land Conservation Act of 1965, or Williamson Act, allows local governments to enter into voluntary contracts with private landowners to restrict specific parcels of land to agricultural uses. In return, restricted parcel property taxes are assessed at a rate consistent with their actual use rather than potential market value. The minimum length of Williamson Act contracts is ten years. Because the contract term automatically renews on each anniversary date of the contract, the actual contract length is essentially indefinite.

b. Farmland Mapping and Monitoring Program

Within the California Natural Resources Agency, the State Department of Conservation provides services and information that promote informed land-use decisions and sound management of the state's natural resources. The Department manages the Farmland Mapping and Monitoring Program (FMMP), which supports agriculture throughout California by developing maps and statistical data for analyzing land use impacts to farmland.

The developed maps are called the Important Farmlands Inventory (IFI). The IFI categorizes land based on the productive capabilities of the land. There are many factors that determine the agricultural value of land, including the

suitability of soils for agricultural use, whether soils are irrigated, the depth of soil, water-holding capacity, and physical and chemical characteristics. To categorize soil capabilities, two soil classification systems are used: the Capability Classification System and the Storie Index. The Capability Classification System categorizes soils from Class I to Class VIII based on their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time (Class I soils have few limitations for agriculture; Class VIII soils are unsuitable for agriculture).¹ The Storie Index takes into account other factors, such as slope and texture.

FMMP rates the production potential of agricultural land according to the following classifications:

- “ **Prime Farmland** has the best combination of physical and chemical features able to sustain long-term agricultural production. Prime Farmland has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agriculture production at some time during the four years prior to the mapping date.
- “ **Farmland of Statewide Importance** is similar to Prime Farmland but with minor shortcomings, such as steeper slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- “ **Unique Farmland** consists of lesser quality soils used for the production of the state’s leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
- “ **Farmland of Local Importance** is land that is important to the local agricultural economy. It is determined by each county’s board of supervisors and a local advisory committee.

¹ Natural Resource Conservation Service, <http://soils.usda.gov/technical/handbook/contents/part622.html>, accessed on February 18, 2013.

- “ **Grazing Land** is the land on which the existing vegetation is suited to the grazing of livestock.
- “ **Urban and Built-Up Land** is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures.
- “ **Other Land** is land not included in any other mapping category. Common examples include low density rural developments; wetlands and riparian areas not suitable for livestock grazing; confined livestock, poultry, and aquaculture facilities; and strip mines. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as other land. The Rural Land Mapping Project provides more detail on the distribution of various land uses within the Other Land category in all eight San Joaquin Valley counties. The Rural Land categories include: Rural Residential Land, Semi-Agricultural and Rural Commercial Land, Vacant or Disturbed Land, Confined Animal Agriculture, and Nonagricultural or Natural Vegetation.
- “ **Water** is used to describe perennial water bodies with an extent of at least 40 acres.

The Farmland Mapping and Monitoring Program (FMMP) data is updated and released every two years. In 2010, new data was released for San Joaquin County. Farmlands of concern under CEQA are Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. As discussed further below (Section B.1) and shown in Figure 4.2-1, according to 2010 FMMP data, approximately 1,700 acres within the Specific Plan area are designated as either Prime Farmland or Farmland of Local Importance.²

² FMMP data downloaded from the FMMP website, http://redirect.conservacion.ca.gov/DLRP/fmmp/county_info_results.asp, accessed on August 7, 2012; data processed and acreage calculated by The Planning Center | DC&E, 2012.

c. California Government Code Section 56064³

This section of the Government Codes defines “Prime agricultural land” as follows:

- ” Prime agricultural land means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:
 - ÿ Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
 - ÿ Land that qualifies for rating 80 through 100 Storie Index Rating.
 - ÿ Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.
 - ÿ Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
 - ÿ Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

³ California Government Code Section 56064, <http://law.onecle.com/california/government/56064.html>, accessed on February 18, 2013.

2. Local Regulations and Policies

a. Local Agency Formation Commission Boundary Controls⁴

The San Joaquin Local Agency Formation Commission (LAFCO) is responsible for coordinating orderly amendments to local jurisdictional boundaries, including annexations. Annexation of the Specific Plan area to the City of Tracy would be subject to LAFCO approval, and LAFCO's decision is governed by state law (Gov't Code § 56001 *et seq.*) and the local LAFCO Policies and Procedures. State law requires LAFCOs to consider agricultural land and open space preservation in all decisions related to expansion of urban development. LAFCO's definition of Prime agricultural land refers to California Government Code Section 56064, which is described above (Section A.1.c).

b. City of Tracy General Plan

The Tracy General Plan includes several policies that are relevant to agricultural resources. Key policies from the General Plan are listed in Table 4.2-1. A full listing of all General plan goals and policies is included in Appendix C.

c. City of Tracy Right-to-Farm Ordinance

Similar to many other cities and counties in agricultural areas, Tracy has an adopted Right-to-Farm Ordinance. Under the ordinance, agriculture is acknowledged as a local priority. The Ordinance helps clarify the circumstances under which an agricultural operation may be considered a nuisance.⁵

⁴ County of San Joaquin, *San Joaquin County General Plan Public Review Draft Background Report*, July 2, 2009, http://www.sjcgpu.com/pdf/backgroundreport/prd_br_06s.pdf.

⁵ City of Tracy Municipal Code, Title 10, Chapter 24, Articles 1 and 2. <http://library.municode.com/index.aspx?clientID=16660&stateID=5&statename=California>, accessed on October 6, 2011.

TABLE 4.2-1 GENERAL PLAN POLICIES RELEVANT TO AGRICULTURAL RESOURCES

Goal/ Policy No. Goal/Policy Content	
Land Use Element	
<i>Objective LU-6.1</i>	<i>Minimize the impact of industrial development or aggregate mining on adjacent uses.</i>
Policy P1	New industrial or mining uses shall be designed to not adversely impact adjacent uses, particularly residential neighborhoods, with respect to, but not limited to, noise, dust and vibration, water quality, air quality, agricultural resources and biological resources.
<i>Objective OSC-2.2</i>	<i>Minimize conflicts between agricultural and urban uses.</i>
Policy P1	Development projects shall have buffer zones, such as roads, setbacks and other physical boundaries, between agricultural uses and urban development. These buffer zones shall be of sufficient size to protect the agriculture operations from the impacts of incompatible development and shall be established based on the proposed land use, site conditions and anticipated agricultural practices. Buffers shall be located on the land where the use is being changed, and shall not become the maintenance responsibility of the City.
Policy P2	Land uses allowed near agricultural operations should be limited to those not negatively impacted by dust, noise, and odors.

Source: City of Tracy General Plan, 2011.

d. City of Tracy Agricultural Mitigation Fee Ordinance

On June 7, 2005, the City Council adopted Chapter 13.28 Agricultural Mitigation Fee to its Municipal Code. The City Council has also adopted a follow-up resolution approving the Central Valley Farmland Trust as a qualifying agency to receive funds.⁶

⁶ City of Tracy City Council Resolution No. 2008-204, adopted October 7, 2008.

Under the program, the owner of farmland to be developed for private urban uses (including residential, commercial, industrial, or other urban uses) pays an agricultural mitigation fee for each acre of farmland to be developed. The fees are collected by the City at the time that building permits are issued and will be used for the purchase of conservation easements on agricultural lands.

B. Existing Conditions

This section discusses the existing conditions pertaining to agricultural resources in the Specific Plan Area.

1. Agricultural Land

a. Specific Plan Area

The Specific Plan Area is primarily farmland that slopes from an elevation of 220 feet above sea level at the southwest corner of the Specific Plan Area to elevation 90 feet at the northeast corner. Vegetation across the Specific Plan Area primarily consists of non-native grassland and areas of dryland farming, but also includes landscaped areas around existing residences and development, some native riparian scrub and woodland near the upper segment of the central drainage, and some areas of freshwater marsh and seasonal wetlands.⁷ The Specific Plan Area is also utilized for dry farming and periodic cattle grazing.

According to the California Department of Conservation FMMP's *San Joaquin County Important Farmland 2010* and as shown in Figure 4.2-1, the Specific Plan Area contains Prime Farmland (100 acres), Farmland of Local Importance (1,600 acres), Vacant Land (27 acres), and Semi-Agricultural and Rural Commercial Land (50 acres).⁸ Approximately 100 acres of Prime Farmland comprises the northeastern portion of the Specific Plan Area, mostly east

⁷ Environmental Collaborative, 2012, *Biological Resource Assessment for the Cordes Ranch Specific Plan Project*, pages 5 to 6.

⁸ California Department of Conservation, FMMP website. <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/sjq10.pdf>, accessed on August 7, 2012.

of the West Side Irrigation District (WSID) Canal. The rest of the Specific Plan Area is defined Farmland of Local Importance, except for the small patches of Vacant Land and Semi-Agricultural and Rural Commercial Land along Mountain House Parkway and Hansen Road.

b. Surrounding Area

Agricultural use of land continues to the north, east, and south of the Specific Plan Area, although Interstate 205 interrupts the continuity of farmland between the Specific Plan Area and the north side of Interstate 205. Additionally, the area northeast of Interstate 205 at Hansen Road has been developed with residential uses. The area southwest of the Project boundary also contains non-agricultural uses, as described in detail in Chapter 4.1, Aesthetics, of this Draft EIR. Figure 4.2-1 shows the location of farmland in the vicinity of the Specific Plan Area, including Prime Farmland and Farmland of Local Importance.

2. Williamson Act Land

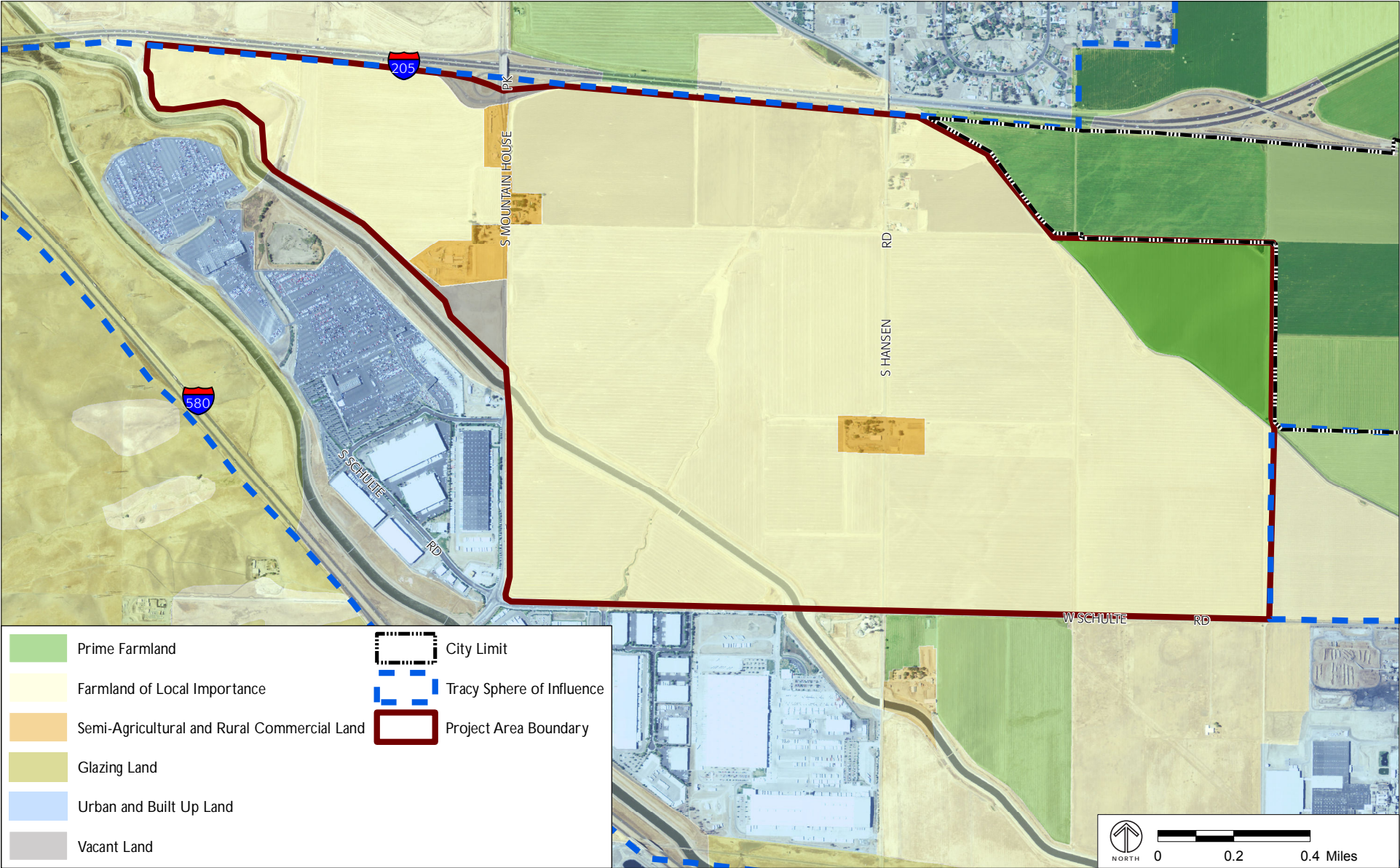
According to the California Department of Conservation, as of 2006, none of the properties in the Specific Plan Area are under Williamson Act contract.⁹ Parcels immediately surrounding the Specific Plan Area are also not protected under the Williamson Act, as shown in Figure 4.2-2.

C. Standards of Significance

The proposed project would have a *significant* impact with regard to agriculture resources if it would:

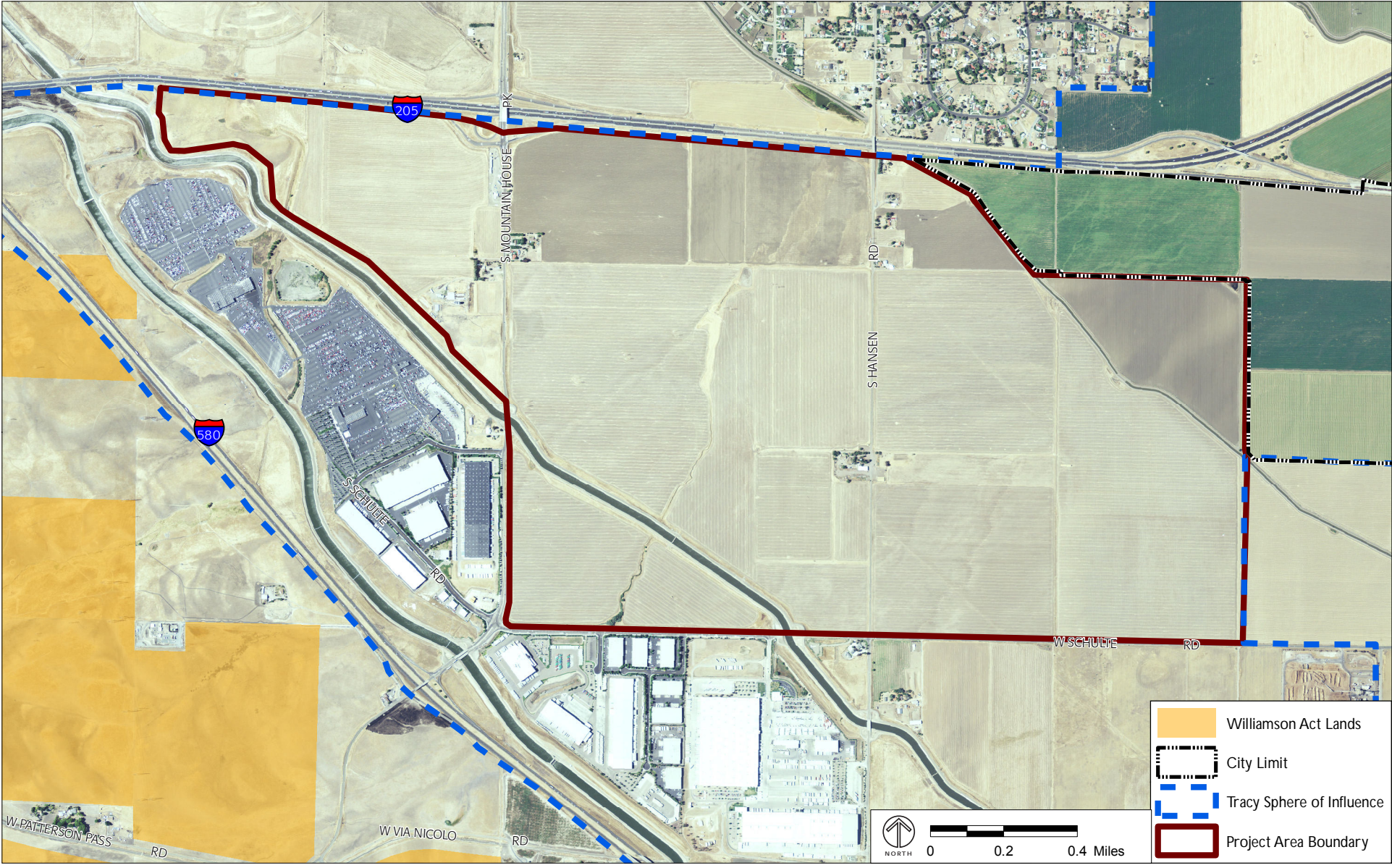
- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the

⁹ California Department of Conservation, Division of Land Resource Protection, ftp://ftp.consrv.ca.gov/pub/dlrp/wa/San_Joaquin_WA_06_07.pdf, accessed on August 7, 2012.



Source: Farmland Mapping and Monitoring Program, 2010; The Planning Center | DC&E, 2013.

FIGURE 4.2-1
 SPECIFIC PLAN AREA IMPORTANT FARMLANDS



Source: California Department of Conservation, 2009; The Planning Center | DC&E, 2013.

FIGURE 4.2-2
 WILLIAMSON ACT LANDS IN THE VICINITY OF THE SPECIFIC PLAN AREA

Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

- “ Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- “ Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

D. Impact Discussion

1. Project Impacts

- a. Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as Shown on the Maps Prepared Pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to Non-Agricultural Use

Development of the Project would entail the conversion of the entire Specific Plan Area from agricultural uses to urban uses, which includes the conversion of approximately 100 acres of Prime Farmland as well as approximately 1,600 acres of other Important Farmland.

This proposed conversion is consistent with the City’s overall planning vision, which assumes Urban Reserves, including the Specific Plan Area, would be developed with urban uses. The City aims to protect other open space and agricultural lands by prioritizing development in Urban Reserves, which are assumed to be less agriculturally productive or less biologically sensitive. In addition, the General Plan and LAFCO’s recent amendment to the City’s SOI identifies the Specific Plan Area (among other properties) where urban development is planned to occur.

As discussed in Section A.2.d, above, the City currently uses the Agricultural Mitigation Fee Ordinance to collect in-lieu fees for impacts from develop-

ment on agricultural land. Although the City employs supportive policies and programs to reduce the conversion of farmland, permanent loss of farmland would occur. As such, converting approximately 1,700 acres of farmland to urban uses would permanently remove a source of food and fiber from the Specific Plan area, which cannot be recreated. Because development of the Project would result in a net loss of prime agricultural land, the impact would be *significant*.

b. Conflict with Existing Zoning for Agricultural Use, or a Williamson Act Contract

The Specific Plan Area is currently zoned by the County for agricultural uses; however, with approval of the Project and annexation to the City, the Specific Plan Area would be rezoned to allow for the proposed urban uses, thereby eliminating any conflict. Per Tracy Right-to-Farm Ordinance, the City would ensure that the property owners can maintain existing agricultural activities or operations in the Specific Plan Area until they choose to convert the property to the proposed urban uses. In addition, as discussed above, no parcels within the Specific Plan Area are under any Williamson Act contracts, and neither are any of the adjacent agricultural parcels east of the Specific Plan Area. As such, the sites that would be developed would not include properties zoned for agricultural use or under Williamson Act contract, and therefore *no impact* would occur.

c. Other Changes in the Existing Environment Which, Due to Their Location or Nature, Could Result in Conversion of Farmland to Non-Agricultural Use

Development of the Project would result in the conversion of approximately 1,700 acres of the Specific Plan Area, including approximately 100 acres of Prime Farmland and approximately 1,600 acres of other Important Farmland), from agricultural uses to urban uses. As discussed above, the proposed development is consistent with the City's long-term planning vision for the area (as set forth in the Tracy General Plan) and also consistent with the recent LAFCO approval of the City's SOI to include the Specific Plan Area, to be designated for future urban uses. Furthermore, the Specific Plan Area is

located in an area in unincorporated San Joaquin County that, while rural currently, has been planned for urban development as evidenced in the Patterson Pass business park immediately south (which began construction in the 1990s), the Gateway Project in the City (annexed in 2003), and the Mountain House community, (which began construction in the 1990s). As such, development of the Project would not likely trigger the unplanned conversion of other nearby lands that are located within the City's SOI.

However, the proposed land uses in the Specific Plan Area could be incompatible with adjacent agricultural land uses. To protect the agriculture operations from the impacts of incompatible development, the City's General Plan Policy (OSC-2.2 P1) calls for the use of buffers, such as setbacks, open space, parks, trails, and roads, between agricultural uses and urban uses. As the Specific Plan Area is bounded on the north by Interstate 205, on the west by urban uses, and on the south by Old Schulte Road, the area of concern would be the agricultural lands immediately east of the Specific Plan Area. Although the Gateway Project (including 538 acres of commercial, office/research and development, and open space/golf course development) is approved for the northern half of this land, potential impacts may occur until the planned conversion occurs. The remainder of this agricultural land east of the Specific Plan Area could experience negative impacts on its agricultural activities from development of the Project. Therefore, without appropriate buffers along the eastern boundary of the Specific Plan area, the impact on agricultural activities on the adjacent land would be *significant*.

2. Cumulative Impacts

This cumulative analysis considers the Project in the context of the City's General Plan, which takes into account the entire incorporated area of Tracy and the SOI. The Mountain House community outside the SOI is also accounted for in this cumulative impact analysis, as described in Chapter 4 of this Draft EIR.

As discussed above, development of the Project would result in the loss of agricultural land, including approximately 100 acres of prime farmland. Oth-

er past, present, and reasonably foreseeable future projects in the Tracy area, including the Ellis Project, would also result in the permanent loss of prime farmland and Williamson Act lands, contributing to cumulative impacts to agricultural resources. The Tracy General Plan EIR analyzed the impacts from long-term development in the Tracy area, and identified the Agricultural Mitigation Fee Ordinance as a supportive policy that the City can use to reduce the conversion of farmland. However, no mitigation measures were identified to reduce this impact, and the City Council adopted a statement of overriding considerations with respect to the anticipated loss of farmland.¹⁰ In addition, development of the Mountain House community outside the SOI would convert approximately 3,600 acres of Prime Farmland.¹¹ Development of all these projects would contribute to cumulative impacts.

The City currently has regulations and policies to protect agricultural resources, such as the Right-to-Farm and Agricultural Mitigation Fee Ordinances. In-lieu fees collected under the Agricultural Mitigation Fee Ordinance would be used for the purchase of conservation easements on agricultural lands. In addition, the General Plan also contains Objective OSC-2.2 to minimize conflicts between agricultural and urban uses. These policies would be enforced during the City's development review process. Additionally, all projects related to expansion of urban development that propose annexation to a municipality or special district will be subject to LAFCOs' decision process, which considers agricultural land and open space preservation, as described above.

Although these programs and policies would reduce impacts to the extent feasible, the permanent loss of agricultural land due to development of the Project and other cumulative projects would be cumulatively considerable. Therefore, the Project, together with other cumulative projects, would result in a *significant cumulative* impact.

¹⁰ City of Tracy, July 22, 2010, *General Plan Draft Recirculated Supplemental EIR*, page 2-14.

¹¹ BASELINE Environmental Consulting, 1994, *Mountain House Master Plan and Specific Plan I Final Environmental Impact Report*.

E. Impacts and Mitigation Measures

Impact AG-1: Implementation of the Project would result in the conversion of Prime Farmland and other Important Farmland.

Mitigation Measure AG-1: As part of the development process for each individual site-specific development project under the Specific Plan, the applicable agricultural mitigation fee for each acre of farmland to be developed shall be paid, in compliance with Chapter 13.28, Agricultural Mitigation Fee, of the Tracy Municipal Code. The fees shall be collected by the City at the time that building permits are issued for such site-specific development project, or as otherwise required by City.

Significance After Mitigation: Although the payment of fees would somewhat reduce conversion of farmland, the permanent loss of farmland that would occur as a result of development of the Project would result in a *significant and unavoidable* impact on agricultural resources.

Impact AG-2: Implementation of the Project could result in a significant impact on agricultural activities on the adjacent land due to potential incompatibilities.

Mitigation Measure AG-2: As construction occurs along the eastern Specific Plan Area boundary, buffers such as roadways, building setbacks, and parking areas, shall be required prior to occupancy of those structures, in compliance with General Plan Policy (OSC-2.2 P1).

Significance After Mitigation: *Less Than Significant*

Impact AG-3: Development of the Project, together with other cumulative projects, would result in an incremental reduction in agricultural resources.

The loss of farmland would be considered significant.¹²

Mitigation Measure AG-3: Implement Mitigation Measures AG-1 and AG-2.

Significance After Mitigation: Although the payment of fees and the use of buffers would reduce the impact associated with conversion of farmland, the loss of farmland that would occur as a result of development of the Project would result in a *significant and unavoidable* impact on agricultural resources.

¹² City of Tracy, July 22, 2010, *General Plan Draft Recirculated Supplemental EIR*, page 2-14.