

4.2 AGRICULTURAL RESOURCES

4.2.1 Regulatory Setting

Farmland Mapping and Monitoring Program

The goal of the Farmland Mapping and Monitoring Program (FMMP) is to provide consistent, timely, and accurate data to decision makers for use in planning for the present and future of California's agricultural land resources. To meet this goal, FMMP's objective is to provide maps and statistical data to the public; academia; and local, State, and federal governments to assist them in making informed decisions for the best utilization of California's farmland (CDC 2004).

FMMP was established in 1982 in response to a critical need for assessing the location, quality, and quantity of agricultural lands and conversion of these lands over time. Creation of FMMP was supported by the California Legislature and a broad coalition of building, business, government, and conservation interests. Government Code §65570 mandates FMMP to biennially report to the Legislature on the conversion of farmland and grazing land and to provide maps and data to local government and the public. FMMP was also directed to prepare and maintain an automated map and database system to record and report changes in the use of agricultural lands (CDC 2004).

FMMP was established to continue the Important Farmland mapping efforts begun in 1975 by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS). The intent of NRCS was to produce agricultural resource maps based on soil quality and land use across the nation. As part of this nationwide mapping effort, NRCS developed a series of definitions known as the Land Inventory and Monitoring (LIM) criteria. The LIM criteria classified the land's suitability for agricultural production, which included physical and chemical characteristics of soils, as well as specified land use characteristics. Important Farmland Maps are derived from NRCS soil survey maps using LIM criteria (CDC 2004). The Important Farmland Map Categories developed based on the LIM criteria include the following:

Prime Farmland: land with the best combination of physical and chemical features able to sustain the long-term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. The land must have been producing irrigated crops at some time during the two update cycles (a cycle is equivalent to two years) prior to the mapping date.

Farmland of Statewide Importance: land similar to Prime Farmland but with minor shortcomings such as greater slopes or less ability to hold and store moisture. The land must have been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date.

Unique Farmland: land of lesser quality soils used for the production of agricultural crops of importance in Imperial County. This land is usually irrigated but may include nonirrigated orchards or vineyards, as found in some climatic zones in California. The land must have been cultivated at some time during the two update cycles prior to the mapping date.

Farmland of Local Importance: land of importance to the local agricultural economy, as determined by each county's board of supervisors and a local advisory committee. Farmland of Local Importance in Imperial County includes lands which do not qualify as Prime, Statewide, or Unique but are currently irrigated crops or pasture or nonirrigated crops; lands that would meet the Prime or Statewide designation and have been improved for irrigation but are now idle; and lands that currently support confined livestock, poultry operations, and aquaculture.

Grazing Land: land on which the existing vegetation, whether grown naturally or through management, is suited to the grazing of livestock. The minimum mapping unit for this category is 40 acres.

Urban and Built-Up Land: land occupied with structures with a building density of at least 1 unit to 1.5 acres. Uses may include, but are not limited to, residential, industrial, commercial, construction, institutional, public administration purposes, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are mapped as part of this unit if they are part of a surrounding urban area.

Other Land: land that is not included in any other mapping categories. The following uses are generally included: rural developments, brush, timber, government land, strip mines, borrow pits, and a variety of other rural land uses.

County of Imperial General Plan Agricultural Element

The *Agricultural Element* of the County of Imperial General Plan describes the status and trends of local agriculture and expresses community goals with regard to conserving agricultural lands within the County and minimizing or avoiding conflicts with urban and other land uses.

Imperial County Land Use Ordinance

Title 9, the Land Use Ordinance of the County of Imperial, adopted by the Board of Supervisors on November 24, 1998, provides land use regulations for all unincorporated areas of Imperial County. The regulations promote and protect the public health, safety, and general welfare through the regulation of land uses.

County of Imperial “Right to Farm” Ordinance

On August 7, 1990, the County Board of Supervisors approved the “Right-to-Farm” Ordinance, which permits operation of properly conducted agricultural operations within Imperial County after recognizing the potential threats to agricultural productivity posed by increased nonagricultural land uses throughout the County. The ordinance is intended to reduce the loss to the County of its agricultural resources and promote a good neighbor policy by advising purchasers and users of adjacent properties about the potential problems and inconveniences associated with agricultural operations. The ordinance also establishes a “County Agricultural Grievance Committee” to settle disputes between agriculturalists and adjacent property owners).

Williamson Act

The County of Imperial Board of Supervisors adopted the Williamson Act and the provisions established by California Revenue and Taxation Code, Section 423.3 in 2000. Additionally, the Board of Supervisors adopted Resolution 2000-084, which established the County of Imperial “Rules of Procedure to Implement the California Land Conservation Act of 1965.” Resolution 2000-084 established eligibility criteria and standards for the establishment of an agricultural preserve, expansion of an agricultural preserve, and removal of land from an agricultural preserve. Resolution 2000-084 also established requirements for Land Conservation Contracts and local monitoring requirements.

The County of Imperial Board of Supervisors voted to not accept any new Williamson Act contracts and not to renew existing contracts, due to the elimination of the subvention funding from the state budget in February 2010. This decision was reaffirmed by the County in October 2010, and notices of nonrenewal were sent to landowners with Williamson Act contracts following that vote. All Williamson Act contracts in Imperial County will terminate on or before December 31, 2018.

4.2.2 Existing Environmental Setting

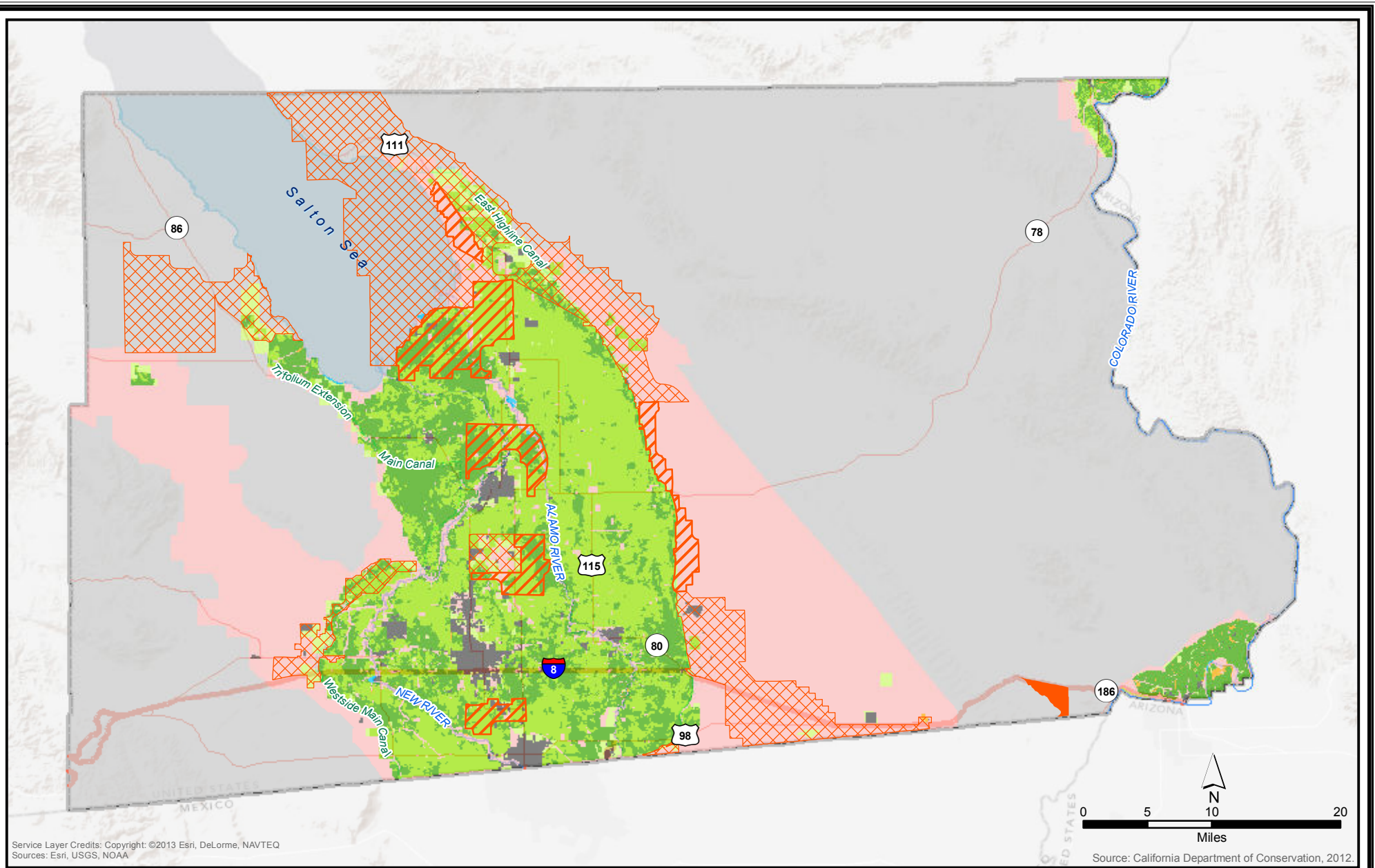
Table 4.2-1 presents the acreages of farmland within Imperial County based on the NRCS Important Farmland Categories described in Section 4.2.1 above. Approximately 538,326 acres, or 19 percent, of the total land is classified as farmland, which includes Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, and Unique Farmland. Lands classified as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, and Unique Farmland are concentrated in an approximately 30-mile-wide column near the center of the County, extending from the southern edge of the Salton Sea to the U.S.-Mexico border. As of 2012, Imperial County had 192,950 acres of Prime Farmland; 305,614 acres of Farmland of Statewide Importance; 2,074 acres of Unique Farmland; and 37,688 acres of Farmland of Local Importance. The locations of these designated farmlands are shown on Figure 4.2-1.

The farmland in Imperial County constitutes 4.4 percent of the total farm acreage in California. To meet the needs of the agricultural industry, it is estimated that approximately 588,416 acres, or 20 percent of the land in Imperial County, is irrigated. As noted by the County of Imperial, the three main irrigated areas consist of Imperial Valley with 512,163 acres, Bard Valley in the southeast corner of the County with 14,737 acres, and Palo Verde Valley in the northeast corner of the county with 7,428 acres. These irrigated lands may produce commodities such as alfalfa, Bermuda grass, broccoli, carrots, cauliflower, citrus, cotton, dates, lettuce, melons, onion, romaine, spinach, Sudan grass, sugar beets, wheat, and livestock.

Table 4.2-1: Farmland of Significance in Imperial County

Farmland Classification	Area (acres)	Percentage of Imperial County
Prime Farmland	192,950.48	6.73%
Farmland of Statewide Importance	305,614.38	10.65%
Unique Farmland	2,074.05	0.07%
Farmland of Local Importance	37,687.50	1.31%
Urban and Built-up Land	28,790.82	1.00%
Other Land	460,641.98	16.06%
Water	749.00	0.03%
Areas Not Mapped	1,839,917.38	64.14%
Total	2,868,425.58	100.00%
Source: California Department of Conservation, 2012		

Gross production of agricultural resources for Imperial County in 2013 was valued at \$2,158,517,000. This represents an increase of \$212,758,000 (11 percent) over the 2012 gross value of \$1,945,759,000. Vegetables and melons were the County's top commodities, with sales of \$865,401,000. The second major form of agricultural production in Imperial County is livestock, which generated \$617,371,000 in 2013 (County 2013a).



Legend

Farmland Mapping and Monitoring Program

- Prime Farmland (P)
- Farmland of Statewide Importance (S)
- Unique Farmland (U)
- Farmland of Local Importance (L)

- Urban and Built-Up Land (D)
- Other Land (X)
- Water (W)
- Area not mapped (Z)

Overlay Zones (Total Acres)

- Geothermal (69,205 acres)
- Renewable Energy (2,848 acres)
- Renewable Energy/Geothermal (267,141 acres)

Figure 4.2-1
Imperial County Renewable Energy and
Transmission Element Update PEIR
State of California Farmlands of Significance

4.2.3 Significance Criteria

The thresholds for significance of impacts for the analysis are based on the environmental checklist in Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Consistent with the CEQA Guidelines and the professional judgment of the County's staff and environmental consultants, the proposed Project would result in a significant impact on the environment if it would:

- Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural 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 nonagricultural use.

Impacts Scoped Out as Part of the Initial Study

The Initial Study concluded that the following potential agricultural impacts were less than significant or had no impact and need not be further addressed in the Programmatic EIR. These conclusions are restated below followed by a paragraph describing the rationale for why the proposed Project would not result in an impact for these CEQA thresholds.

- The proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code, Section 12220[g]), timberland (as defined by Public Resources Code, Section 4526), or timberland zoned Timberland Production (as defined by Government Code, Section 51104[g]).
- The proposed Project would not result in the loss of forest land or conversion of forest land to nonforest use.

Imperial County does not possess any forest land; therefore, no impacts would occur.

4.2.4 Impacts and Mitigation

The impact analysis presented below relies on Farmland Mapping and Monitoring Program (FMMP) farmland classifications, which are based on soil quality and agricultural use. The FMMP utilizes the following four farmland classifications: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. These four categories are collectively described as "Important Farmland" in the impact analysis below.

AG-1: Convert Important Farmland to Nonagricultural Use

Construction and Operation

Construction of renewable energy facilities associated with the proposed Project would have the potential to convert Important Farmland to nonagricultural uses. As shown in Table 4.2-2, 92,113.80 acres of Important Farmland are located within the proposed renewable energy overlay zones. This does not represent the total acreage of Important Farmland that would be converted to renewable energy

uses, but merely represents the total acreage of Important Farmland within the boundaries of the Renewable Energy Overlay Zone Map. This includes 26,145.71 acres of Prime Farmland; 46,006.41 acres of Farmland of Statewide Importance; acres of 379.75 Unique Farmland; and 19,581.93 acres of Farmland of Local Importance. A breakdown of the acreage totals for each Important Farmland category within each of the three overlay zones is presented in Table 4.2-2.

Table 4.2-2: Important Farmland Within the Renewable Energy Overlay Zone

Farmland Classification	Geothermal Overlay Zone	Renewable Energy Overlay Zone	Renewable Energy/Geothermal Overlay Zone	Total Within Overlay Zone
Prime Farmland	20,525.19	0.00	5,620.52	26,145.71
Farmland of Statewide Importance	27,832.34	0.00	18,174.06	46,006.41
Unique Farmland	74.68	0.00	305.08	379.75
Farmland of Local Importance	1,898.61	0.00	17,683.32	19,581.93
Total Important Farmland	50,332.82	0.00	41,782.98	92,113.80

Source: California Department of Conservation, 2012

Future solar and geothermal renewable energy facilities would likely convert all Important Farmland within the project areas to nonagricultural uses, while impacts associated with future wind facilities would be limited to the footprints of turbines, poles, and associated infrastructure. Although the conversion of Important Farmland associated with future renewable energy facilities would be long-term, these impacts may not be permanent. Renewable energy facilities are typically in operation for approximately 30 years, and the potential exists for impacted sites to be restored to agricultural production after the facility has been decommissioned.

Temporary conversion of Important farmland to nonagricultural uses could also result in socioeconomic impacts due to the loss of agricultural jobs. In an agricultural community such as Imperial County, job loss due to the conversion of Important Farmland could create a strain on the social safety-net (i.e., unemployment programs, job retraining).

Although it is anticipated that construction of renewable energy facilities would convert Important Farmland to nonagricultural uses, acreages of agricultural conversion cannot be calculated at this time. The proposed Project would be implemented on a “project-by-project” basis based on County approval of individual renewable energy projects. Because the proposed Project only identifies locations suitable for renewable energy facilities and does not contain specific development proposals, construction-related conversions that may occur at any one time are speculative and cannot be accurately determined at this stage of the planning process. Consequently, it is not possible to quantitatively analyze the level of agricultural impacts that would occur under the proposed Project. Nonetheless, future development of renewable energy facilities in the proposed overlay zones would convert Important Farmland to nonagricultural uses and result in a significant impact.

It should be noted that significant impacts to agricultural resources may not occur to all 92,113.80 acres of Important Farmland located within the boundaries of the Renewable Energy Overlay Zone Map. As described above, the boundaries of the Renewable Energy Overlay Zone Map merely represent the areas that may be developed with renewable energy facilities, and substantial portions of the

Renewable Energy Overlay Zone Map would not be affected. Furthermore, the majority of the potentially affected Important Farmland is located within the Geothermal Overlay Zone, which is limited to development of geothermal energy facilities. This limitation within this zone would minimize impacts to Important Farmland because geothermal energy facilities typically have fewer impacts to agricultural resources than solar energy facilities. Solar energy facility project footprints are typically much larger than the geothermal facilities due to the wide open space of contiguous land needed to accommodate solar panels. Geothermal facility footprints on the other hand are limited to the power plant and injection wells, which do not require as large an amount of land area. The Geothermal Overlay Zone also contains the majority of Prime Farmland and Farmland of Statewide Importance. Consequently, the development limitations of the Geothermal Overlay Zone would serve to minimize conversion of the most valuable Important Farmland categories.

Mitigation Measures

The County of Imperial has developed mitigation strategies for impacts to agricultural resources based on guidance provided in a letter received from the Department of Conservation (DOC) Division of Land Resource Protection (Division) regarding the potential impacts of solar projects on agricultural land and resources. Although the letter was drafted based on potential impacts related to solar renewable energy facilities, the mitigation strategies are also applicable for other types of renewable energy technology that may be developed under the proposed Project. The County developed mitigation measures AG-1a and AG-1b based on the following guidance from the letter:

“...Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The proposed conversion of agricultural land should be deemed an impact of at least regional significance. Hence the search for replacement lands can be conducted regionally or statewide, and need not be limited strictly to lands within the project’s surround area. Mitigation for the loss of Prime Farmland is suggested at a 2:1 ration due to its importance in the State of California. The use of conservation easements is only one form of mitigation and any other feasible mitigation measures should also be considered. Mitigations for temporary solar projects can also be flexible, especially in cases where there is a reclamation plan in place that requires the land to be returned to an agricultural state...”

AG-1a: Payment of Agricultural and Other Benefit Fees. Prior to the issuance of a grading permit or building permit (whichever is issued first) for a future renewable energy project, one of the following options included below must be implemented:

- For Non-Prime Farmland:
 - Option 1: The project proponent of a future renewable energy facility shall procure Agricultural Conservation Easements on a “one-to-one” basis on land of equal size, of equal quality of farmland, outside the development footprint. The Conservation Easement shall meet the State Department of Conservation’s regulations and shall be recorded prior to issuance of any grading or building permits.

- Option 2: The project proponent of a future renewable energy facility shall pay an “Agricultural In-Lieu Mitigation Fee” in the amount of 20 percent of the fair market value per acre for the total acres of proposed site based on five comparable sales of land used for agricultural purposes as of the effective date of the permit, including program costs on a cost recovery/time and material basis. The Agricultural In-Lieu Mitigation Fee will be placed in a trust account administered by the Imperial County Agricultural Commissioner’s office and will be used for such purposes as the acquisition, stewardship, preservation, and enhancement of agricultural lands within Imperial County; or
 - Option 3: The project proponent of a future renewable energy facility and County voluntarily enter into an enforceable Public Benefit Agreement or Development Agreement that includes an Agricultural Benefit Fee payment that is: (1) consistent with Board Resolution 2012-005; (2) the Agricultural Benefit Fee must be held by the County in a restricted account to be used by the County only for such purposes as the stewardship, preservation, and enhancement of agricultural lands within Imperial County and to implement the goals and objectives of the Agricultural Benefit program, as specified in the Development Agreement, including addressing the mitigation of agricultural job loss on the local economy.
- For Prime Farmland:
 - Option 1: The project proponent of a future renewable energy facility shall procure Agricultural Conservation Easements on a “two-to-one” basis on land of equal size, of equal quality farmland, outside of the development footprint. The Conservation Easement shall meet the State Department of Conservation's regulations and shall be recorded prior to issuance of any grading or building permits; or
 - Option 2: The project proponent of a future renewable energy facility shall pay an “Agricultural In-Lieu Mitigation Fee” in the amount of 30 percent of the fair market value per acre for the total acres of the proposed site based on five comparable sales of land used for agricultural purposes as of the effective date of the permit, including program costs on a cost recovery/time and material basis. The Agricultural In-Lieu Mitigation Fee, will be placed in a trust account administered by the Imperial County Agricultural Commissioner's office and will be used for such purposes as the acquisition, stewardship, preservation, and enhancement of agricultural lands within Imperial County.
 - Option 3: The project proponent of a future renewable energy facility and County enter into an enforceable Public Benefit Agreement or Development Agreement that includes an Agricultural Benefit Fee payment that is (1) consistent with Board Resolution 2012-005; (2) the Agricultural Benefit Fee must be held by the County in a restricted account to be used by the County only for such purposes as the stewardship, preservation, and enhancement of agricultural lands within Imperial County and to implement the goals and objectives of the Agricultural Benefit program, as specified in the Development Agreement, including addressing the mitigation of agricultural job loss on the local economy; the future renewable energy project and other recipients of the future renewable energy project’s Agricultural Benefit Fee funds; or emphasis on creation of jobs in the agricultural sector of local economy for the purpose of off-setting jobs displaced by the future renewable energy project.

- Option 4: The project proponent of a future renewable energy facility must revise their Renewable Energy Conditional Use Permit Application/Site Plan to avoid Prime Farmland.

Fee Amounts: The amounts of the fee that would be set out under future Development Agreements for renewable energy facilities developed under the proposed Project would need to be consistent with Resolution 2012-005. In 2012, the County Board of Supervisors adopted Resolution 2012-005 establishing “Guidelines for the Public Benefit Program for Use with Solar Power Plants in Imperial County.” The resolution states that solar energy projects may not create the economic advantages or permanent employment opportunities that other development could offer and that in meeting the State’s renewable energy goals, it did not want to accomplish the goal at the expense of its residents because solar power plants commit areas to energy production that may preclude all other potential uses, including agricultural and open spaces uses. The resolution further states that the Board of Supervisors held public scoping meetings and public hearings and formed a committee that provided input on a Public Benefit Program that was designed to address concerns expressed by the local community and others related to negative effects of solar energy projects, particularly the loss of agricultural jobs. Finally, it found that utility-scale solar developers who voluntarily participated in the Public Benefit Program would “properly address the concerns of the community.” The Agricultural Benefit Fee, Community Benefit Fee, and Sales Tax Benefits would be confirmed and made enforceable pursuant to Development Agreements between the County and the Applicant for future renewable energy facilities developed under the proposed Project.

Subject to the specific terms of future Development Agreements, and in accordance with Guidelines for the Public Benefit Program for Use with Solar Power Plants in Imperial County, project proponents of future renewable energy facilities shall pay on a per acre basis for each acre temporarily converted: (1) an agricultural benefit fee for prime farmland and as separate fee for of farmland of statewide importance; and (2) a project land community benefit fee. Such fees shall be no less than those set out in Resolution 2012-05, plus all applicable consumer price index and other increases. Future Development Agreements shall include a minimum sale tax guarantee as well. Additional fees to be provided in future Development Agreements, including but not limited to, an emergency services benefit fee of: (a) a minimum of \$50 per acre per construction year and \$20 per acre per year for the 30-year operational life of the CUP; and, (b) a minimum of \$20 per acre one-time fee for emergency services’ capital expenses.

Future Development Agreements may provide that the project proponent may earn credits against these benefit fees for replacement benefits to the community in the form of local hiring, veteran hiring, contracts with local vendors, payments to scholarship programs, or crop yield enhancement projects, and similar demonstrated community benefits.

Use of the Mitigation Fees: On February 11, 2014, the Board of Supervisors adopted the Agricultural Benefit Committee’s Recommended Funding Allocation. The funding allocation was recommended by a committee of agricultural and economic development experts that included the County Agricultural Commissioner, County Executive Officer, County Farm Bureau, Imperial Valley Vegetable Growers, Imperial County cattle industry, and two general members. This allocation confirms use of these fees are to be used for the stewardship, protection and enhancement of agricultural lands within the County (Resolution 2012-005).

“...The Agricultural Business Development Category, such as funding for agricultural commodity processing plants and energy plants that use agricultural products, which

was identified as the greatest job creator category would receive 50 percent of the funds;

The Research & Development Category, such as funding for development of new high-yield or water-efficient crops, new water conservation techniques, new technology to improve yields in existing crops, and partial funding for an endowment to support an agricultural research specialist, would receive 20% of the funds. Improved water conservation and efficient crop production keeps more farmland in production during drought cycles therefore supports job creation and maintenance;

The Agricultural Stewardship Category, such as programs that bring fields back into production, implement soil reclamation, and improve existing fields to improve crop yields, would receive 20%. Increase production of crops again leads to more agricultural jobs to prepare and harvest the fields; and

The Education/Scholarship Category, such as matching funds for scholarships awarded by agricultural organizations for agricultural studies, student loans, Future Farmers of America and 4-H loans, would receive 10%. Training the next generation of farmers to continue and expand farming operations will also support agricultural job creation..."

Future renewable energy projects would also need to provide other benefits as identified in Resolution 2012-05 and detailed in the Economic Impact Analysis (EIA), Fiscal Impact Analysis (FIA), Employment (Jobs) Impact Analysis (JIA) prepared pursuant to mitigation measure AG-1c. These benefits would also address possible or perceived socioeconomic impacts associated with future renewable energy projects, such as loss of agricultural jobs. Future Development Agreements may require the County to grant the funds only to applicants with programs that can demonstrate they are likely to generate an equal number of agricultural jobs when combined with job creation from the future renewable energy facility and other recipients of the future renewable energy project's benefit fees.

AG-1b: Reclamation/Decommissioning Plan and Security. For solar energy facilities, the DOC and County have clarified the goal of a reclamation and decommissioning plan: the land must be restored to land which can be farmed. In addition to AQ-1a for Prime Farmland and Non-Prime Farmland, the project proponent of future renewable energy facilities shall submit to Imperial County a Reclamation Plan prior to issuance of a grading permit. The Reclamation Plan shall document the procedures by which each future Renewable Energy Conditional Use Permit will be returned to its current agricultural condition. The project proponent also shall provide financial assurance/bonding in an amount equal to a cost estimate prepared by a California-licensed general contractor or civil engineer for implementation of the Reclamation Plan in the event project proponent fails to perform the Reclamation Plan.

AG-1c: Prepare Economic Impact Analysis, Employment (Jobs) Impact Analysis, and Fiscal Impact Analysis. Project proponents of future renewable energy facilities would be required to prepare an Economic Impact Analysis (EIA), Employment (Jobs) Impact Analysis (JIA), Fiscal Impact Analysis (FIA) pursuant to County of Imperial requirements. These analyses would document potential socioeconomic impacts associated with future renewable energy facilities and identify strategies to mitigate any potential impacts to a level less than significant.

Significance After Mitigation

Implementation of mitigation measures AG-1a through AG-1c would reduce impacts to a level less than significant. Assuring that impacts to important farmland would be temporary would be accomplished through the project proponent's commitment to a reclamation plan and mitigation measure AG-1b, which requires the project proponent to restore the site to agricultural use with a soil value equal to the pre-project conditions and back that commitment with financial security. Mitigation of socioeconomic impacts associated with loss of farmland would be accomplished through the commitment of the applicant to pay Agricultural Benefit Fees and Community Benefit Fees under Development Agreements for future renewable energy facilities per mitigation measure AG-1a. The County Board of Supervisors determined in Resolution 2012-005 that although solar energy facilities may result in socioeconomic impacts due to job loss, these impacts can be mitigated to a level less than significant through Agricultural Benefit and Community Benefit payments to appropriate program categories. The appropriate categories and value of the Agricultural Benefit and Community Benefit payments would be determined based on the results of the EIA, JIA, and FIA prepared for a future renewable energy facility pursuant to mitigation measure AG-1c. Therefore, implementation of mitigation measures AG-1a through AG-1c would reduce impacts associated with conversion of important farmland to nonagricultural use to a level less than significant.

AG-2: Conflict with Existing Zoning for Agricultural Use or Williamson Act contracts

Construction and Operation

Construction of renewable energy facilities associated with the proposed Project would have the potential to be developed on properties zoned for agricultural uses and protected under Williamson Act contracts that are located within the proposed renewable energy overlay zones. Although it is anticipated that construction of renewable energy facilities would occur on properties zoned for agricultural uses or protected by Williamson Act contracts, the total acreage of land that would be affected cannot be calculated at this time. The proposed Project would be implemented on a "project-by-project" basis based on County approval of individual renewable energy projects. Because the proposed Project only identifies locations suitable for renewable energy facilities and does not contain specific development proposals, impacts that may occur on these types of properties at any one time are speculative and cannot be accurately determined at this stage of the planning process. Consequently, it is not possible to quantitatively analyze the level of impacts to agriculturally zoned and/or Williamson Act protected properties that would occur under the proposed Project.

Currently, existing agricultural zoning categories A-2, A-2-R, and A-3 allow for development of renewable energy facilities through acquisition of a conditional use permit. As described in Section 2.4-1, future renewable energy facilities developed in the proposed overlay zones would require a Renewable Energy Conditional Use Permit before receiving approval from the County. Consequently, implementation of the proposed Project would be consistent with existing agricultural zoning regulations regarding development of renewable energy facilities. Furthermore, adoption of the Renewable Energy Overlay Zone Map would not allow for development of renewable energy facilities in properties zoned for agricultural uses outside the proposed overlay zones. Thus, adoption of the Renewable Energy Overlay Zone Map would preserve properties zoned for agricultural uses outside the proposed overlay zones that otherwise could be converted to renewable energy facilities under a conditional use permit without the proposed Project. Therefore, implementation of the proposed

Project would not conflict with existing zoning for agricultural use; and implementation of mitigation measures AG-1a through AG-1c would reduce impacts to a level less than significant.

Regarding Williamson Act parcels, the County of Imperial Board of Supervisors voted to not accept any new Williamson Act contracts and not to renew existing contracts, due to the elimination of the subvention funding from the state budget in February 2010. This decision was reaffirmed by the County in October 2010, and following that vote notices of nonrenewal were sent to landowners with Williamson Act contracts. All Williamson Act contracts in Imperial County will terminate on or before December 31, 2018. Consequently, development of renewable energy facilities beginning January 1, 2019, would not have the potential to impact Williamson Act contracts. Development on parcels protected by Williamson Act contracts prior to January 1, 2019, would require the property owner to file for cancelation of the existing Williamson Act contract. Therefore, implementation of the proposed Project would not conflict with Williamson Act contracts; and implementation of mitigation measures AG-1a through AG-1c would reduce impacts to a level less than significant.

AG-3: Involve Other Changes in the Existing Environment Which, Due to Their Location or Nature, Could Result in Conversion of Farmland, to Nonagricultural Use

Construction and Operation

Construction and operation of renewable energy facilities associated with the proposed Project would have the potential to result in indirect impacts on adjacent agricultural lands. Construction and operation of future facilities could damage equipment, crops, water delivery or water drainage systems, or livestock on adjacent properties or inhibit crop growth through dispersal of fugitive dust. Operation of renewable energy facilities would have the potential to also impact farming practices on surrounding agricultural fields that continue to be farmed to the extent that it may impact the ability of adjacent fields to grow some crops. Development of renewable energy facilities could also introduce insects, weeds, vertebrates, pests, and pathogens that could be injurious to the surrounding farmland. Similarly, erosion associated with future facilities could result in water and soil contamination that could impact adjacent agricultural resources. Furthermore, conversion of agricultural resources to renewable energy facilities may also have indirect impacts related to jobs, supporting industries, and the local economy associated with agricultural production. These factors would potentially result in significant impacts.

Mitigation Measures

Implementation of mitigation measures AG-1a through AG-1c would ensure that agricultural resources would be preserved and/or restored and therefore maintain the agricultural industry within Imperial County. Additionally, mitigation measures AG-3 would address impacts associated with pests that could impact adjacent farmland properties. Additional mitigation for indirect impacts to adjacent agricultural properties would include measures developed for other environmental categories analyzed in the proposed Project. Potential impacts associated with fugitive dust would be addressed through implementation of mitigation measure AQ-1a described in Section 4.3-4. Similarly, potential impacts associated with erosion would be addressed through implementation of mitigation measures HYDRO-1 and HYDRO-2 described in Section 4.9-5.

AG-3: Pest Management Plan. A Pest Management Plan to monitor for and control insect, weed, vertebrates, and pathogens that could be injurious to the surrounding farmland must be in place for the duration of the project (until reclamation is complete and approved by the Planning and Development Services Department and the Agricultural Commissioner).

Significance After Mitigation

Implementation of the mitigation measures AG-1a through AG-1c, AG-3, AQ-1a, HYDRO-1, and Hydro-2 would reduce impacts associated with indirect impacts on agricultural resources to a level less than significant.

4.2.5 Cumulative Impacts

Existing, approved, proposed, and reasonably foreseeable projects within the County would result in a significant cumulative impact on agricultural resources associated with the temporary conversion of agricultural land to nonagricultural uses. Development of renewable energy facilities associated with the proposed Project would have a cumulative significant impact to agricultural resources.

As shown in Table 4.2-3, the acreage of Important Farmland within Imperial County decreased by 2,947 acres between 2010 and 2012. This reduction in the amount of Important Farmland within Imperial County was due to a loss of 3,187 acres of Prime Farmland, 1,607 acres of Farmland of Statewide Importance, and 67 acres of Unique Farmland combined with an increase of 1,914 acres of Farmland of Local Importance between 2010 and 2012. This trend in the conversion of agricultural land is expected to continue due to development pressure within the County.

Table 4.2-3: Change in Important Farmland 2010 to 2012

Farmland Classification	2010 Acreage	2012 Acreage	Change in Acreage	Percent Change
Prime Farmland	196,137	192,950	-3,187	-1.62%
Farmland of Statewide Importance	307,221	305,614	-1,607	-0.52%
Unique Farmland	2,141	2,074	-67	-3.13%
Farmland of Local Importance	35,774	37,688	+1,914	+5.35%
Total	541,273	538,326	-2,947	-0.54%

Source: California Department of Conservation, 2010 and 2012

Twenty-five of the existing, proposed, and reasonably foreseeable projects identified in the cumulative projects list have the potential to temporarily (i.e., during the lifetime of the projects) convert approximately 16,790 acres of agricultural land to nonagricultural use. The temporary conversion of 16,790 acres of agricultural land to nonagricultural uses is considered a significant cumulative effect on agricultural resources, even though the project proponents would be required to restore the project sites to conditions suitable for agricultural use once the project's useful life is over. Development of renewable energy facilities under the proposed Project would contribute to this trend and, therefore, would incrementally contribute to the temporary conversion of agricultural land to nonagricultural uses. Implementation of mitigation measures AG-1a through AG-1c would minimize the proposed Project's contribution to the cumulative impact to the extent possible. Future project proponents for renewable energy facilities developed under the proposed Project would be required to implement one of the options identified in AG-1a for Prime Farmland Mitigation, as well as one of the options identified for Non-Prime Farmland Mitigation, to reduce the severity of the impact of the temporary losses of Prime and Non-Prime Farmlands to below a level of significance. This would be accomplished by either the procurement of appropriate Agricultural Conservation Easements, the payment of Agricultural In-Lieu Mitigation Fees, or the applicant and County's voluntarily participation in a public benefit agreement that includes payment of an appropriate Agricultural Benefit Fee (see Section 4.2.4 above). Future

renewable energy facilities developed under the proposed Project, like several of the renewable energy projects on the cumulative projects list, would also be required to develop and implement a Reclamation Plan (AG-1b: Reclamation Plan) to return the properties to pre-project conditions suitable for agricultural production at the end of the project's useful life. The Reclamation Plan must include the project's restoration cost estimates prepared by a California-licensed general contractor or civil engineer. Future project proponents would also be required to provide financial assurance/bonding in the amount equal to the project's restoration cost estimates to return the lands to their pre-project condition. Implementation of the Reclamation Plan would eventually return renewable energy sites to agricultural lands. Future project proponents for renewable energy facilities developed under the proposed Project would be required to prepare an EIA, JIA, and FIA to document potential socioeconomic impacts and identify strategies to mitigate any potential impacts to a level less than significant.

Therefore, while the proposed Project, in combination with the development of other existing, proposed, and reasonably foreseeable projects in the County of Imperial, would incrementally contribute to the cumulative impact of the loss of agricultural resources, implementation of mitigation measures AG-1a through AG-1c would ensure that their contributions would not be permanent and would be less than cumulatively considerable. No additional mitigation would be required.