## 4.2 AGRICULTURE AND FOREST RESOURCES

This section describes potential impacts on agricultural resources that would result from construction and operation of the proposed Projects, including the conversion of farmland to non-agricultural uses, conflicts with existing agricultural operations, and consistency with policies pertaining to agricultural resources, and includes mitigation measures that would reduce these impacts. No forestry resources are present within the Project sites or within the surrounding area and, therefore, this section focuses on issues related to agricultural resources.

## Scoping Issues Addressed

During the scoping period for the Projects, two public scoping meetings were conducted and written comments were received from agencies and the public. No comments pertaining to agriculture were raised during the scoping period.

## Applicant's Reports and Survey Results

Information used in preparing this section and in the evaluation of potential impacts on agricultural resources was derived from a number of sources, including Land Evaluation and Site Assessments (LESA) for the HR-2 Project (Appendix J-1) and the SmCP-2 Project (Appendix J-2) conducted by EMA in March 2012. These documents are contained in Volume II (Technical Appendix) of this EIR.

## 4.2.1 EXISTING SETTING

## REGIONAL SETTING

The proposed Projects would be located in unincorporated lands in the County of Imperial, approximately 2.3 miles west-southwest of the Town of Niland and 1.5 miles east of the Salton Sea (see Chapter 3, Figure 3-1). Favorable climatic conditions, productive soils, and the availability of water provided by the Imperial Irrigation District (IID) have enabled Imperial County to become a primary producer in the agricultural industry. Irrigated agricultural products grown in the County include a variety of vegetable crops (e.g., lettuce, carrots, onions, tomatoes, cauliflower, and broccoli), as well as livestock feed (e.g., alfalfa, Sudan grass, sugar beets, wheat, Bermuda hay); melons; cotton; and various citrus fruits and nuts. According to the Imperial County Crop and Livestock Report for 2010, the top ten County-wide commodities included cattle, leaf lettuce, alfalfa, head lettuce, onions, broccoli, sugar beets, carrots, cantaloupes, and sudan grass (County of Imperial 2010a). The total harvested acreage in the County for 2010 was 529,334, and the County's gross annual agricultural value totaled \$1,598,534,000 (County of Imperial 2010a).

Adequate water and productive soils are two resources that are essential to maintaining the existing and future agricultural production in Imperial County.

The Imperial Valley area, including the Project site, depends solely on the Colorado River for surface water delivery. The IID receives approximately 3 million acre-feet per year (AFY) from the Colorado River via the All American Canal. The IID delivers water to the Imperial Valley via three main canals, including the East Highline, Central Main, and Westside Main. The IID operates and maintains more than 1,438 miles of lateral canals and 1,456 miles of drainage ditches that collect surface runoff and subsurface drainage from the valley's farmland (IID 2011a). Approximately 97% of the water imported by the IID to the Imperial Valley is distributed for agricultural use (IID 2011b).

#### Land Evaluation and Assessment Model

The Project sites were evaluated using the California Agriculture LESA Model to rate the quality and availability of agricultural resources for the proposed Project sites and to identify whether the proposed Projects would meet the threshold criteria as a significant impact on agricultural resources under California Environmental Quality Act (CEQA) Guidelines. The LESA evaluates land use and site assessment factors to determine whether the Projects would result in a significant agricultural resources impact.

The LESA evaluates measures of soil resource quality, project size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, the factors are rated, weighted, and combined, resulting in a Land Evaluation sub-score and a Site Assessment sub-score. The sub-scores are combined to determine a single numeric score. A project's single numeric score becomes the basis for determining a project's potential impact (California Department of Conservation 2011).

#### Conversion of Agricultural Land

The California Department of Conservation monitors the conversion of the state's farmland through the Farmland Mapping and Monitoring Program (FMMP). Table 4.2-1 summarizes the conversions of agricultural land to non-agricultural uses within Imperial County from 2006 to 2008 and represents the most recent data available at the time of the Draft EIR's publication. Between 2006 and 2008, 593-acres of Prime Farmland, 597-acres of Farmland of Statewide Importance, 85-acres of Unique Farmland, and 927-acres of Farmland of Local Importance were converted to non-agricultural uses (California Department of Conservation 2008a.). This trend in the conversion of agricultural land is expected to continue due to development pressure and other factors.

#### Agricultural Soil Productivity

The U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) uses two systems to assess a soil's agricultural productivity: the Soil Capability Classification System and the Storie Index Rating System. Under both systems, the prime soil classifications would require the least application of management techniques to produce a consistent and high yield of agricultural products. Common management techniques that have to be used on non-prime soils include fertilization and drainage or leveling of the Project sites.

	TOTAL AC		2006-2008 ACREAGE CHANGES		
LAND USE CATEGORY	INVENT			ACRES ACRES ACRES	
	2006	2008	ACRES LOST (-)	ACRES GAINED (+)	ACREAGE CHANGED
Prime Farmland	196,176	195,589	1,000	407	-593
Farmland of Statewide Importance	311,645	311,048	2,243	1,646	-597
Unique Farmland	2,281	2,196	120	35	-85
Farmland of Local Importance	33,036	32,109	2,444	1,517	-927
Important Farmland Subtotal	543,138	540,942	5,807	3,605	-2,202
Grazing Land	0	0	0	0	0
Agricultural Land Subtotal	543,138	540,942	5,807	3,605	-2,202
Urban and Built-up Land	26,897	27,709	272	1,084	812
Other Land	457,510	458,829	890	2,273	1,383
Water Area	1,022	1,029	0	7	7
TOTAL	1,028,567	1,028,509	6,969	6,969	0

TABLE 4.2-1 COUNTY OF IMPERIAL CHANGE IN AGRICULTURAL LAND USE (2006–2008)

Source: California Department of Conservation 2008a

#### Soil Capability Classification System

Soils are characterized according to their appearance, depth, consistency, slope, and erosion factors. The soil survey groups the various soil types into eight Soil Capability Classes. These classes are indicated in Table 4.2-2. Soils are graded I through VIII, with I denoting the most suitable class and VIII denoting the least suitable class for cultivation.

CLASS	DESCRIPTION
I	Soils have few limitations that restrict their use.
Ш	Soils have moderate limitations that reduce the choice of plants or that require special conservation practices.
Ш	Soils have severe limitations that reduce the choice of plants or that require special conservation practices or both.
IV	Soils have very severe limitations that reduce the choice of plants or that require very careful management or both.
V	Soils are not likely to erode but have other limitations, impractical to remove, that limit their use.
VI	Soils have severe limitations that make them generally unsuitable for cultivation.
VII	Soils have very severe limitations that make them unsuitable for cultivation.
VIII	Soils and landforms have limitations that nearly preclude their use for commercial crop production.

 TABLE 4.2-2
 SOIL CAPABILITY CLASSIFICATION

Source: USDA 1981

#### Storie Index Rating System

Soils are also rated by the Storie Index, a numerical system expressing the relative degree of suitability or value of a soil for general intensive agriculture use. The index considers a soil's color and texture, the depth of nutrients, presence of stones, and slope, all of which relate to the adequacy of a soil type for use in crop cultivation. The rating does not take into account other factors such as the availability of water for irrigation, the climate, and the distance from markets. Values of the index range from 1 to 100 and are divided into six grades, with an index of 100 and a grade of 1 being the most suitable and a grade of 6 being the least suitable for farming.

Soils that have a Storie rating of 10 or below are considered to have a very low agricultural potential. Soils are considered to be prime for high-quality agricultural production if their Storie Index Rating is 80 or greater. Table 4.2-3 lists the six NRCS soil grades, ranges in index rating, and definitions for each soil grade.

GRADE	STORIE INDEX RATING	DESCRIPTION
1 - Excellent	80 through 100	Soils are well suited for growing irrigated crops that are climatically suited to the region.
2 - Good	60 through 79	Soils are good agricultural soils, although they may not be as desirable as Grade 1 because of moderately coarse or gravelly surface soil texture; somewhat less permeable subsoil; lower plant=available water holding capacity, fair fertility; less well-drained conditions or slight to moderate flood hazards, all acting separately or in combination.
3 – Fair	40 through 59	Soils are only fairly well suited to general agricultural use and are limited in their use because of moderate slopes; moderate soil depths; less permeable subsoil; fine, moderately fine, or gravelly surface soil textures; poor drainage; moderate flood hazards; or fair to poor fertility levels, all acting alone or in combination.
4 - Poor	20 through 39	Soils are poorly suited. They are severely limited in their agricultural potential because of shallow soil depths; less permeable subsoil; steeper slope; or more clayey or gravelly surface soil textures than Grade 3 soils, as well as poor drainage; greater flood hazards; hummocky micro-relief; salinity; or fair to poor fertility levels, all acting alone or in combination.
5 - Very Poor	10 through 19	Soils are very poorly suited for agriculture, are seldom cultivated and are more commonly used for range, pasture, or woodland.
6 - Nonagricultural	Less than 10	Soils are not suited for agriculture at all due to very severe to extreme physical limitations, or because of urbanization.

TABLE 4.2-3 STORIE INDEX RATING SYSTEM

Source: USDA 1981

#### **Project Sites**

The HR-2 and SmCP-2 Project sites would be located on 100-acres of private land within a 245-acre parcel in an unincorporated portion of the County of Imperial; approximately 2.3 miles west-southwest of the Town of Niland and east of the Salton Sea (see Chapter 3, Figure 3-1). The Project sites have a General Plan Land Use Designation of "Agriculture" and are zoned "A-2-R-G" (General Agriculture/Rural/Geothermal

Overlay Zone). The 245-acre parcel that the Project sites are located within has been developed for irrigated agriculture (cultivation of alfalfa). At the time of the publication of the NOP, the agricultural fields on the Project sites were fallow and not being irrigated.

#### Adjacent Areas

Adjacent properties to the north, east, and south are currently, or are proposed to be IID-managed marshlands. A commercial algae production facility is located south of the Project sites. This facility includes a mobile home which, at the time of the publication of the NOP, served as a residence for the facility caretaker. The commercial algae facility is no longer in operation and is not part of the proposed Projects. The nearest residence is approximately 0.5 miles north-northeast of the Project sites, along English Road. Energy Source (Hudson Ranch Power II, LLC's parent company) owns the home and is allowing the current tenant to remain in the residence until Fall 2012. This residence would be demolished prior to the start of construction of either the HR-2 Project or the SmCP-2 Project. The next closest residence is located 1.4 miles north of the Project sites.

#### Important Farmland Categories

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) produces Important Farmland maps, which are a hybrid of soil resource quality and land use information. USDA soil survey information and the corresponding Important Farmland candidacy recommendations are used to assess local land. The goal of the program is to provide consistent and impartial data to decision makers for use in assessing present status, reviewing trends, and planning for the future of California's agricultural land resources. According to the 2008 FMMP Map for Imperial County indicates that the Project sites contain land designated as Prime Farmland, Farmland of Statewide Importance and Farmland of Local Importance (California Department of Conservation 2008b).

## Farmland Mapping and Monitoring Program

The list below describes each of the categories mapped by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) for Imperial County.

#### Prime Farmland

Prime Farmland has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. To be classified as Prime Farmland, this land must have been producing irrigated crops at some time during the four years prior to the mapping date (California Department of Conservation 2008b).

#### Unique Farmland

Unique Farmland consists of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards, as found in some

climatic zones in California. The land must have been cultivated at some time during the four years prior to the mapping date (California Department of Conservation 2008b).

#### Farmland of Statewide Importance

Farmland of Statewide Importance is similar to Prime Farmland but with minor shortcomings such as greater slopes or with less ability to hold and store moisture. The land must have been used for the production of irrigated crops at some time during the four years prior to the mapping date (California Department of Conservation 2008b).

#### Farmland of Local Importance

Farmland of Local Importance is land of importance to the local economy, as defined by each county's board of supervisors and a local advisory committee. In Imperial County, Farmland of Local Importance includes non-irrigated and uncultivated lands with Prime and Statewide soils that do not qualify as Prime, Statewide, or Unique but are currently irrigated crops or pasture or non-irrigated 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 (California Department of Conservation 2008b).

#### Grazing Land

Grazing Land is land on which the existing vegetation, whether grown naturally or through management, is suited for grazing livestock. The minimum mapping unit for this category is 40-acres (California Department of Conservation 2008b).

#### Urban and Built-Up Land

Urban and Built-Up Land is occupied by structures with a building density of at least one unit to 1.5-acres, or approximately six structures. Common examples include residential, industrial, commercial, and institutional facilities; cemeteries; airports; golf courses; sanitary landfills; sewage treatment plants; and water control structures (California Department of Conservation 2008b).

*Other Land* Other Land is land that is not included in any other mapping category. Common examples include low-density rural developments; brush; timber; wetland; riparian areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities; strip mines; borrow pits; and water bodies smaller than 40-acres. Vacant and non-agricultural land surrounded on all sides by urban development and greater than 40-acres is mapped as Other Land (California Department of Conservation 2008b).

#### <u>Water</u>

The last category in the FMMP is perennial water bodies with an extent of at least 40-acres (California Department of Conservation 2008b.).

#### Acreage of Important Farmlands for Project Sites

Based on a review of the FMMP 2008 Important Farmland Map for Imperial County, the Project sites contains approximately 32 acres of Prime Farmland, 208 acres of Farmland of Statewide Importance, and 5 acres of Farmland of Local Importance. There are no "Urban and Built-Up" lands or "Other Lands" within the Project Sites. The site is not subject to the provisions of a Williamson Act contract (Durrett 2011).

Table 4.2-4 provides the approximate acreage of Important Farmlands on the HR-2 and SmCP-2 Project sites. Figure 4.2-1 depicts their location on the Project sites.

CLASSIFICATION	APPROXIMATE ACREAGE (1)			
Prime Farmland	32			
Farmland of Statewide Importance	208			
Farmland of Local Importance	5			
Urban and Built-Up	0			
Other	0			
TOTAL	245			

# TABLE 4.2-4IMPORTANT FARMLANDS ON THE HR-2AND SMCP-2 PROJECT SITES

Source: California Department of Conservation 2008b.

Note:

(1) Acreages rounded to the nearest whole number.

## Production and Soil Characteristics

The USDA survey found five soil types present on the Project sites: Imperial silty clay, wet; Imperial-Glenbar silty clay loams, wet, 0 to 2 percent slopes; Indio loam, wet; Meloland very fine sandy loam, wet; and Vint and Indio very fine sandy loams, wet. Two of the soil types are good for agricultural uses, one soil type is fairly well suited to general agricultural use, and one is poorly suited for agricultural uses. Figure 4.2-2 depicts the distribution of soil types on-site. Table 4.2-5 provides details on the variety of soils found on-site, along with their Capability Class and Storie Index rating.

Capability classes and subclasses indicate the suitability of soils for most kinds of field crops. The soils are classed according to their limitations when they are used for field crops, the risk of damage when they are used, and the way they respond to treatment. The grouping does not take into account major and generally expensive land-forming that would change slope, depth, or other characteristics of the soils or possible, but unlikely, major reclamation projects, and does not apply to rice, cranberries, horticultural crops, or other crops that require special management.

## TABLE 4.2-5SOIL CAPABILITY CLASSIFICATION AND STORIE INDEX GRADE FOR<br/>THE PROJECT SITES

MAP SYMBOL	MAPPING UNIT	LAND CAPABILITY CLASS <sup>1</sup>	STORIE INDEX RATING – GRADE <sup>(2)</sup>
114	Imperial silty clay, wet	IIIw-6	42 – Grade 3
115	Imperial-Glenbar silty clay loams, wet, 0 to 2% slopes	IIIw-6	70 – Grade 2
118	Indio loam (wet)	llw-1	86 – Grade 1
122	Meloland very fine sandy loam, wet	IIIw-3	44 – Grade 3
144	Vint and Indio very fine sandy loams, wet	llw-3	71 - Grade 2

Source: EMA 2012 (Appendices J-1 and J-2)

Notes:

<sup>(1)</sup> Land Capability Classes are defined as follows:

Illw-6 capability rating indicates soils have severe limitations that reduce the choice of plants or that require special conservation practices or both. The soil contains water that interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage). The soil also has problems or limitations caused by salt or alkali. Illw-3 capability rating indicates soils that have moderate limitations that reduce the choice of plants or that require moderate conservation practices. The soil contains water that interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage). The soil has problems or limitations that reduce the choice of plants or that require moderate conservation practices. The soil contains water that interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage. The soil has problems or limitations of slow or very slow permeability of the subsoil or substratum, caused by a clayey subsoil or a substratum that is semi-consolidated.

Ilw-3 capability rating indicates soils with soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices. The soil contains water that interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage. The soil has problems or limitations of slow or very slow permeability of the subsoil or substratum is caused by a clayey subsoil or a substratum that is semi-consolidated.

Ilw-1 capability rating indicates soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices. The soil contains water that interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage). The soil has problems or limitations caused by slope or by actual or potential erosion hazard.

<sup>(2)</sup> The grades for soils are defined in Table 4.2-3, Storie Index Rating System.

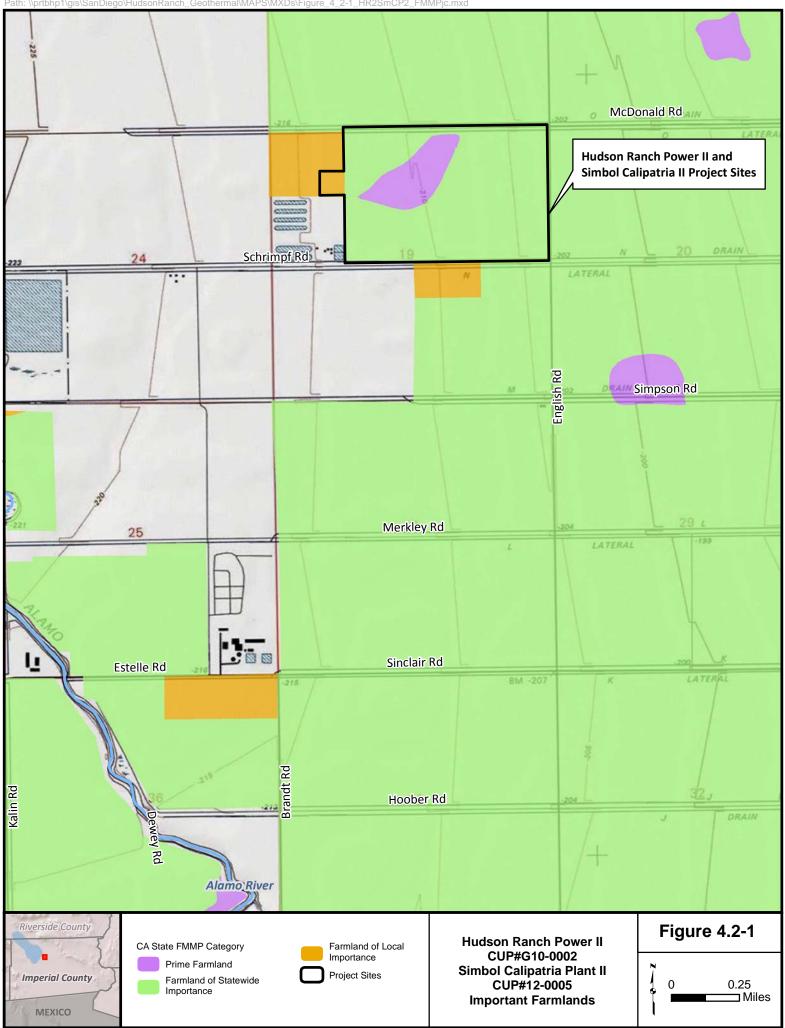
## 4.2.2 REGULATORY SETTING

#### FEDERAL AND STATE

#### Farmland Protection Policy Act

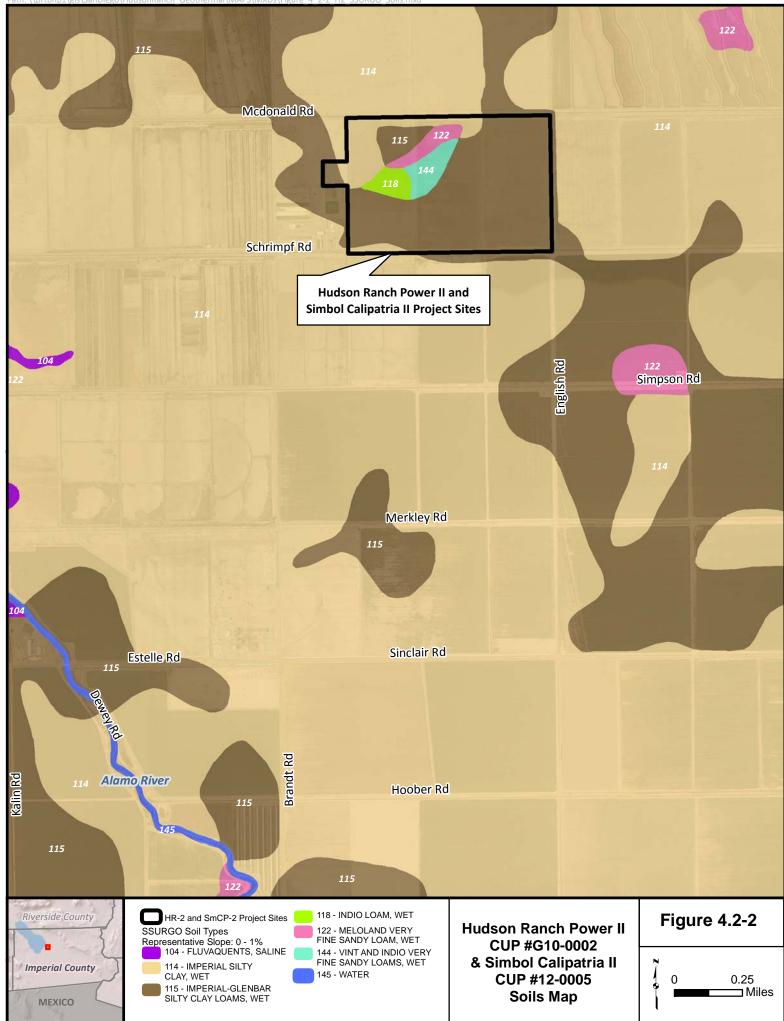
The purpose of the Farmland Protection Policy Act (FPPA) is to minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to non-agricultural uses. The FPPA also stipulates that federal programs be compatible with state, local, and private efforts to protect farmland. The USDA NRCS is charged with overseeing the FPPA.





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## California Land Conservation Act (Williamson Act)

In 1965, the California State Legislature enacted the California Land Conservation Act, or "Williamson Act," to encourage the preservation of the state's agricultural lands and to prevent their premature conversion to non-agricultural uses. In order to preserve agricultural uses, the Williamson Act program established an agricultural preserve contract procedure by which any local jurisdiction within the state taxes landowners at a reduced rate, based on the value of the land for its current use as opposed to its unrestricted market value. In return, the landowners sign a Williamson Act contract with the local jurisdiction, agreeing to keep their land in agricultural production or another approved compatible use for at least a 10-year period. The contract is renewed automatically each year unless the owner files a notice of non-renewal with the county clerk. In addition, a landowner has the option to file for immediate cancellation of the contract as long as the proposed immediate cancelation application is consistent with the cancellation criteria provided in the California Land Conservation Act and those adopted by the applicable county or city. Land that qualifies as Class I and Class II in the Soil Capability Classification System or land that qualifies for a rating of 80 to 100 in the Storie Index Rating are considered to be Prime Farmland under the Williamson Act. On February 23, 2010, the Board of Supervisors of Imperial County Board of Supervisors voted for non-renewal of all existing Williamson Act contracts and denial of any new contracts; this vote discontinued the Williamson Act program for Imperial County (County of Imperial, 2010b). The proposed Project sites are not under any Williamson Act contracts.

## LOCAL

## Imperial County Right-To-Farm Ordinance

On August 7, 1990, the Imperial County Board of Supervisors adopted the Imperial County Right-to-Farm Ordinance (Ordinance No. 1031) to reduce the loss to the County of its agricultural resources by notifying potential buyers and users of adjacent properties about the potential nuisances associated with agricultural operations. The ordinance requires that real estate transactions that may occur in the vicinity of agricultural operations fully disclose agricultural practices in the area. The ordinance also establishes a County Agricultural Grievance Committee to resolve disputes between those who manage agricultural operations and adjacent property owners (County of Imperial 1996).

## **County of Imperial General Plan**

Agriculture has been the single most important economic activity of Imperial County throughout its history. Imperial County recognizes the area as one of the finest agricultural areas in the world due to several environmental and cultural factors, including good soils, a year-round growing season, the availability of adequate water transported from the Colorado River, extensive areas committed to agricultural production, a gently sloping topography, and a climate that is well-suited for growing crops and raising livestock. The Agricultural Element in the County of Imperial General Plan demonstrates the long-term commitment by the County to the full promotion, management, use, and development and protection of agricultural production while allowing logical, organized, growth of urban areas (County of Imperial 1996).

The General Plan's Agricultural Element identifies several implementation programs and policies for the preservation of agricultural resources. The Agricultural Element recognizes that Imperial County can and should take additional steps to provide further protection for agricultural operations and, at the same time, provide for logical, organized growth of urban areas. The County must be specific and consistent about which lands will be maintained for the production of food and fiber and for support of the County's economic base. The County's strategy and overall framework for maintaining agriculture includes the following policy directed at the Preservation of Important Farmland:

The overall economy of Imperial County is expected to be dependent upon the agricultural industry for the foreseeable future. As such, all agricultural land in Imperial County is considered as Important Farmland, as defined by federal and state agencies, and should be reserved for agricultural uses. Agricultural land may be converted to non-agricultural uses only where a clear and immediate need can be demonstrated, such as requirements for urban housing, commercial facilities, or employment opportunities. All existing agricultural land will be preserved for irrigation agriculture, livestock production, aquaculture, and other agriculture-related uses except for non-agricultural uses identified in this General Plan or in previously adopted City General Plans.

Tables 4.2-6 identifies applicable County of Imperial General Plan policies related to agricultural resources and addresses the proposed HR-2 and SmCP-2 Projects' consistency with these policies.

GENERAL PLAN POLICIES	CONSISTENCY	ANALYSIS			
AGRICULTURE ELEMENT					
Goal 1: All Important Farmland, including the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance, as defined by Federal and State agencies, should be reserved for agricultural uses.	Yes	The proposed Projects would temporarily convert land approximately 100 acres of land out of a 245- acre parcel. The 100-acres of land are designated as Prime Farmland, Farmland of Statewide Importance and Farmland of Local Importance to non-agricultural uses, but mitigation is provided to prevent a permanent conversion.			
Objective 1.1: Maintain existing agricultural land uses outside of urbanizing areas and allow only those land uses in agricultural areas that are compatible with agricultural activities.	Yes	The Project uses are compatible with existing surrounding agricultural uses.			
Objective 1.2: Encourage the continuation of irrigation agriculture on Important Farmland.	Yes	At the time of the NOP publication the agricultural fields on the Project sites were fallow and not being irrigated. The proposed Projects would be developed on approximately 100-acres of a 245-acre parcel. The 100-acres of land would be temporarily converted to non-agricultural uses, but this temporary conversion reduces the need for IID to fallow irrigated lands elsewhere in the County to meet IID water conservation goals.			

TABLE 4.2-6HR-2 AND SMCP-2 PROJECT CONSISTENCY WITH APPLICABLE GENERAL<br/>PLAN AGRICULTURAL GOALS AND OBJECTIVES

GENERAL PLAN POLICIES	CONSISTENCY	ANALYSIS
Objective 1.3: Conserve Important Farmland for continued farm related (non-urban) use and development while ensuring its proper management and use.	No	The proposed Projects would be developed on 100-acres of a 245-acre parcel. Approximately 145 acres would remain available for agricultural uses and approximately 100-acres would be temporarily converted to non-agricultural uses and mitigation would be required. At the end of the Projects' useful life, disturbed lands on the site would be restored to pre-project conditions and made available for agricultural use.
Objective 1.4: Discourage the location of development adjacent to productive agricultural lands.	Yes	The proposed HR-2 Project would develop a geothermal facility and the SmCP-2 Project would develop a mineral extraction plant on agricultural lands. These types of developments are allowed in the AR-2G (Geothermal Overlay Zone) and the land uses are compatible with surrounding IID managed marshland. It should also be noted that the Project Sites are surrounded by existing or proposed IID managed marshlands on the north, south and east.
Objective 1.5: Direct development to less valuable farmland (i.e., Unique Farmland and Farmland of Local Importance rather than Prime Farmland or Farmland of Statewide Importance) when conversion of agricultural land is justified.	Yes	The proposed Projects would temporarily convert land designated as Prime Farmland and Farmland of Statewide Importance to non-agricultural uses. However, with the issuance of a CUP, the proposed uses would be consistent with County of Imperial's Land Use Ordinance and thus are also consistent with the land use designation of the site. In addition, mitigation is required to prevent permanent conversion of valuable farmland.
Objective 1.6: Recognize and preserve unincorporated areas of the County, outside the city sphere of influence areas, for irrigation agriculture, livestock production, aquaculture, and other special uses.	Yes	The proposed Projects would temporarily convert land located in an unincorporated area to non- agricultural uses. However, with issuance of a CUP, the Projects would be an allowable use in an agricultural zone. Consistency with zoning implies consistency with the land use designation of the site.
Objective 1.8: Allow conversion of agricultural land to non-agricultural uses only where a clear and an immediate need can be demonstrated, based on population projections and lack of other available land (including land within incorporated cities) for such non-agricultural uses. Such conversion shall also be allowed only where such uses have been identified for non-agricultural use in a city general plan or the County General Plan, and are supported by a study to show lack of alternative sites.	Yes	The proposed Projects would be located on agricultural land that is within the Salton Sea Known Geothermal Resource Area (KGRA). The Geothermal/ Alternative Energy and Transmission element of the General Plan controls the location of the geothermal plant and mineral extraction is identified as an activity that may occur during the operational phase of a geothermal power plant (Geothermal Element p. 62).

## TABLE 4.2-6HR-2 AND SMCP-2 PROJECT CONSISTENCY WITH APPLICABLE GENERAL<br/>PLAN AGRICULTURAL GOALS AND OBJECTIVES

GENERAL PLAN POLICIES	CONSISTENCY	ANALYSIS
Goal 2: Adopt policies that prohibit "leapfrogging" or "checkerboard" patterns of non- agricultural development in agricultural areas and confine future urbanization to adopted Sphere of Influence area.	Yes	The Project sites are designated as an agriculture land. The Project sites are located adjacent to agriculture and IID managed marshlands. The Projects include the construction and operation of a geothermal facility and a minerals extraction facility and would not contain a residential component that would induce urbanization adjacent to the Project sites. Furthermore, with the issuance of the CUPs, the Projects would be consistent with the County's Land Use Ordinance. Consistency with the Land Use Ordinance implies consistency with the general plan land use designation.
Objective 2.1: Do not allow the placement of new non-agricultural land uses such that agricultural fields or parcels become isolated or more difficult to economically and conveniently farm.	Yes	Development of the Project sites would include construction and operation of geothermal and mineral extraction facilities and are surrounded on the north, south and east by existing or planned IID managed marshlands. After the Projects are implemented, the adjacent agricultural fields would remain contiguous to one another and not become isolated.
Objective 2.3: Maintain agricultural lands in parcel size configurations that help assure that viable farming units are retained.	Yes	The proposed Projects would temporarily convert approximately 100 acres of a 245-acre parcel from agricultural land to land that is developed with non- agricultural uses. The proposed Project sites are located in the A-2-R zone and a 40-acre minimum lot is required. Approximately 145-acres would be undeveloped which would allow viable farming units.
Objective 2.4: Discourage the parcelization of large holdings.	Yes	See response to Objective 2.3 above.
Goal 3: Limit the introduction of conflicting uses into farming areas, including residential development of existing parcels which may create the potential for conflict with continued agricultural use of adjacent property.	Yes	With approval of CUPs, the proposed Projects are allowable uses in agricultural zones. Additionally, the Projects do not propose any residential development and would not conflict with any agricultural uses in the area.
Objective 3.2: Enforce the provisions of the Imperial County Right-to-Farm Ordinance (No. 1031).	Yes	The Imperial County Right-to-Farm Ordinance would be enforced.
Objective 3.3: Enforce the provisions of the State nuisance law (California Code Sub-Section 3482).	Yes	The provisions of the State nuisance law (now codified as California Code Sub-Section 3479) would be incorporated into the proposed Projects.
Objective 3.5: As a general rule, utilize transitional land uses around urban areas as buffers from agricultural uses. Such buffers may include rural residential uses, industrial uses, recreational areas, roads, canals, and open space areas.	Yes	The proposed Projects include a geothermal facility and a mineral extraction facility. These uses are permitted uses on agricultural land and would be located adjacent to agricultural land.

## TABLE 4.2-6HR-2 AND SMCP-2 PROJECT CONSISTENCY WITH APPLICABLE GENERAL<br/>PLAN AGRICULTURAL GOALS AND OBJECTIVES

<b>TABLE 4.2-6</b>	HR-2 AND SMCP-2 PROJECT CONSISTENCY WITH APPLICABLE GENERAL
	PLAN AGRICULTURAL GOALS AND OBJECTIVES

GENERAL PLAN POLICIES	CONSISTENCY	ANALYSIS
Objective 3.6: Where a development permit is sought adjacent to agricultural land use, protect agricultural operations by requiring appropriate buffer zones between the agricultural land and new developments, and then keep these zones aesthetically pleasing and free of pests by cleaning them of all garbage and noxious vegetation. Vegetation for the purpose of dust control shall be planted and maintained in an attractive manner. The buffer shall occur on the parcel for which the development permit is sought and shall favor protection of the maximum amount of farmland.	Yes	The proposed Projects would temporarily convert land approximately 100 acres of land out of a 245- acre parcel. Approximately 100-acres of the 245- acre parcel would be developed with the proposed Projects and 145-acres would remain undeveloped and available for agricultural uses. The undeveloped area and the roads and nearby canals would provide buffers for the HR-2 and SmCP-2 plants. Adjacent land to the north, south, and east consists of IID managed marshland. In addition, the proposed Projects would maintain the site by managing sanitation and waste during construction and operation of their respective facilities.

Source: County of Imperial 1996

While this Draft EIR addresses the proposed Project's consistency with the County's General Plan, pursuant to the CEQA Guidelines Section 15125(d), the County of Imperial Planning Commission will determine the Projects' consistency with the General Plan.

## 4.2.3 IMPACTS AND MITIGATION MEASURES

#### STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the following CEQA Guidelines, Appendix G. An impact is considered significant if the Project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, 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 in Public Resources Code [PRC] Section 12220(g)), timberland (as defined by PRC 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.
- 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.

#### ENVIRONMENTAL PROTECTION MEASURES

No Environmental Protection Measures (EPMs) were identified to avoid or reduce impacts to agricultural resources.

#### <u>METHODOLOGY</u>

Potential impacts on agricultural resources from implementation of the proposed Projects were evaluated taking into consideration the County of Imperial General Plan Agricultural Element, the County of Imperial Zoning Code, and field reconnaissance conducted in the surrounding area. Data provided by the USDA, the Soil Conservation Service, and the FMMP were also reviewed and assessed.

The agricultural analysis is based on information gathered from the Imperial County General Plan Agricultural Element. Information and regulations provided by the USDA, Soil Conservation Service, and FMPP were reviewed and evaluated for each Project site in the LESA (see Appendices J-1 and J-2).

#### HR-2 MPACTS AND MITIGATION MEASURES

Impact AG-1:The HR-2 Project would convert Prime Farmland, Unique Farmland, and Farmland<br/>of Statewide Importance to non-agricultural use.

The HR-2 Project would temporarily convert 11-acres of Prime Farmland, 36-acres of Farmland of Statewide Importance, and 5-acres of Farmland of Local Importance (Farmland) to a non-agricultural use (Table 4.2-7). Based on the results of the LESA, conversion of this land for Project use would result in a significant impact.

AGRICULTURE CLASSIFICATION	APPROXIMATE ACREAGE
Prime Farmland	11
Farmland of Statewide Importance	36
Farmland of Local Importance	5
Urban and Built-Up	0
Other	0
Total	52

TABLE 4.2-7ESTIMATED IMPORTANT FARMLANDS<br/>CONVERSION FOR HR-2 PROJECT

Source: EMA 2012 (See Appendix J-1)

As shown in Table 3-1 (Chapter 3, Project Description), the HR-2 Project would require 52-acres of the total Project site and the SmCP-2 Project would require 48-acres; leaving approximately 145-acres available for agricultural production.

A LESA analysis was performed to assess whether the Project's temporary conversion of these important farmlands to non-agricultural use would constitute a significant impact (see Appendix J-1). The LESA Model is an approach used to rate the relative quality of land resources based upon six specific measurable features. Two land evaluation factors are based upon measures of soil resource quality. Four site assessment factors provide measures of a given Project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. Table 4.2-8 provides a summary of the LESA analysis.

SILE			
	FACTOR RATING (0 - 100 POINTS)	FACTOR WEIGHTING (TOTAL = 1.00)	WEIGHTED FACTOR RATING
I. SCORE SHEET SUMMARY			
Land Evaluation (LE)			
1. Land Capability Classification	62.04	0.25	15.51
2. Storie Index Rating	56.91	0.25	14.23
LE Subtotal		0.50	29.74
SITE ASSESSMENT (SA)			
1. Project Size	60	0.15	9.00
2. Water Resource Availability	100	0.15	15.00
3. Surrounding Agricultural Lands	50	0.15	7.50
4. Protected Resource Lands	0	0.15	0.00
SA Subtotal		0.50	31.5
TOTAL LESA SCORE (LE +SA)			61.24
II. LESA MODEL SCORING THRESHO	OLDS		
Total LESA Score	Scoring Decision		
0 to 39 Points	Not considered significant		
40 to 59 Points	Considered significant only if LE and SA subscores are greater than or equal to 20 points		
60 to 79 Points	Considered significant unless either LE or SA subscore is less 0 than 20 points		
80 to 100 Points	Considered significant		

 TABLE 4.2-8
 SUMMARY OF LESA ANALYSIS FOR THE HR-2 PROJECT

 SITE
 SITE

Source: EMA 2012 (See Appendix J-1)

Based on the results of the LESA, conversion of this land for HR-2 Project use would result in total LESA Score of 61.24. This would be a <u>significant impact</u> and mitigation measures would be required.

# <u>MM AG-1.1</u>: Loss of Agricultural Land - Non-Prime (Farmland of Statewide Importance and Farmland of Local Importance) Farmland

Hudson Ranch Power II, LLC may choose one of the following three methods for mitigation:

- Agricultural Conservation Easements on a "1 to 1" basis on land of equal size, of equal quality farmland, outside of the path of development. 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
- ii. Hudson Ranch Power II, LLC shall pay an "Agricultural In-Lieu Mitigation Fee" in the amount of 20% 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
- ii. If Hudson Ranch Power II, LLC and the County voluntarily enter into a public benefit agreement that includes an Agricultural Benefit Fee payment that is equal to or greater than the amount that would be due under option ii of this mitigation measure and the public benefit agreement requires that the Agricultural Benefit Fee be used for such purposes as the acquisition, stewardship, preservation and enhancement of agricultural lands within Imperial County, then this mitigation measure may be satisfied by payment of voluntarily agreed to Agricultural Benefit Fee.

Timing/Implementation: Prior to the issuance of a grading permit or building permit (whichever comes first).for the project.

Enforcement/Monitoring: County of Imperial Planning and Development Services Department.

#### MM AG-1.2: Loss of Agricultural Land - Prime Farmland

- Hudson Ranch Power II, LLC may choose one of the following three methods for mitigation:Agricultural Conservation Easements on a "2 to 1" basis on land of equal size, of equal quality farmland, outside of the path of development. 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
- ii. Hudson Ranch Power II, LLC shall pay an "Agricultural In-Lieu Mitigation Fee" in the amount of 30% 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
- iii. If Hudson Ranch Power II, LLC and the County voluntarily enter into a public benefit agreement that includes an Agricultural Benefit Fee payment that is equal to or greater than the amount that would be due under option ii of this mitigation measure and the public benefit agreement requires that the Agricultural Benefit Fee be used for such purposes as the acquisition, stewardship, preservation and enhancement of agricultural lands within Imperial County, then this mitigation measure may be satisfied by payment of voluntarily agreed to Agricultural Benefit Fee.

Timing/Implementation: Prior to the issuance of a grading permit or building permit (whichever comes first).for the project.

Enforcement/Monitoring: County of Imperial Planning and Development Services Department.

#### MM AG-1.3: Reclamation Plan/Site Abandonment Plan

Prior to the issuance of the initial grading permit or building permit, Hudson Ranch Power II, LLC shall submit to County of Imperial Reclamation Plan/Site Abandonment Plan to return the property to its current agricultural condition. The Reclamation Plan/Site Abandonment Plan shall include a reclamation cost estimate prepared by a California-licensed general contractor or civil engineer. Hudson Ranch Power II, LLC shall provide financial assurance/bonding in the amount equal to the reclamation cost estimate to return the land to its current agricultural condition prior to the issuance of the initial grading permit or building permit.

Timing/Implementation: Prior to the issuance of the initial grading permit or building permit (whichever comes first).

Enforcement/Monitoring: County of Imperial Planning and Development Services Department.

- <u>Significance</u> <u>after Mitigation</u>: With implementation of MM AG-1.1, MM AG-1.2 and MM AG-1.3, Hudson Ranch Power II, LLC would be required both to restore the land to its original agricultural suitability at the end of the Project and while the Project is operating, other comparable agricultural land elsewhere would be protected with easements or through the County's Agricultural Mitigation Program.. Therefore, there would be no net loss of agricultural lands as result of the proposed HR-2 Project and impacts would be <u>less than significant</u>.
- Impact AG-2: The HR-2 Project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

Pursuant to the County of Imperial General Plan, the Project site is designated for agricultural uses, and the site is zoned A-2-R-G (General Agriculture/Rural/Geothermal Overlay Zone), which provides for agricultural use and other compatible uses. Pursuant to Title 9, Division 5, Chapter 8 of the Land Use Ordinance, "electrical generation plants (less than 50-MW)", "mining and mineral extraction" and "facilities for the transmission of electrical energy (100-200 kV)" are permitted in the A-2-R-G zone (County of Imperial 1998), subject to the County's approval of a CUP.

Project implementation would result in the temporary conversion of agricultural land to non-agricultural uses. However, with the issuance of a CUP, the proposed use would be consistent with the existing A-2-R-G zoning designation of the site. In addition, the Project site is not subject to the provisions of a Williamson Act contract and would not conflict with such a contract. Therefore, the Project would result in <u>no impact</u> under this criterion.

Mitigation Measures: None required.

Impact AG-3: The HR-2 Project would not conflict with existing zoning for or cause rezoning of forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC

Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

No forest or timber land is present in the Project site; therefore, no forest or timber land would be affected by the Project and there would be <u>no impact</u>.

Mitigation Measures: None required.

Impact AG-4: The HR-2 Project would not result in the loss of forest land or conversion of forest land to non-forest use.

As discussed under Impact AG-3 above, no forest land is present in the Project area, and no forest land would be affected by the Project. Therefore, Project implementation would not result in the loss of forest land or conversion of forest land to non-forest use, and <u>no impact</u> would occur.

#### Mitigation Measures: None required.

<u>Impact AG-5</u>: The HR-2 Project does not include changes in the existing environment, which, due to their location or nature, that would not result in conversion of neighboring farmland to non-agricultural use.

The HR-2 Project site is surrounded primarily by IID-managed marsh and agricultural land. Additionally, the proposed Project does not include a residential or commercial component that would create incompatibility issues with adjacent agricultural operations nor would it develop infrastructure that would attract or encourage development of adjacent farmlands. The County of Imperial General Plan designates the Project site as Agriculture. At the end of the Project's useful life, disturbed lands on the site would be restored to suitability for agricultural use once the wells have been abandoned, the pipelines have been removed, and the well pads have been reclaimed. Further, the provisions of the Imperial County Right-to-Farm Ordinance (No. 1031) and the state nuisance law (California Code Sub-Section 3749) will be enforced. Therefore, the proposed Project would not result in the conversion of farmlands off-site to non-agricultural uses and <u>no impact</u> would occur.

Mitigation Measures: None required.

#### **SMCP-2 IMPACTS AND MITIGATION MEASURES**

Impact AG-1: The SmCP-2 Project would convert Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to non-agricultural use.

The proposed SmCP-2 Project would temporarily convert 16-acres of Prime Farmland and 32-acres of Farmland of Statewide Importance to non-agricultural use (Table 4.2-9). Based on the results of the LESA, conversion of this land for project use would result in a <u>significant impact</u>.

CONVERSION FOR SMCF-2 PROJECT			
AGRICULTURE CLASSIFICATION	APPROXIMATE ACREAGE		
Prime Farmland	16		
Farmland of Statewide Importance	32		
Farmland of Local Importance	0		
Urban and Built-Up	0		
Other	0		
Subtotal	48		

TABLE 4.2-9ESTIMATED IMPORTANT FARMLANDS<br/>CONVERSION FOR SMCP-2 PROJECT

Source: EMA 2012 (See Appendix J-2)

As shown in Table 3-1 (Chapter 3, Project Description), the proposed SmCP-2 Project would require 48-acres and the proposed HR-2 Project would require a 52-acres of the total 245-acre parcel; leaving approximately 145-acres undisturbed and available for agricultural production.

A LESA analysis was performed to assess whether Project conversion of these important farmlands to non-agricultural use would constitute a significant impact (see Appendix J-2). The LESA Model is an approach used to rate the relative quality of land resources based upon six specific measurable features. Two Land Evaluation Factors are based upon measures of soil resource quality. Four Site Assessment Factors provide measures of a given a Project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. Table 4.2-10 provides a summary of the LESA analysis.

 TABLE 4.2-10
 SUMMARY OF LESA ANALYSIS FOR THE SMCP-2 PROJECT

 SITE

	FACTOR RATING (0 - 100 POINTS)	FACTOR WEIGHTING (TOTAL = 1.00)	WEIGHTED FACTOR RATING		
I. SCORE SHEET SUMMARY					
Land Evaluation (LE)					
1. Land Capability Classification	66.14	0.25	16.54		
2. Storie Index Rating	69.73	0.25	17.43		
LE Subtotal		0.50	33.97		

	FACTOR RATING (0 - 100 POINTS)	FACTOR WEIGHTING (TOTAL = 1.00)	WEIGHTED FACTOR RATING		
SITE ASSESSMENT (SA)					
1. Project Size	30	0.15	4.5		
2. Water Resource Availability	100	0.15	15.00		
3. Surrounding Agricultural Lands	50	0.15	7.50		
4. Protected Resource Lands	0	0.05	0.00		
SA Subtotal		0.5	27.0		
TOTAL LESA SCORE (LE +SA) 60.97					
II. LESA Model Scoring Thresholds					
Total LESA Score	Scoring Decision				
0 to 39 Points	Not considered significant				
40 to 59 Points	Considered significant only if LE and SA subscores are greater than or equal to 20 points				
60 to 79 Points	Considered significant unless either LE or SA subscore is less 0 than 20 points				
80 to 100 Points	Considered significant				

TABLE 4.2-10 SUMMARY OF LESA ANALYSIS FOR THE SMCP-2 PROJECT SITE

Source: EMA 2012 (See Appendix J-2)

Based on the results of the LESA, conversion of this land for the SmCP-2 Project use would result in result in total LESA Score of 60.97. This would be a <u>significant</u> impact and mitigation measures would be required.

# <u>MM AG-1.1</u>: Loss of Agricultural Land - Non-Prime (Farmland of Statewide Importance and Farmland of Local Importance) Farmland

Simbol, Inc. may choose one of the following three methods for mitigation:

- iii. Agricultural Conservation Easements on a "1 to 1" basis for 32 acres (32 acres x 1 = 32 acres) on land of equal size, of equal quality farmland, outside of the path of development. 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
- ii. Simbol, Inc. shall pay an "Agricultural In-Lieu Mitigation Fee" in the amount of 20% 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

iv. If Simbol, Inc. and the County voluntarily enter into a public benefit agreement that includes an Agricultural Benefit Fee payment that is equal to or greater than the amount that would be due under option ii of this mitigation measure and the public benefit agreement requires that the Agricultural Benefit Fee be used for such purposes as the acquisition, stewardship, preservation and enhancement of agricultural lands within Imperial County, then this mitigation measure may be satisfied by payment of voluntarily agreed to Agricultural Benefit Fee.

Timing/Implementation: Prior to the issuance of a grading permit or building permit (whichever comes first).for the project.

Enforcement/Monitoring: County of Imperial Planning and Development Services Department.

#### MM AG-1.2: Loss of Agricultural Land - Prime Farmland

Simbol, Inc. may choose one of the following three methods for mitigation:

- Agricultural Conservation Easements on a "2 to 1" basis for 32 acres (16 acres x 2 = 32 acres) on land of equal size, of equal quality farmland, outside of the path of development. 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
- ii. Simbol, Inc. shall pay an "Agricultural In-Lieu Mitigation Fee" in the amount of 30% 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
- iii. If Simbol, Inc. and the County voluntarily enter into a public benefit agreement that includes an Agricultural Benefit Fee payment that is equal to or greater

than the amount that would be due under option ii of this mitigation measure and the public benefit agreement requires that the Agricultural Benefit Fee be used for such purposes as the acquisition, stewardship, preservation and enhancement of agricultural lands within Imperial County, then this mitigation measure may be satisfied by payment of voluntarily agreed to Agricultural Benefit Fee.

Timing/Implementation: Prior to the issuance of a grading permit or building permit (whichever comes first).for the project.

Enforcement/Monitoring: County of Imperial Planning and Development Services Department.

#### MM AG-1.2: Reclamation Plan/Site Abandonment Plan

Prior to the issuance of the initial grading or building permit, Simbol, Inc. shall submit to the County of Imperial a Reclamation Plan/Site Abandonment Plan to return the property to its current agricultural condition prior to the issuance of the initial grading permit The Reclamation Plan/Site Abandonment Plan shall include a reclamation cost estimate prepared by a California-licensed general contractor or civil engineer. Simbol, Inc. shall provide financial assurance/bonding in the amount equal to the reclamation cost estimate to return the land to its current agricultural condition prior to the issuance of the initial grading permit or building permits.

Timing/Implementation: Prior to the issuance of the initial grading permit or building permit (whichever comes first).

Enforcement/Monitoring: County of Imperial Planning and Development Services Department.

#### Significance

#### after Mitigation:

With implementation of MM AG-1.1, MM AG-1-2 and MM AG-1.3, Simbol, Inc. would be required both to restore the land to its original agricultural suitability at the end of the Project and while the Project is operating, other comparable agricultural land elsewhere would be protected with easements or through the County's Agricultural Mitigation Program.. Therefore, there would be no net loss of agricultural land as result of the proposed SmCP-2 Project and impacts would be less than significant.

Impact AG-2: The SmCP-2 Project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

Pursuant to the County of Imperial General Plan, the Project site is designated for zoned agricultural uses, and the site İS A-2-R-G (General Agriculture/Rural/Geothermal Overlay Zone), which provides for agricultural use and other compatible uses. Pursuant to Title 9, Division 5, Chapter 8 of the Land Use Ordinance, "electrical generation plants (less than 50-MW)", "mining and mineral extraction" and "facilities for the transmission of electrical energy (100-200 kV)" are permitted in the A-2-R-G zone (County of Imperial 1998), subject to the County's approval of a CUP.

Project implementation would result in the temporary conversion of agricultural land to non-agricultural uses. However, with the issuance of a CUP, the proposed use would be consistent with the existing A-2-R-G zoning designation of the site. In addition, the Project site is not subject to the provisions of a Williamson Act contract and there would be no conflict with such a contract. Therefore, the HR-2 Project would result in <u>no impacts</u> under this criterion.

Mitigation Measures: None required.

<u>Impact AG-3</u>: The SmCP-2 Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

No forest or timber land is present in the Project site; therefore, no forest or timber land would be affected by the Project and there would be <u>no impact</u>.

Mitigation Measures: None required.

Impact AG-4: The SmCP-2 Project would not result in the loss of forest land or conversion of forest land to non-forest use.

As discussed for Impact AG-3, no forest land is present in the Project site, and no forest land would be affected by the Project. Therefore, Project implementation would not result in the loss of forest land or conversion of forest land to non-forest use, and <u>no impact</u> would occur.

Mitigation Measures: None required.

<u>Impact AG-5</u>: The SmCP-2 Project does not include changes in the existing environment which, due to their location or nature that would result in conversion of neighboring farmland to non-agricultural use.

The Project site is surrounded primarily by IID-managed marsh and agricultural land. Additionally, the proposed Project does not include a residential or commercial component that would create incompatibility issues with adjacent agricultural operations or develop infrastructure that would attract or encourage development of adjacent farmlands. The County of Imperial General Plan designates the Project site as Agriculture. At the end of the Project's useful life, disturbed lands on the site would be restored to agricultural use once the mineral extraction facilities have been reclaimed. Further, the provisions of the Imperial County Right-to-Farm Ordinance (No. 1031) and the state nuisance law (California Code Sub-Section 3482) will be enforced. Therefore, the proposed Project would not result in the conversion of farmlands off-site to non-agricultural uses and <u>no impact</u> would occur.

Mitigation Measures: None required.

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