
AGRICULTURAL AND FOREST RESOURCES

3.2 Agriculture and Forest Resources

This section of the Draft EIR addresses potential impacts to agricultural resources in the plan area and its surroundings. The analysis specifically focuses on the potential productivity of the soils onsite to support agriculture and the potential impacts that the project may have on the continued use of surrounding properties for agricultural production. Comments received during the Notice of Preparation (NOP) period addressing agricultural issues included a request from a citizen representative for mitigation in the EIR requiring at least one acre preserved for each acre converted to urban development.

3.2.1 SETTING

Environmental Setting

Merced County is among the largest agriculture producing counties in California (ranked fifth), with a gross income of more than \$2.4 billion in 2006. The County's leading agricultural commodities include milk, chickens, almonds, cattle and calves, tomatoes and sweet potatoes. As of 2002, Merced County encompassed 2,964 farms with a cumulative land area of 1,006,127 acres.

IMPORTANT FARMLANDS

The Farmland Mapping and Monitoring Program is a farmland classification system that is administered by the California Department of Conservation. The system classifies agricultural land according to its soil quality and irrigation status. The best quality agricultural land is called "Prime Farmland." Prime Farmland is land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed according to current farming methods. The land must have been used for the production of irrigated crops at least sometime during the two cycles prior to the mapping date.

Important Farmland is land characterized by one or more of the following characteristics: (1) presence of prime agricultural soils; (2) presence of soils of statewide agricultural importance; and (3) active agricultural lands. The 2006 FMMP Merced County Land Use Conversion Table ([Appendix B](#)) indicates that 589,615 acres of the County are Important Farmland, 272,096 acres of which are considered Prime Farmland. Between 2004 and 2006, the County experienced a net gain of 289 acres of Important Farmland. However, the County experienced a net loss of approximately 709 acres of Prime Farmland to Urban and Built-up land. Overall the County lost a total of 3,512 acres of agricultural lands. Of the 3,512 acres of agricultural lands lost, 1,823 acres were converted to Urban and Built-up lands and another 1,800 acres was categorized as being lost to other land use.

[Figure 3.2-1](#) shows the Prime Farmlands, unique, and Farmland of Statewide Importance located in and around the plan area. These three categories are considered Important Farmland according to the CEQA checklist.

WILLIAMSON ACT

Since 2005, Merced County participates in the State of California Williamson Act agricultural land preservation program. The purpose of the Act is to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. As of 2007, there were more than 450,000 acres in the County under Williamson Act contracts.

Figure 3.2-2 shows the Williamson Act lands located in and around the plan area.

Regulatory Setting

FEDERAL

Farmland Protection Policy Act

The Farmland Protection Policy Act was passed into federal law as part of the Agriculture and Food Act of 1981 (Public Law 97-98). The Act was passed in response to the National Agricultural Land Study of 1980-1981 which found that millions of acres of farmland were being converted in the United States each year and a related report which found that much of this conversion was the result of programs funded by the federal Government. The intent of the Act is 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 and local units of government and private programs and policies to protect farmland.

STATE

Williamson Act

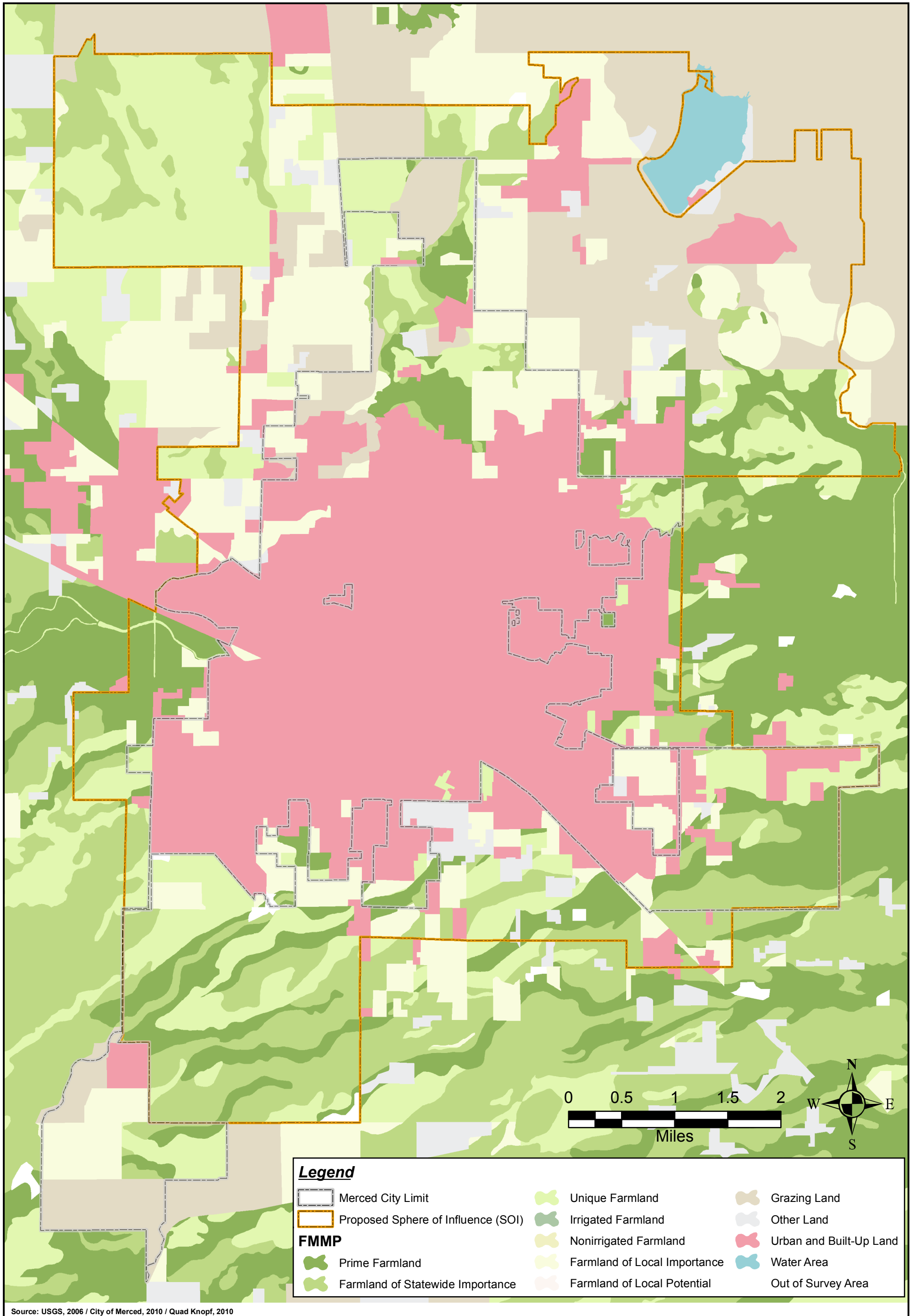
The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to assessed value pursuant to Proposition 13.

LOCAL

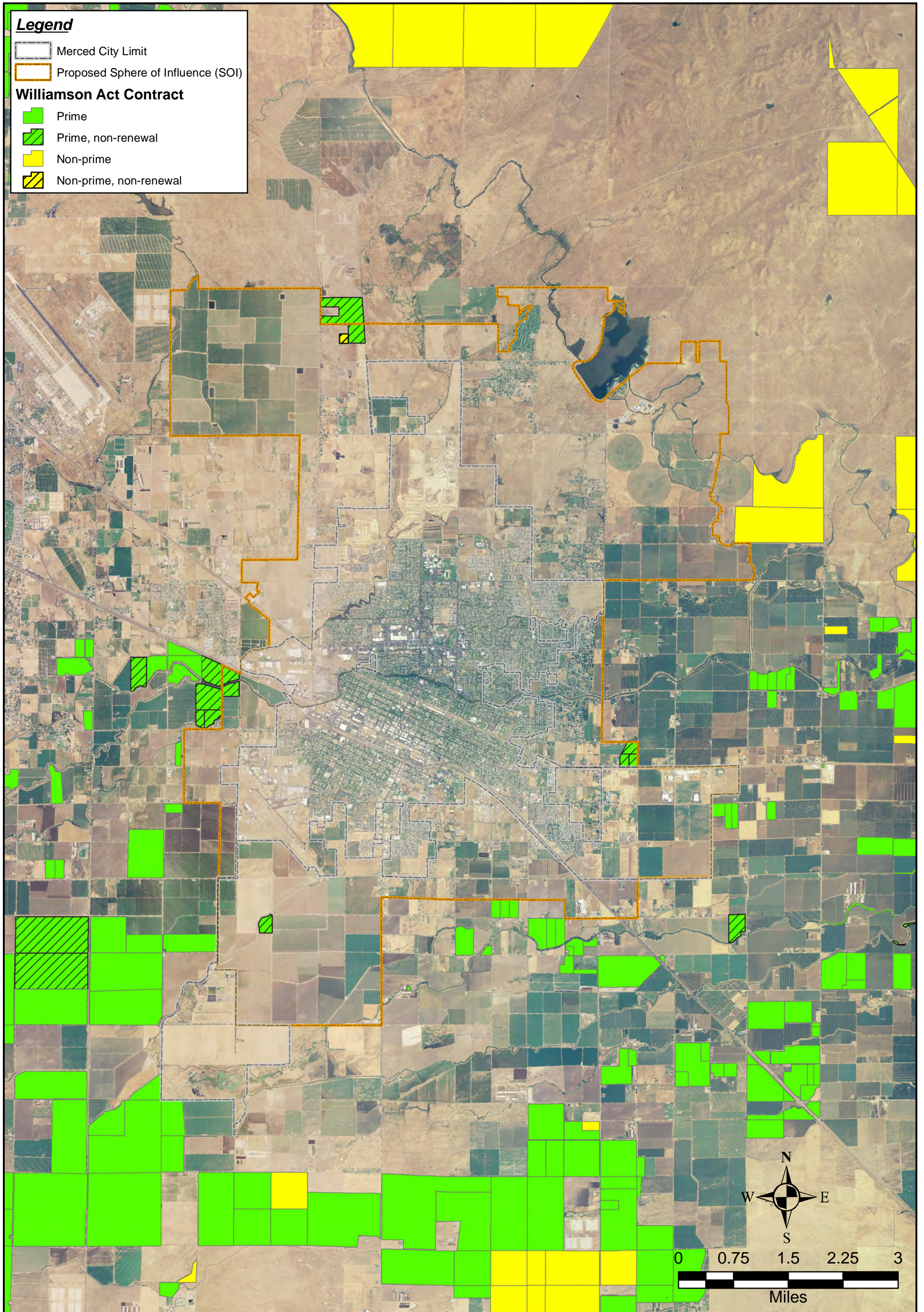
Merced County Local Agency Formation Commission (LAFCo)

Urban growth and expansion, under California State Law, is subject to a local review body called the Merced County Local Agency Formation Commission (LAFCo). LAFCo, comprised of City and County elected officials, must review and approve all municipal boundary revisions (including annexations).

Merced County LAFCo adopted a set of Local LAFCo Goals, Objectives, and Policies to address local concerns and priorities regarding annexations and the preservation of agricultural-land.




MERCED VISION 2030 GENERAL PLAN EIR
IMPORTANT FARMLAND MAP
Figure 3.2-1



Source: Calif. Dept. of Conservation, 2006 / NAIP, 2005 / City of Merced, 2009 / Quad Knopf, 2010



MERCED VISION 2030 GENERAL PLAN EIR
WILLIAMSON ACT LANDS

Figure 3.2-2

The specific objectives and policies can be found in the *Policy and Procedures Chapter II: Merced County LAFCo Policies*. This document can be found in [Appendix C](#).

Merced County Ordinance 1213

Merced County Ordinance 1213 is the county's right-to-farm ordinance. It requires that parcel maps of all parcels within 1,000-feet of an agricultural zone and dwelling units of more than 500 square feet have a notice advising of the potential inconveniences created by agricultural operations but that these inconveniences are acceptable customs and standards of agricultural operations in the vicinity of the property. Additionally, the ordinance requires that building permit applicants acknowledge the ordinance before a permit can be issued.

General Plan Consistency

The *Merced Vision 2030 General Plan* contains a number of policies that apply to agricultural impacts in conjunction with ultimate build-out of the City in accordance with the General Plan. The specific policies listed below contained in the Urban Expansion, Urban Design, and the Open Space, Conservation, and Recreation Elements are designed to ensure that agricultural impacts are minimized as development occurs in accordance with the *Merced Vision 2030 General Plan*.

Urban Expansion Policies:

- UE-1.1** Designate areas for new urban development that recognize the physical characteristics and environmental constraints of the planning area.
- UE-1.2** Foster compact and efficient development patterns to maintain a compact urban form.
- UE-1.3** Control the annexation, timing, density, and location of new land uses within the City's urban expansion boundaries.
- UE-1.5** Promote annexation of developed areas within the City's Specific Urban Development Plan (SUDP)/Sphere of Influence (SOI) during the planning period.

Urban Design Policies:

- UD-1.1** Apply Transit-Ready Development or Urban Village design principles to new development in the City's new growth areas.
- UD-1.4** Promote and facilitate Urban Village residential area design principles.

Land Use Policies:

- L-3.2** Encourage infill development and a compact urban form.

Open Space, Conservation, and Recreation Policies:

- OS-1.1** Identify and mitigate impacts to wildlife habitats which support rare, endangered, or threatened species.
- OS-2.1** Protect agricultural areas outside the City's SUDP/SOI from urban impacts.
- OS-5.2** Protect soil resources from the erosive forces of wind and water.

3.2.2 THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the proposed project is considered to have a significant impact on the environment if it will:

- Convert 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 Department of Conservation, to non-agricultural use;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code section 1220(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 forest land or conversion of forest land to non-forest use; or
- 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 forest land to non-forest use.

3.2.3 IMPACTS AND MITIGATION MEASURES

Impact #3.2-1: Directly or indirectly result in conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland) to non-agricultural use

Discussion/Conclusion: Adoption of the *Merced Vision 2030 General Plan* will result in existing agricultural areas being re-designated for residential, commercial and public land uses. Such re-designation will indirectly result in the conversion of Farmland to urban uses over time. According to the 2006 Farmland Mapping and Monitoring Program Map (Figure 3.2-1), the Plan Update could result in conversion of approximately 8,750 acres of undeveloped land to developed urban land within the proposed SUDP/SOI and outside the City limits of Merced, of which 1,898 acres are Prime Farmland.

The General Plan includes Policies and Implementing Actions to ensure that the existing farmland within and surrounding the SUDP/SOI are not developed before needed by future growth. Policy UE-1.1 calls for the City to designate areas for new urban development that recognize the physical characteristics and environmental constraints of the planning area. With Implementing Action 1.1.a, the City shall direct development away from significant concentrations of “Prime” agricultural soils and give priority to the conversion of non-prime agricultural land if reasonable alternatives exist. With Implementing Action 1.1.d, the City shall work with Merced County to establish policies to protect prime agricultural areas around the SUDP/Sphere of Influence. With Implementing Action 1.1.b, the City shall limit development and development related impacts on agricultural lands along the City’s urban fringe. Policy L-3.2 encourages infill development and a compact urban form. With Implementing Action 3.2.a, the City encourages infill of vacant parcels.

The General Plan includes policies and implementing actions to ensure managed production of farmland within and surrounding the SUDP/SOI are protected. Policy OS-2.1 calls for the City to protect agricultural areas outside the City’s SUDP/SOI from urban impacts. With Implementing Action 2.1.a, the City shall continue to explore the use of Farmland Trusts, exclusive agricultural zoning, and the transfer of development rights to protect prime agricultural areas. Policy OS-2.2 call for the City to relieve pressures on converting areas containing large concentrations of “Prime” Agricultural Soils to Urban Uses by providing adequate urban development land within the Merced City SUDP/SOI. This important policy will be carried out through several implementing actions found in the Land Use, Public Services and Facilities, and Urban Expansion Chapters of the *Merced Vision 2030 General Plan*.

Implementation of the policies proposed in the General Plan would ensure that increased demand for additional land associated with an increase in population would minimize the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland) to Non-agricultural use; however, the conversion of Prime Farmland is considered a *potentially significant* impact.

Mitigation Measures

Implementation of the following mitigation measures and the Goals, Policies, and Implementing Actions measure of the General Plan will reduce the impact to farmland conversion; however, the impact of the conversion of farmland to non-agricultural uses is *significant and unavoidable*.

Mitigation Measure #3.2-1

The City will encourage property owners outside the City limits but within the SUDP/SOI to maintain their land in agricultural production until the land is converted to urban uses. The City will also work cooperatively with land trusts and other non-profit organizations to preserve agricultural land in the region. This may include the use of conservation easements. Infill development will be preferred and encouraged over fringe development. Sequential and contiguous development is also preferred and encouraged over leap-frog development.

Effectiveness of Mitigation Measures:

While implementation of the mitigation above will help reduce the impact, the impact remains *significant and unavoidable*.

Impact #3.2-2: Conflict with existing zoning for agricultural use, or a Williamson Act contract

Discussion/Conclusion: The proposed General Plan will directly and indirectly conflict with existing agricultural zoning and Williamson Act Contracts within the proposed SUDP/SOI. Adoption of the Plan may result in the indirect conversion of existing agricultural areas for residential, commercial and public uses over time. The proposed SUDP/SOI will affect approximately 8,758 acres of land currently designated for agricultural use by the County of Merced, of which, approximately 71 acres are subject to Williamson Act Contracts. Upon implementation of the Plan, designation of lands under Williamson Act Contract for residential, commercial and public uses will conflict with the Contracts. All 71 acres of land under Williamson Act Contract are currently undergoing the non-renewal process. These lands will no longer be subject to Williamson Act Contracts over the course of the next ten years.

The conversion of agricultural lands to urban uses will take place over the planning period at varying times and in varying locations. This variation may result in conflicting land uses abutting one another for long periods in time. Future residents of urban development could be exposed to nuisances related to agricultural activities which include dust, odors, and elevated noise levels. The General Plan includes policies and implementing actions to reduce conflict between proposed land uses of the proposed General Plan and lands in agricultural production, including lands under Williamson Act Contract. Policy OS-2.1, calls for the City to protect agricultural areas outside the City's SUDP/SOI from urban impacts. With Implementing Action 2.1.b, the City shall establish policies and programs which minimize conflicts between urban and agricultural uses. With Implementing Action 2.1.c, the City shall minimize conflict between agricultural and urban uses by requiring buffers, such as landscape areas, roadways, or creeks, to separate these uses.

Implementation of the policies proposed in the General Plan would ensure that conflict with existing zoning for agricultural use or a Williamson Act contract would be minimized. However, there is still potential for conflict, therefore, this is a *potentially significant* impact.

Mitigation Measures

Implementation of the Goals, Policies, and Implementing Actions of the General Plan will reduce the conflict with existing zoning for agricultural use or a Williamson Act contract; however, this will not prevent the conversion of prime farmland to non-agricultural uses, nor will it prevent changes to existing agricultural land use designations. Therefore, the conversion of prime farmland is a *significant and unavoidable* impact.

Impact #3.2-3: Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))

Discussion/Conclusion: Forest land as defined by Public Resources Code section 1220(g), timberland as defined by Public Resources Code section 4526 and timberland zoned Timberland Production as defined by Government Code section 51104(g) does not exist within the proposed City of Merced SUDP/SOI. There is *no impact*.

Mitigation Measures

No mitigation measures are required.

Impact #3.2-4: Result in the loss of forest land or conversion of forest land to non-forest use

Discussion/Conclusion: Forest land does not exist within the proposed City of Merced SUDP/SOI. There is *no impact*.

Mitigation Measures

No mitigation measures are required.

Impact #3.2-5: 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 forest land to non-forest use.

Discussion/Conclusion: See Impacts #3.2-1, #3.2-3 and #3.2-4. There is *no impact*.

Mitigation Measures

No mitigation measures are required.

CUMULATIVE IMPACT ANALYSIS

Impact #3.2-6: Have a cumulatively adverse effect on agricultural resources

Discussion/Conclusion: With the implementation of the proposed project there would be a loss of existing agricultural lands within the City's planning area. While the proposed project includes policies to minimize this impact, there would still be a project level significant and unavoidable impact. The loss of agricultural land within the City's planning area as a result of urban development is part of an overall trend within Merced County and the County will continue to face development pressure in the foreseeable future. The proposed project includes

policies directing the City to work at a regional level to control the conversion of agricultural uses. However, since the County is projected to continue to urbanize at a significant rate, the loss of agricultural lands as a result of the proposed project would contribute considerably to a *significant and unavoidable cumulative impact* to agricultural resources.

Mitigation Measures

No mitigation measures are available that would fully mitigate this impact; therefore, this impact remains *significant, cumulatively considerable, and unavoidable*.