

Agricultural Land and Forestry Resources

Chapter 3.2

SUMMARY OF FINDINGS

The proposed Project will result in ***Less Than Significant Impacts*** to Agricultural Land and Forestry Resources. No mitigation measures will be required. A detailed review of potential impacts is provided in the analysis below.

INTRODUCTION

CEQA Requirements for Evaluation of Impacts to Agricultural Land and Forestry Resources

This section of the Draft Environmental Impact Report (DEIR) addresses potential impacts to agricultural land and forestry resources. As required in Section 15126, all phases of the proposed Project will be considered was part of the potential environmental impact.

As noted in 15126.2 a), “[a]n EIR shall identify and focus on the significant environmental effects of the proposed Project. In assessing the impact of a proposed Project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the Project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the Project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision will have the effect of attracting people to the location and exposing them to the hazards found there. Similarly, the EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas) as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.”

The environmental setting provides a description of the Agricultural Lands and Forestry Resources in the County. The regulatory setting provides a description of applicable Federal, State and Local regulatory policies that were developed in part from information contained in the Tulare County 2030 General Plan, the Tulare County General Plan Background Report and/or the Tulare County General Plan Revised DEIR incorporated by reference and summarized below. Additional documents utilized are noted as appropriate. A description of the potential

impacts of the proposed Project is provided and includes the identification of feasible mitigation measures (if necessary and feasible) to avoid or lessen the impacts.

DEFINITIONS

“The California Department of Conservation, Division of Land Resource Protection, maintains the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state’s farmland to and from agricultural use. The map series identifies eight classifications (discussed below) and uses a minimum mapping unit size of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of state agricultural land and updates its “Important Farmland Series Maps” every two years¹. Although the program monitors a wide variety of farmland types (more fully described below), Important Farmland consists of lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland.”²

Prime Farmland (P):

“Prime Farmland is farmland with the best combination of physical and chemical features to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.”³

Farmland of Statewide Importance (S):

“Farmland of Statewide Importance is similar to Prime Farmland but has minor shortcomings, such as greater slopes or a lesser 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.”⁴

Unique Farmland (U):

“Unique Farmland has lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated 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.”⁵

¹ California Department of Conservation, DLRP, Farmland Mapping and Monitoring Program, downloaded from, <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>

² Tulare County General Plan 2030 Update, Recirculated DEIR (SCH # 2006041162), page 3.10-4

³ Ibid.

⁴ Ibid.

⁵ Ibid.

Farmland of Local Importance (L):

“Farmland of Local Importance is land important to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.”⁶

Grazing Land (G):

“Grazing Land is land on which the vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen’s Association, the University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.”⁷

Urban and Built-Up Land (D):

“Urban and Built-Up Land is land 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. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.”⁸

Other Land (X):

“Other Land is land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.”⁹

Water (W):

“Water is defined as perennial water bodies with an extent of at least 40 acres. While the number of agricultural lands classified as Important Farmlands (i.e., Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) have been decreasing over the past several years, the total acreage for all categories of farmland (including grazing land) remained relatively stable between the years 1998 and 2006 (see Table 3.10-4). The locations of these farmland types are identified in Figure

⁶ Tulare County General Plan 2030 Update, Recirculated DEIR, February 2010 (SCH # 2006041162), page 3.10-4

⁷ Ibid.

⁸ Ibid. Pages 3.10-4 to 3.10-5

⁹ Ibid. Pages 3.10-5

3.10-1. The farmlands are concentrated in the Rural Valley/Foothill Planning areas. No important farmlands are located in the Mountain Area.”¹⁰

ABBREVIATIONS

CALFIRE	California Department of Forestry and Fire Protection
CLCA	California Land Conservation Act (Williamson Act)
DOC	California Department of Conservation
FFPA	Federal Farmland Protection Act
FMMP	Farmland Mapping and Monitoring Program
UDB	Urban Development Boundaries

CEQA THRESHOLDS OF SIGNIFICANCE

The Department of Conservation identifies the location of prime Agricultural Land resource areas and Williamson Act Contract lands. Thresholds of potential significance will include the following:

- Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
- Conflict with Williamson Act Contracts
- Convert Forest Land

ENVIRONMENTAL SETTING

“Tulare County exhibits a diverse ecosystems landscape created through the extensive amount of topographic relief (elevations range from approximately 200 to 14,000 feet above sea level). The County is essentially divided into three eco-regions. The majority of the western portion of the County comprises the Great Valley Section, the majority of the eastern portion of the County is in the Sierra Nevada Section, and a small section between these two sections comprises the Sierra Nevada Foothill Area.”¹¹

State of California

State of California Agricultural Production

The sales value generated by California agriculture increased by 3.2% between the 2011 and 2012 crop years. The State’s 80,500 farms and ranches received a record \$44.7 billion for their output, up from the \$43.3 billion received in 2011. California’s increase in revenue was led by the grape industry, followed by the cattle sector and almond production, respectively¹².

¹⁰Tulare County General Plan 2030 Update, Recirculated DEIR, February 2010 (SCH # 2006041162), page 3.10-5

¹¹ Ibid. Page 3.11-5

¹² United States Department of Agriculture. California Agricultural Statistics, 2012 Crop Year.

http://www.nass.usda.gov/Statistics_by_State/California/Publications/California_Ag_Statistics/Reports/2012cas-all.pdf. Accessed June, 2014.

Grape production generated \$4.45 billion in cash receipts in 2012, up 15% from the previous record high received in 2011. Production was virtually the same, but prices received by growers increased from \$578 per ton of grapes in 2011 to \$666 per ton in 2012. Revenue generated from the cattle sector improved to a record high for the third year in a row as cash receipts were nearly \$3.3 billion for the crop year. Receipts increased nearly 17% from 2011 despite production increasing by only 5%. Almond cash receipts increased for the third year in a row despite decreased production. Cash receipts increased 8.5% due to a rise in prices from \$1.99 per pound of almonds in 2011 to \$2.20 per pound in 2012¹³.

The dairy industry, California's leading commodity in cash receipts, generated \$6.9 billion for milk production in 2012, down 10% from the record production of 2011. Milk production increased less than one percent, but a drop in prices resulted in an overall reduction in cash receipts for the crop year. Milk prices received by producers fell from \$18.54 per hundred pounds of milk sold in 2011 to \$16.52 in 2012. As the leading dairy producing state in the country, California produced nearly 21% of the nation's supply in 2012¹⁴.

State of California Farmland Conversion

Of California's approximately 100 million acres of land, 43 million acres are used for agriculture. Of this, 16 million acres are grazing land and 27 million acres are cropland. Only about nine million acres of irrigated land are considered to be Prime, Unique or of Statewide Importance.¹⁵

Irrigated farmland in California decreased by nearly 263 square miles (168,039 acres) between 2008 and 2010, as documented by the FMMP.¹⁶ Prime Farmland comprised 61% of the loss at 102,554 acres. Urban development, which totaled 44,504 acres, decreased by 39% relative to the 2006-2008 period. The 2010 urban land increase was the lowest recorded in the FMMPs history, which likely reflects the recent recession.¹⁷ While urbanization is an important component of agricultural land conversion, economic and resource availability factors also lead to more intensive farming or cessation of land from irrigated uses.

Land was removed from irrigated categories – to uses aside from urban – at a rate of three percent lower than the prior Conversion Report (260,412 acres in 2008 and 252,473 acres in 2010). Land idling and reversion to dry farming were responsible for more than 84% of this type of conversion. The remaining 16% were conversions to Other Land, which includes miscellaneous uses such as wetland restoration, aggregate mining, abandoned development projects, and rural residences.¹⁸

¹³ Ibid.

¹⁴ Ibid.

¹⁵ California Department of Food and Agriculture. AgVision 2030 White Paper. Agricultural Land Loss & Conversion. July 2009. http://www.cdfa.ca.gov/agvision/docs/Agricultural_Loss_and_Conversion.pdf. Accessed June, 2014.

¹⁶ California Department of Conservation, Division of Land Resource Protection. Farmland Mapping and Monitoring Program California Farmland Conversion Report 2008-2010. <http://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/pubs/2008-2010/fcr/FCR%200810%20complete.pdf>. Accessed June, 2014.

¹⁷ Ibid.

¹⁸ Ibid.

Tulare County

Agricultural Productivity

“The Project site is located in the San Joaquin Valley portion of Tulare County. This area is characterized by rich, highly productive farmland. Agriculture is the most important sector in Tulare County’s economy, and agriculture and related industries make Tulare County one of the two most productive agricultural counties in the United States, according to Tulare County Farm Bureau statistics.¹⁹ Agricultural lands (crop and commodity production and grazing) also provide the County’s most visible source of open space lands. As such, the protection of agricultural lands and continued growth and production of agriculture industries is essential to all County residents.”²⁰

Tulare County Agricultural Production

Agricultural products are one of Tulare County’s most important resources. As seen in Table 3.2- 1, between 2008 and 2013 gross agricultural production values for Tulare County increased steadily.

Table 3.2-1
Tulare County Agricultural Production Values (2008²¹ and 2013²²)

Commodity Type	2008 Gross Production Value (\$)	2013 Gross Production Value (\$)	\$ Net Change (2008-2012)
Fruit & Nut Products	1,336,284,000	4,053,422,000	2,717,138,000
Vegetable Crop	35,478,000	25,758,000	-9,720,000
Field Crops	282,041,500	715,735,000	433,693,500
Nursery Products	72,747,000	71,451,000	-1,296,000
Apiary Products*	13,443,000	75,381,000	61,938,000
Livestock & Poultry**	452,103,000	765,047,000	312,944,000
Livestock & Poultry Products***	871,685,000	2,095,547,000	1,223,862,000
Seed Crops	974,700	4,774,000	3,799,300
Industrial Crops	3,882,000	2,511,000	-1,371,000
Total	3,068,648,200	7,809,626,000	4,740,977,800

* This includes honey and beeswax

** Includes dairy cattle

*** Includes milk production

Similar to the gross production values demonstrated in Table 3.2- 1, although not as pronounced, overall numbers of harvested acreage have increased approximately six percent, from 2008 to 2013, as seen in Table 3.2- 2.

¹⁹ Tulare County Farm Bureau Statistics 2011

²⁰ Tulare County General Plan 2030 Update, August 2012, page 3-4

²¹ Tulare County General Plan 2030 Update Recirculated Draft EIR Sch#2006041162. Table 3.10-1.

²² Tulare County Agricultural Crop and Livestock Report 2012.

Table 3.2-2
Tulare County Harvested Acreage (2008²³ and 2013²⁴)

Commodity Type	2008 Harvested Acreage*	2013 Harvested Acreage*
Fruit & Nut Products	296,920	360,974
Vegetable Crops	4,900	4,661
Field Crops	1,306,170	1,344,790
Seed Crops	370	650
Total	1,608,360	1,711,075

* Acreage totals have been rounded.

Tulare County agricultural crops and commodities vary annually on their individual rankings based on the amount of acreage dedicated to each commodity. Table 3.2- 3 identifies the ranking for the top 15 commodities during years 2000, 2008, 2011, 2012 and 2013.

Table 3.2-3
Tulare County Agricultural Commodity Values and Rankings

Commodity Type	2013 Value (\$)²⁵	2013 Rank	2012 Rank²⁶	2011 Rank²⁷	2008 Rank^{28,29}	2000 Rank^{30,31}
Milk	2,083,354,000	1	1	1	1	1
Grapes	984,879,000	2	2	4	4	3
Oranges	854,693,000	3	3	2	2	2
Cattle & Calves	687,960,000	4	4	3	3	4
Pistachios	271,206,000	5	7	7	10	17
Walnuts	262,094,000	6	9	8	13	12
Almonds	256,516,000	7	8	9	7	15
Corn	256,218,000	8	5	5	6	10
Nectarines	234,900,000	9	13	11	15	9
Alfalfa	175,589,000	10	6	6	5	7

According to County records, and as depicted below, milk has consistently ranked as the number one commodity over the past 14 years, while grapes, oranges, grain and silage corn and silage alfalfa have consistently been ranked within the top ten agricultural commodities, even though their individual rankings have varied from year to year.

Tulare County Farmland Conversion

In line with the State of California, Tulare County has also seen a decrease in FMMP-designated farmland, with the total inventoried land down over seven percent, as seen in Table 3.2-4. Between the years 2008 and 2010, Tulare County lost 13,222 acres of Prime Farmland, Farmland

²³ Tulare County General Plan 2030 Update Recirculated Draft EIR Sch#2006041162. Table 3.10-2.

²⁴ Tulare County Agricultural Crop and Livestock Report 2013.

²⁵ Ibid.

²⁶ Tulare County Agricultural Crop and Livestock Report 2012.

²⁷ Ibid.

²⁸ Tulare County General Plan 2030 Update Recirculated Draft EIR Sch#2006041162. Table 3.10-3.

²⁹ Tulare County Agricultural Crop and Livestock Report 2008.

³⁰ Tulare County General Plan 2030 Update Recirculated Draft EIR Sch#2006041162. Table 3.10-3.

³¹ Tulare County Agricultural Crop and Livestock Report 2000.

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of Statewide Importance, and Unique Farmland, which accounted for approximately five percent of the same designations lost to conversion in the entire State.³²

Table 3.2-4
Tulare County FMMP-Designated Land (1998-2010)

Farmland Category	Total Acres Inventoried						
	1998 ³³	2000 ³⁴	2002 ³⁵	2004 ³⁶	2006 ³⁷	2008 ³⁸	2010 ³⁹
Prime Farmland	396,130	393,030	387,620	384,340	379,760	375,119	370,249
Farmland of Statewide Importance	357,220	351,720	345,760	339,580	332,160	327,204	323,599
Unique Farmland	11,790	11,720	12,750	12,530	12,220	11,919	11,593
Important Farmland Subtotal	765,140	756,470	746,130	736,450	724,140	714,242	705,441
Farmland of Local Importance	110,040	124,140	126,820	137,440	143,830	150,193	154,550
Grazing Land	439,960	434,050	440,550	440,620	440,140	439,851	440,042
Total	1,315,140	1,314,660	1,313,500	1,314,560	1,308,110	1,304,286	1,300,033

Much of Tulare County's farmland is under California Land Conservation Act (Williamson Act) contracts, a program designed to prevent premature conversion of farmland to residential or other urban uses. As of January 1, 2014 there were 1,081,936 acres of farmland under Williamson Act or Farmland Security Zone contracts in Tulare County. This total includes 565,190 acres of Williamson Act prime, 505,654 acres nonprime, and 11,1101 acres of Farmland Security Zone lands (The acreage totals also include 3,838 acres Williamson Act prime contracted land in nonrenewal and 7,301 acres of Williamson Act nonprime in nonrenewal).⁴⁰ The entire proposed Project site is not under Williamson Act contracts.

Table 3.2-5⁴¹:
2014 Tulare County Lands under Williamson Act or Farmland Security Zone Contracts

Acres	Category
565,190	*Total prime = Prime active + NR Prime
505,645	*Total Nonprime = Nonprime active + NR Prime
11,101	Farmland Security Zone
1,081,936	Total Acres in Williamson Act and Farmland Security Zone contracts

*Prime total includes 3,838 acres in nonrenewal; Nonprime total includes 7,301 acres in nonrenewal

³² California Department of Conservation, Division of Land Resource Protection. Farmland Mapping and Monitoring Program California Farmland Conversion Report 2008-2010. <http://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/pubs/2008-2010/fcr/FCR%200810%20complete.pdf>. Accessed June, 2014.

³³ Tulare County General Plan 2030 Update Recirculated Draft EIR Sch#2006041162. Table 3.10-4.

³⁴ Ibid.

³⁵ Op. Cit.

³⁶ Op. Cit.

³⁷ Op. Cit.

³⁸ California Department of Conservation, Division of Land Resource Protection. Farmland Mapping and Monitoring Program California Farmland Conversion Report 2008-2010. <http://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/pubs/2008-2010/fcr/FCR%200810%20complete.pdf>. Accessed June, 2014.

³⁹ Ibid.

⁴⁰ Tulare County Subvention Report "California Open Space Subvention Act Program Survey for Fiscal Year 2012-2013" (submitted to Department of Conservation November 21, 2012)

⁴¹ Ibid.

The California Revised Storie Index is a soil rating based on soil properties that govern a soil's potential for cultivated agriculture in California. The Storie Index assesses the productivity of a soil from the following four characteristics: Factor A, degree of soil profile development; factor B, texture of the surface layer; factor C, slope; and factor X, manageable features, including drainage, microrelief, fertility, acidity, erosion, and salt content. A score ranging from 0-100 percent is determined for each factor, and the scores are then multiplied together to derive an index rating. The ratings have been combined into six grade classes as follows: Grade 1 (excellent), 100 to 80; grade 2 (good), 79 to 60; grade 3 (fair), 59 to 40; grade 4 (poor), 39 to 20; grade 5 (very poor), 19 to 10; and grade 6 (nonagricultural), less than 10. Approximately 9% of the proposed Project site has a Storie Index rating of 1, 59% has a Storie Index rating of 3 and the remaining 32% has a Storie Index rating of 4⁴².

Another way of measuring the suitability of soils for most field crops is by determining the soil capability class. In this system, soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. They are also classified based on whether they are irrigated or nonirrigated. Capability classes are designated by the numbers 1 through 8. The Project site is primarily Non-irrigated Capability Class 3 and 4, which means that soils have severe to very severe limitations that restrict the choice of plants used, or that requires moderate conservation practices, or both⁴³.

Important Farmland Trends

Using data collected by the FMMP, farmland acreage has been consistently decreasing for each two-year period since 1998⁴⁴. In the 2010 FMMP analysis, Tulare County lost 17,502 acres of important farmland, and 17,748 acres of total farmland between 2008 and 2010.⁴⁵

“For Tulare County and the surrounding region, the reported major cause of this conversion is the downgrading of important farmlands to other agricultural uses (e.g., such as expanded or new livestock facilities, replacing irrigated farmland with non-irrigated crops, or land that has been fallow for six years or longer).”⁴⁶

Proposed Project Site

The 17.6-acre proposed Project site is currently operating as an asphalt batch plant (which is allowable under a County-issued Temporary Use Permit) issued in February of 2013. Preceding the issuance of the Temporary Use Permit, a concrete plant occupied the site, beginning in 2010. Prior to the concrete plant, 17.6 acres of the site was planted in row crops, specifically, silage corn, under the ownership of Kevin Bakker. The remaining acre was utilized as a residence.

⁴² See Appendix “A” of this DEIR

⁴³ Ibid

⁴⁴ California Department of Conservation, Division of Land Resource Protection, “Williamson Act Status Report (2010)” downloaded from “Williamson Act Reports and Statistics”, at: http://www.conservation.ca.gov/dlrp/lca/stats_reports/Pages/index.aspx

⁴⁵ California Department of Conservation, Division of Land Resource Protection, FMMP, “Tulare County 2008-2010 Land Use Conversion” Report, Table A-44

⁴⁶ Tulare County General Plan 2030 Update, Recirculated DEIR (SCH # 2006041162), Feb. 2010, page 3.10-13.

Agricultural Crops and Yields

Although the proposed Project site has not been actively farmed for almost five years, the crop values are provided herein for informational purposes. Corn silage was ranked number eight among the top 15 crops grown in Tulare County for the year 2013 with a value of \$256,218,000. The Tulare County 2013 Crop Report indicates an acre produced a yield of 28 tons with a crop value of \$51.80 per ton.

The proposed Project site yields and total value for corn silage are provided in Table 3.2-6.

Table 3.2-6
Project Site Crop Yield and Value⁴⁷

Crops	Bearing Acreage	Per Acre Yield/Ton	Total Tons	Unit Value per Ton (\$)	Total Value (\$)
Corn silage	17.6	28	493	51.80	25,527

Land Classifications

According to the FMMP, the proposed Project site is mapped as containing 17.6 acres of Prime Farmland of the 32 acre site.

Soil Suitability

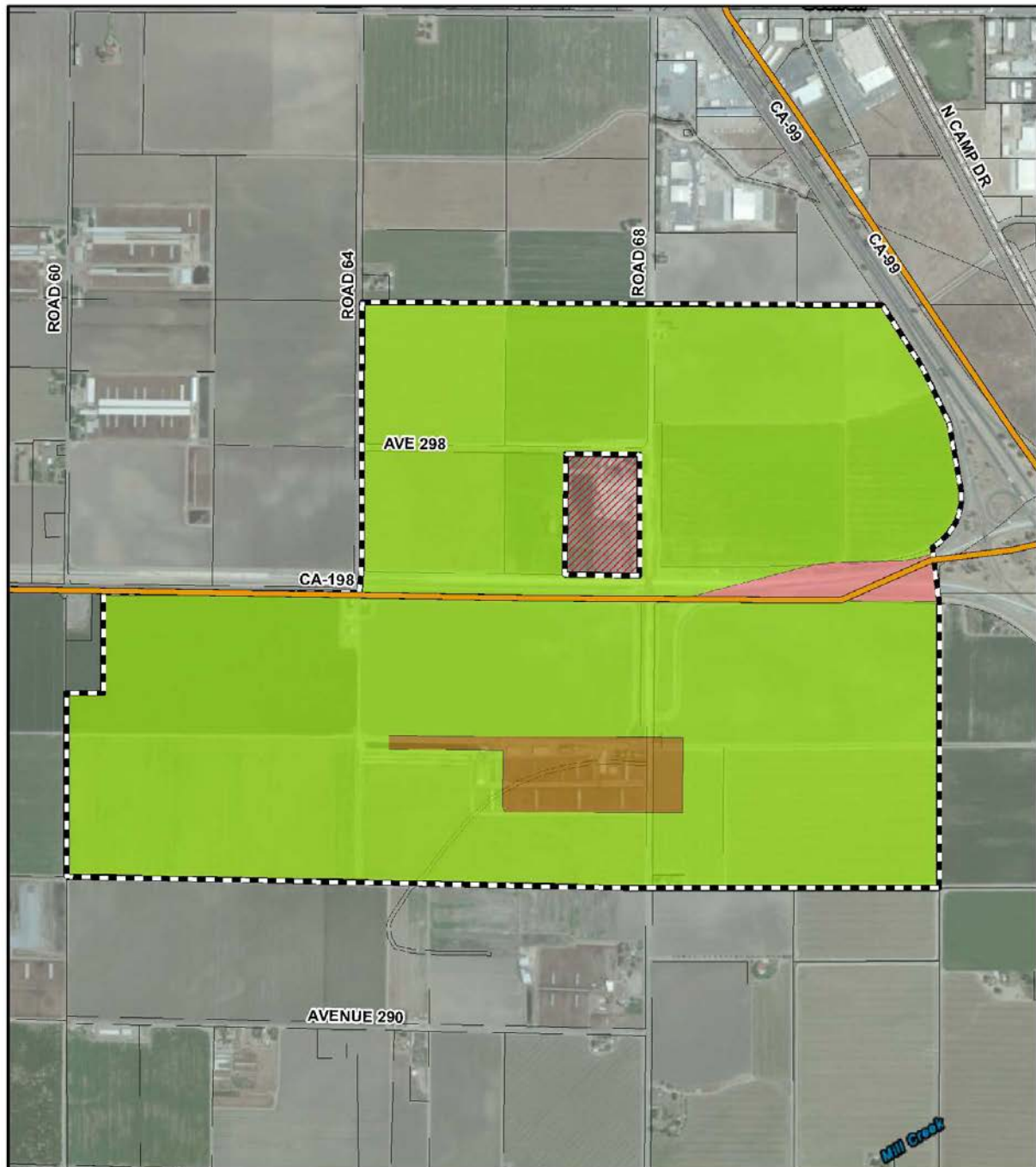
Soils

The proposed Project site is composed entirely of Tagus loam with 0 to 2% slopes. Tagus loam is a well-drained soil formed on alluvium derived from granitic rock sources. Available water holding capacity is moderate while there is no frequency of ponding⁴⁸.

⁴⁷ Tulare County Agricultural Crop and Livestock Report 2013.

⁴⁸ United States Department of Agriculture, Natural Resources Conservation Service. Custom Soil Resource Report for Tulare County, Western Part, California. See Appendix "B" of this DEIR.

Figure 3.2-1 Important Farmlands



Legend

- Project Boundary
- Zone of Influence
- State Highways
- Tulare County Parcels

Important Farmlands

- P, PRIME FARMLAND
- CI, CONFINED ANIMAL AGRICULTURE
- D, URBAN AND BUILT UP LAND

0 0.050.1 0.2 0.3 0.4
 Miles



Forest Lands

“Timberlands that are available for harvesting are located in the eastern portion of Tulare County in the Sequoia National Forest. Hardwoods found in the Sequoia National Forest are occasionally harvested for fuel wood, in addition to use for timber production. Since most of the timberlands are located in Sequoia National Forest, the U.S. Forest Service has principal jurisdiction, which encompasses over 3 million acres. The U.S. Forest Service leases these federal lands for timber harvests.”⁴⁹ As the proposed Project is located on the Valley floor, there is no timberland or forest in the Project vicinity.

REGULATORY SETTING

Federal Agencies & Regulations

Federal Farmland Protection Act (FFPA)

“The FFPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland... Projects are subject to FFPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.”⁵⁰

US Forest Service

“The U.S. Department of Agriculture Forest Service is a Federal agency that manages public lands in national forests and grasslands. The Forest Service is also the largest forestry research organization in the world, and provides technical and financial assistance to state and private forestry agencies. Gifford Pinchot, the first Chief of the Forest Service, summed up the purpose of the Forest Service—“to provide the greatest amount of good for the greatest amount of people in the long run.””⁵¹

State Agencies & Regulations

California Department of Conservation: Farmland Mapping and Monitoring Program

“The California Department of Conservation (DOC), under the Division of Land Resource Protection, has developed the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the state’s farmland to and from agricultural use. Data is collected at the county level to produce a series of maps identifying eight land use classifications using a minimum mapping unit of 10 acres. The program also produces a biannual report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory

⁴⁹ Tulare County General Plan 2030 Update, Background Report, February 2010, page 4-17

⁵⁰ United States Department of Agriculture. Natural Resources Conservation Service, <http://www.fs.fed.us/about-agency/newsroom/how-we-operate>. Accessed January 2015.

⁵¹ US Forest Service, “About Us – Meet the Forest Service”, <http://www.fs.fed.us/aboutus/meetfs.shtml>. Accessed January 2015.

of state agricultural land and updates the “Important Farmland Series Maps” every two years.”⁵²

Williamson Act: California Land Conservation Act of 1965

“The California Land Conservation Act (CLCA) of 1965, Sections 51200 et seq. of the California Government Code, commonly referred to as the “Williamson Act”, enables local governments to restrict the use of specific parcels of land to agricultural or related open space use. Landowners enter into contracts with participating cities and counties and agree to restrict their land to agriculture or open space use for a minimum of ten years. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market (speculative) value. Local governments receive an annual subvention of forgone property tax revenues from the state via the Open Space Subvention Act of 1971.”⁵³

California Department of Forestry and Fire Protection (CAL FIRE)

“CAL FIRE manages eight Demonstration State Forests that provide for commercial timber production, public recreation, and research and demonstration of good forest management practices. CAL FIRE foresters can be found in urban areas working to increase the number of trees planted burial ground in the path of a logging operation or fire may be verified and saved due to a CAL FIRE archaeologist's review of the area. And, an improved strain of trees, resistant to disease and in our cities, or preventing the spread of disease by identifying and removing infected trees. A Native American pests, may be nurtured and introduced by a CAL FIRE forester.”⁵⁴

Local Policy & Regulations

Tulare County General Plan Policies

The Tulare County General Plan 2030 Update (TCGP) has policies that apply to projects within Tulare County that serve to protect farmland. General Plan policies that are generally applicable to the proposed Project are listed below:

AG-1.1 - Primary Land Use - The County shall maintain agriculture as the primary land use in the valley region of the County, not only in recognition of the economic importance of agriculture, but also in terms of agriculture’s real contribution to the conservation of open space and natural resources.

AG-1.2 Coordination - The County shall coordinate its agricultural policies and programs with State and federal regulations to preserve agricultural lands.

AG-1.3 Williamson Act - The County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located

⁵² Tulare County General Plan 2030 Update, Background Report, February 2010, page 4-12

⁵³ Ibid. Page 4-13

⁵⁴ California Department of Forestry and Fire Protection. About Cal Fire, <http://www.fire.ca.gov/about/about.php>. Accessed January 2015.

outside established Urban Development Boundaries (UDB). However this policy carries with it a caveat that support for the Williamson Act is premised on continued funding of the State subvention program that offsets the loss of property taxes.

AG-1.6 Conservation Easements - The County shall consider the use of conservation easements to preserve agricultural lands.

AG-1.7 Preservation of Agricultural Lands - The County shall promote the preservation of its agricultural economic base and open space resources through the implementation of resource management programs and the identification of maximum growth parameters for all urban areas located in the County.

AG-1.9 Agricultural Preserves Outside Urban Boundaries - The County shall grant approval of individual applications for agricultural preserves located outside a UDB provided that the property involved meets the requirements of the Williamson Act and the rules of Tulare County.

AG-1.14 Right-to-Farm Noticing - The County shall condition discretionary permits for special uses and residential development within or adjacent to agricultural areas upon the recording of a Right-to-Farm Notice (Tulare County Ordinance No. 2931), which is an acknowledgement that residents in the area should be prepared to accept the inconveniences and discomfort associated with normal farming activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area.

AG-1.15 Soil Productivity - The County shall encourage landowners to participate in voluntary programs that reduce soil erosion and increase soil productivity. To this end, the County shall promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, University of California Cooperative Extension, and other similar agencies and organizations.

AG-1.16 Agricultural Water Resources - The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.

Purpose and Analysis Methods

The proposed Project is the construction, expansion, and continuing operation of the Papich Construction Asphalt Batch Plant (Project), in Tulare County, California. The Project is being proposed by Papich Construction, Inc. (Applicant) to produce up to 8,000 tons/day of asphalt for retail/commercial sale on a 17.6-acre site (that is part of a larger 32-acre site) that is zoned Agriculture Exclusive, 40-acre minimum (AE-40). Projects involving changes in land use sometimes convert agricultural lands to non-agricultural uses. Conserving productive agricultural land requires a project-specific evaluation of the direct and indirect effects, as well as the cumulative effects of the agricultural land conversion. In order to analyze the proposed Project's potential impact to agricultural lands, this Chapter utilized factors identified in the Tulare County General Plan 2030 Update (TCGP), and the California Department of Conservation's Farmland Monitoring and Mapping Program.

Tulare County, as a Lead Agency, typically bases a determination of agricultural resources significance on the thresholds established by the California Environmental Quality Act (CEQA) Guidelines. The Environmental Checklist Form of the CEQA Guidelines contains a list of impacts that may be deemed potentially significant. The Lead Agency should address questions from this checklist that are relevant to a project's environmental effects. The following significance thresholds are contained in Appendix G of the CEQA Guidelines.

IMPACT EVALUATION

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to California Dept. of Conservation FMMP in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural uses?**

Project Impact Analysis: ***Less Than Significant Impact***

Pursuant to CEQA Statute §21060.1, "Agricultural land" means Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as defined by the United States Department of Agriculture land inventory and monitoring criteria.

The Land Capability Classification System is used by the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) to determine a soil's agricultural productivity. The Land Capability Classification indicates the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops and the way they respond to management. Soils are rated from Class I to Class VIII, with soils having the fewest limitations receiving the highest rating (Class I). The "prime" soil classification indicates the absence of soil limitations, which if present, would require the application of management techniques (e.g., drainage, leeching, special fertilizing practices) to enhance production.

Soils on the proposed Project site are rated as Class I, the highest rating available.⁵⁵ The proposed Project site is located on Prime Farmland, as defined by the California Department of Conservation. The proposed Project site; however, is currently used and devoid of any

⁵⁵ United States Department of Agriculture, NRCS, Web Soil Survey: USDA Soil Survey of Tulare County, Western Part, Accessed June 2014. Attachment A.

cultivation, or vegetation. Currently, no agricultural uses exist on the proposed Project site, nor would it affect any other existing agricultural resources.

The 17.6-acre proposed Project site is currently operating as an asphalt batch plant (allowable under a County-issued Temporary Use Permit) issued in February of 2013. Preceding the issuance of the Temporary Use Permit, a concrete plant occupied the site, beginning in 2010. Prior to the concrete plant, 16.6 acres of the site was planted in row crops, specifically, silage corn, under the ownership of Kevin Bakker. The remaining acre was utilized as a residence.

Although the proposed Project is surrounded by agricultural uses, the site lacks irrigation water, which historically has resulted in sub-optimal/economically unproductive dry-farming. As such, the proposed Project would assist the State in meeting renewable portfolio standards on property that is not currently being put to the highest and best use.

As a component of the Design Features of the proposed Project, the applicant will immediately purchase a temporary agricultural easement at a ratio of 1 acre of developed property for 1 acre of conserved agricultural land (a 1:1 ratio). This amount of 1:1 ratio is represented by 17.6 acres on the adjacent parcel APN # 073-080-010, or like site within the County. Any replacement acreage will be to the whole satisfaction of the Director of Tulare County RMA. These 17.6 acres will remain in active agriculture until the land is prepared for development/improvements, as indicated by an application being made to the County for development of a project on APN # 073-080-010, or other like property. At that time, the applicant will purchase an agricultural land conservation easement of 32 acres within the County, of like agricultural land within the County. The 32 acre agricultural easement will be maintained and kept in agriculture usage in perpetuity.

The replacement agricultural acreage can be accomplished through a placement of a temporary agricultural easement on 17.6 acres. The “ultimate” agricultural easement shall be placed on other suitable and agriculturally compatible property, of the same soil types and arability, within Tulare County; at a replacement ratio of 1:1, and to be established as an agricultural easement in perpetuity. As shown in Table 3.2-7; if the agricultural easement were planted to a similar agricultural crop (silage corn), the 32 acre easement has the potential to result in an increase of total yield tonnage to 896 tons (a 182% increase) and total value of \$46,413 (a 182% increase) than the current 16.0 acres of agricultural uses on the proposed Project site. Therefore, the agricultural easement would result in a net benefit to the County in regards to agricultural productivity and value.

Table 3.2-7
Potential Agricultural Easement Crop Yield and Value

Crops	Bearing Acreage	Per Acre Yield/Ton	Total Tons	Unit Value per Ton (\$)	Total Value (\$)
Corn silage	32	28	896	51.80	46,413

Cumulative Impact Analysis: ***Less Than Significant Impact***

The geographic area of this cumulative analysis is the entire State of California. This cumulative analysis is based on the Statewide FMMP map provided by the California State Department of Conservation.

The proposed Project site is categorized as Prime Farmland by the California State Department of Conservation; however, the proposed Project is an allowed use with a Special Use Permit within the AE-40 zone. In addition, as a component of the Design Features of the proposed Project, the applicant will immediately purchase a temporary agricultural easement at a ratio of 1 acre of developed property for 1 acre of conserved agricultural land (a 1:1 ratio). Also, as shown in Table 3.2-7, the permanent agricultural easement would result in a net benefit to the County in regards to agricultural productivity and value. Therefore, ***Less Than Significant Cumulative Impacts*** related to this Checklist Item will occur.

Mitigation Measures:

None Required.

Conclusion: ***Less Than Significant Impact***

As noted above, the Project will have a ***Less Than Significant Impact*** to this Checklist Item as a result of the proposed Project.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Project Impact Analysis: ***Less Than Significant Impact***

The proposed Project site is zoned AE-40 (Exclusive Agricultural – 40 acre minimum). The proposed facility is consistent with the AE-40 zone subject to an approved Special Use Permit. The Project does not propose a general plan amendment or a rezone classification.

The California Land Conservation Act, also known as the Williamson Act, is a voluntary program that allows agricultural property owners to have their property assessed on the basis of its agricultural production rather than at the current market value. However; the proposed Project site is not under a Williamson Act Contract.

Cumulative Impact Analysis: ***Less Than Significant***

The geographic area of this cumulative analysis is the entire State of California. This cumulative analysis is based on provisions of the California Land Conservation Act of 1965 (Williamson Act) and on Tulare County allowed uses in agricultural zones.

The proposed Project will not cause the conversion or cancellation of existing contracts. The proposed Project is consistent with the Exclusive Agriculture zone classification subject to

approval of a Special Use Permit. Therefore, ***Less Than Significant Impact*** related to this Checklist Item will occur.

Mitigation Measures:

None Required.

Conclusion:

As noted above, ***Less Than Significant Project-specific or Cumulative Impacts*** will occur.

- c) **Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code § 12220(q), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?**

Project Impact Analysis: ***No Impact***

The proposed Project site and surrounding areas are located in the Valley portion of Tulare County and have agricultural zoning. The area contains no lands zoned or identified as forest land or timberland. The Project site is zoned as AE-40 (Exclusive Agricultural Zone – 40 Acre Minimum). The proposed Project will not conflict with existing zoning for forest land or cause rezoning of forest land. As such, ***No Project-specific Impacts*** to this Checklist Item will occur.

Cumulative Impact Analysis: ***No Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

The proposed Project is not located within a forestland zone or would require the change of a forestland zone. As such ***No Cumulative Impacts*** to this Checklist Item will occur.

Mitigation Measures:

None Required.

Conclusion: ***No Impact***

As noted above, ***No Project-specific or Cumulative Impacts*** to this Checklist Item will occur.

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

Project Impact Analysis: ***No Impact***

As noted above, the proposed Project is not located within a forest land zone or will require the change of a forest land zone. As such, ***No Project specific Impacts*** to this Checklist Item will occur.

Cumulative Impact Analysis: ***No Impact***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and/or Tulare County 2030 General Plan EIR.

As noted above, the proposed Project is not located within a forest land zone or will require the change of a forest land zone. As such, ***No Cumulative Impacts*** to this Checklist Item will occur.

Mitigation Measures:

None Required.

Conclusion: ***No Impact***

As noted above, ***No Project-specific or Cumulative Impacts*** to this Checklist Item will occur.

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of agricultural use or conversion of forest land to non-forest use?**

Project Impact Analysis: ***Less Than Significant Impact***

The proposed Project spans approximately 17.6 acres of agricultural land to accommodate development of the facility. Land on the proposed Project site is identified as Prime Farmland by the FMMP. The proposed Project is not located within forest land. Furthermore, the Project is considered to be a compatible use with farmlands subject to approval of a Special Use Permit. Therefore, upon approval of the SUP application, the proposed Project would be consistent with County Ordinance and would not conflict with the existing zoning of the proposed Project site.

The land in the immediate vicinity of the proposed Project includes cultivated and uncultivated farmlands. A small number of scattered farm residences and buildings are located near the western and northern area of the Project Site. The Community of Goshen is located approximately one mile north of the site.

The proposed Project would not include activities that could restrict or impair agricultural production or otherwise impact the uses that exist on adjacent land. Because no other changes are anticipated to the existing environment as a result of activities proposed in the Project area, and as discussed under impact discussion 3.2 (a) above, the proposed Project

would not result in the conversion of farmland to non-farmland uses on adjacent properties. As a result, this impact will be ***Less Than Significant***.

Cumulative Impact Analysis: ***Less Than Significant***

The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and Tulare County 2030 General Plan EIR.

As noted above, the proposed Project is not located within a forest land zone or will require the change of a forest land zone. As such, ***No Cumulative Impacts*** to this Checklist Item will occur.

Mitigation Measures:

None Required.

Conclusion: ***Less than Significant***

As noted above, ***No Project-specific or Cumulative Impacts*** to this Checklist Item will occur.

REFERENCES

California Department of Conservation, DLRP, Farmland Mapping and Monitoring Program, downloaded from, <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>

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California Agricultural Land Evaluation and Site Assessment Model for Tulare Solar Center, Provost & Pritchard Consulting Group, July 2012

Tulare County Board of Supervisors, Collection of Agriculture Use Adopted Resolution, Appendix G- Resolution No. 2010-0590, Resolution No. 2010-0591, Resolution No. 2010-0717, Resolution No. 2010-0458, Resolution No. 89-1275, and Resolutions No. 99-0620

Tulare County General Plan 2030 Update, Recirculated DEIR (SCH # 2006041162), page 3.10-4

Tulare County Farm Bureau Statistics 2011

2013 Tulare County Annual Crop and Livestock Report, June 2014
<http://agcomm.co.tulare.ca.us/default/index.cfm/linkservid/0C140763-0E3D-CCD4-C46162E044E462E6/showMeta/0/>

Department of Conservation, Farmland Mapping and Monitoring Program,
http://redirect.conservation.ca.gov/dlrp/fmmp/county_info_results.asp

Tulare County Subvention Report “California Open Space Subvention Act Program Survey for Fiscal Year 2012-2013” (submitted to Department of Conservation November 21, 2012)