

SECTION 4.9

AGRICULTURAL RESOURCES

This section provides a background discussion of the regulatory framework and the affected environment with regard to agricultural resources. The regulatory framework discussion focuses on the federal, state, and local regulations. The affected environment discussion describes the existing conditions of the Project site, important farmlands categories, zoning, agricultural soil classifications, Imperial County agricultural conversion, on-site soils, and Williamson Act lands.

This section also discloses the potential impacts on agricultural resources based on the solar farm complex site's current status as idle farmland. This section is based on the following resources: Imperial County General Plan Agriculture Element; Imperial County General Plan Environmental Impact Report; soil classifications designated by the United States Department of Agriculture's (USDA) Natural Resources Conservation Service's (NRCS) Web Soil Survey (WSS); California Department of Conservation (DOC) Farmland Monitoring and Mapping Program (FMMP) data; the County's online GIS mapping to determine important farmlands and lands subject to Agricultural Land Conservation (i.e., Williamson Act) contracts; California Agricultural Land Evaluation and Site Assessment (LESA) Model, and aerial photography.

4.9.1 REGULATORY FRAMEWORK

A. FEDERAL

Farmland Protection Policy Act

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that—to the extent possible—federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. The FPPA is overseen by the U.S. Department of Agriculture's Natural Resources Conservation Service.

B. STATE

California Land Conservation Act

The Williamson Act (California Land Conservation Act, California Government Code, Section 51200 et. seq.) is a statewide mechanism for the preservation of agricultural land and open space land. The Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. While there are parcels throughout the County that are under Williamson Act contracts, none are located on or adjacent to the Project site. The status of Williamson Act Contracts in the County is discussed under item C. Local, "County of Imperial Williamson Act Rules and Procedures."

C. LOCAL

County of Imperial General Plan

Agriculture has been the single most important economic activity throughout the history of Imperial County. The County of Imperial General Plan Agricultural Element 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 (Imperial County 1996a). The Imperial County Land Use Plan designates all of the solar field site parcels as "Agriculture" (refer to Figure 4.2-1 in Section 4.2 Land Use).

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The Imperial County General Plan Agricultural Element provides goals, objectives, policies and/or programs for conserving agricultural lands while minimizing or avoiding conflicts with urban and other land uses. **Table 4.9-1** provides a consistency analysis of Imperial County General Plan policies relating to agricultural resources applicable to the proposed Project. While this EIR analyzes the Project's consistency with the General Plan pursuant to CEQA Guidelines Section 15125(d), the Imperial County Board of Supervisors ultimately determines on balance whether the Project is consistent overall with the County's General Plan.

**TABLE 4.9-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

| GENERAL PLAN GOALS, OBJECTIVES AND POLICIES | CONSISTENT WITH GENERAL PLAN? | ANALYSIS |
|--|-------------------------------|--|
| AGRICULTURAL RESOURCES ELEMENT | | |
| Preservation of Important Farmland | | |
| <p>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.</p> | <p align="center">Yes</p> | <p>The private lands on which the solar farm complex site is proposed are designated Agriculture by the Imperial County General Land Use Plan (March 2007) and have corresponding zoning of A-2 - General Agriculture. Solar energy electrical generators, electrical power generating plants, substations, and facilities for the transmission of electrical energy are allowed as conditional uses in Agricultural zones. In complying with the zoning designations, the Applicant is seeking five CUPs (one for each of the proposed solar energy projects to be located within the solar farm complex site). The proposed Project would not remove land from the Agricultural designation of the General Plan or seek a zoning change under the Zoning Ordinance. By allowing solar projects on land designated Agriculture in the General Plan with a CUP, the Board of Supervisors has determined on a case-by-case basis that these types of projects are consistent with agriculture related zones. This policy allows agricultural land to be temporarily converted to a non-agricultural use where a clear and immediate need can be demonstrated. As discussed under Impact 4.9.1, implementation of the proposed</p> |

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**TABLE 4.9-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

| GENERAL PLAN GOALS, OBJECTIVES AND POLICIES | CONSISTENT WITH GENERAL PLAN? | ANALYSIS |
|--|-------------------------------|---|
| | | Project would result in a potentially significant impact for temporary conversion of Prime Farmland, Farmland of Local Importance, and Farmland of Statewide Importance under CEQA. However, MM 4.9.1a and MM 4.9.1b provide techniques to mitigate temporary conversion of agricultural lands and require that a Reclamation Plan be prepared to return the site to its pre-Project agricultural condition of idle farmland. As a result, development of the solar farm complex site would be consistent with the overall intent of this goal. |
| 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 proposed Project area is located outside of urbanizing areas. Temporary conversion of the solar farm complex site to a solar generation facility is allowable with a CUP. Lands adjacent to the solar farm complex site on the Allegretti Property are not currently being farmed. Further, the proposed solar generation facility use is not considered incompatible with agricultural activities. Therefore, the proposed Project is consistent with this objective. |
| Objective 1.2 Encourage the continuation of irrigation agriculture on Important Farmland. | Yes | The proposed solar farm complex site would be temporarily converted to accommodate the proposed Project. However, the solar farm complex site would be required to be reclaimed to its pre-Project agricultural condition of idle farmland at the end of the Project's useful life, including existing groundwater wells. Therefore, the proposed Project is consistent with this objective. |
| Objective 1.3 Conserve Important Farmland for continued farm related (non-urban) use | Yes | The proposed Project is a temporary use which would not permanently |

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**TABLE 4.9-1
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| GENERAL PLAN GOALS, OBJECTIVES AND POLICIES | CONSISTENT WITH GENERAL PLAN? | ANALYSIS |
|---|-------------------------------|--|
| and development while ensuring its proper management and use. | | convert important farmland. The proposed solar farm complex is an allowable use with a CUP. Therefore, the proposed Project is consistent with this objective. |
| Objective 1.4 Discourage the location of development adjacent to productive agricultural lands. | Yes | Refer to the discussion under Objective 1.1. The proposed Project is consistent with this objective. |
| Objective 1.8 Allow conversion of agricultural land to non-agricultural uses only where a clear and 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 a lack of alternative sites. | Yes | Refer to the discussion under Objective 1.1 and 1.2. Even though the Project would not result in the permanent conversion of agricultural land to non-agricultural uses, it does serve clear and immediate needs for both the State of California and the County of Imperial. The proposed Project would assist the State of California in meeting its RPS goal to have 33% of its energy demand served by renewable energy sources by 2020. Furthermore, the proposed Project's use of groundwater from the Ocotillo-Clark Valley Groundwater Basin is substantially less than the quantity of groundwater used for past agricultural production on the Property, which helps the County sustain groundwater levels in the Ocotillo-Clark Valley Groundwater Basin. Farming on the Property has been in steady decline since the late 1970's due, in part, to poor soil and groundwater quality and the increased cost of electricity to pump groundwater. Therefore, the proposed Project is consistent with this objective. |
| Policy 1. Preservation of Important Farmland Policy 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 | Yes | The proposed Project would temporarily convert agricultural lands to a solar farm complex. The lands have been disturbed in association with past agricultural activities and is currently in the process of reverting to |

**TABLE 4.9-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

| GENERAL PLAN GOALS, OBJECTIVES AND POLICIES | CONSISTENT WITH GENERAL PLAN? | ANALYSIS |
|---|-------------------------------|--|
| <p>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.</p> | | <p>open desert. Development of a solar generation facility on the proposed solar farm complex site would create employment opportunities associated with construction and operation while capitalizing on the County’s sun exposure. Development of the Project at the proposed location is consistent with the General Plan which allows the zoning ordinance to authorize the issuance of CUPs for solar facilities in areas designated as Agriculture. Moreover, placing a solar generation facility on the proposed solar farm complex site would likely preserve other agricultural land in the County from the temporary conversion to solar facilities. Therefore, the proposed Project is consistent with this Policy.</p> |
| <p>Policy 2. Development Patterns and Locations on Agricultural Land "Leapfrogging" or "checkerboard" patterns of development have intensified recently and result in significant impacts to the efficient and economic production of adjacent agricultural land. It is a policy of the County that leapfrogging will not be allowed in the future. All new non-agricultural development will be confined to areas identified in this plan for such purposes or in Cities' adopted Spheres of Influence, where new development must adjoin existing urban uses.</p> | <p>Yes</p> | <p>The proposed Project would not involve construction or extension of water, sewer, or transportation infrastructure that would accommodate or encourage urban development and, thus, would not be conducive to “leapfrogging” in the future. The impact discussion below addresses the environmental effect of temporarily converting the proposed solar farm complex site from agriculture to a solar generation facility, including the potential environmental effects on adjacent parcels that are part of the Allegretti Farms Property. The impact analysis demonstrates that there is no adverse impact on the ability of these lands to be farmed. Therefore, the proposed Project is consistent with this Policy.</p> |

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Imperial County Zoning Ordinance

Imperial County's Zoning Ordinance establishes land use zones and regulations for the use of land and buildings in the unincorporated areas of the County. The Zoning Ordinance is an implementation of the County's General Plan and provides more specific requirements than are provided in the General Plan. All of the parcels within the proposed solar farm complex site are zoned for Agriculture (A-2) and most of the acreage has been previously in active agricultural production (i.e. irrigated and farmed).

County of Imperial Right to Farm Ordinance No. 1031

The County of Imperial Right to Farm Ordinance (No. 1031) was approved by the County Board of Supervisors on August 7, 1990. The purpose and intent of the Ordinance is to reduce the loss to the County of its agricultural resources by clarifying the circumstances under which agricultural operations may be considered a nuisance. The Ordinance permits operation of properly conducted agricultural operations within the County. The Ordinance promotes a good neighbor policy by disclosing to purchasers and users of adjacent properties the potential problems and inconveniences associated with agricultural operations. All agricultural activities within Property have been suspended within the last few years with the only exception being a small area in the southeast corner which contained grain crops in 2012.

County of Imperial Williamson Act Rules and Procedures

In 2000, the Imperial County Board of Supervisors adopted the Williamson Act and the provisions established by California Revenue and Taxation Code Section 423.3. The Board of Supervisors also adopted Resolution 200-084, which established the County of Imperial Rules of Procedure to Implement the California Land Conservation Act of 1965 (Rules). The Rules set forth eligibility criteria and standards for the establishment of an agricultural preserve, expansion of an agricultural preserve, and removal of land from an agricultural preserve. The Rules also establish requirements for Land Conservation Contracts and local monitoring requirements.

On February 23, 2010, the Imperial County 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. The County reaffirmed this decision in a vote on October 12, 2010, and notices of nonrenewal were sent to landowners with Williamson Act contracts following that vote. The applicable deadlines for challenging the County's actions have expired, and therefore all Williamson Act contracts in Imperial County will terminate on or before December 31, 2018. No Williamson Act contracts are located on or in the vicinity of the Project.

4.9.2 ENVIRONMENTAL SETTING

A. REGIONAL SETTING

Imperial County covers an area of 4,597 square miles or 2,942,080 acres. Agricultural production has been the major economic industry in Imperial County since the 1900s. Several factors including climate, fertile soils, and the availability of irrigation water have resulted in Imperial County's agricultural productivity.

Approximately 20 percent of the County's land is irrigated for agricultural purposes. Three of the primary irrigated areas include the Imperial Valley (512,163 acres), Bard Valley (14,737 acres) in the southeast corner of the County, and Palo Verde Valley (7,428 acres) in the northeast corner (Imperial County 1996a). A diverse array of irrigated crops are cultivated in the County including lettuce, carrots, onions, tomatoes, cauliflower, and broccoli; alfalfa, Sudan grass, and other animal feed; sugar beets; wheat and other grains; melons; cotton; and various citrus, fruits, and nuts (Imperial County 1996a).

In recent years, several factors have significantly altered the agricultural conditions in the County. Expanded population has given rise to booming residential and commercial development, which in turn has substantially increased the value of land and the cost of water and labor necessary to sustain agricultural production. As urbanization expands throughout the County, there is a growing economic incentive for local farmers to sell agricultural lands or relocate. As a result, agricultural land within the County is gradually disappearing. However, during the recent housing slump and economic recession, the pace of agricultural conversion has slowed.

Important Farmlands

The DOC Farmland Mapping and Monitoring Program (FMMP) produces Important Farmland Maps which document resource quality and land use information. USDA Soil Survey information and the corresponding Important Farmland candidacy recommendations are used for assessing local land.

The FMMP is intended to assist decision-makers in assessing present status, reviewing trends, and planning for the future of California's agricultural land resources. According to the 2010 FMMP Map of Imperial County Important Farmland, the solar farm complex site contains land designated as Prime Farmland, Farmland of Local Importance and Farmland of Statewide Importance. The DOC definitions of each Important Farmland category (as noted on the 2010 FMMP Map of Imperial County Important Farmland) are provided below.

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. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date (DOC 2010). The proposed solar farm complex site includes areas designated as Prime Farmland (refer to **Table 4.9-3**, below).

Farmland of Local Importance

Farmland of Local Importance is defined as unirrigated and uncultivated lands with prime and statewide soils (DOC 2010). The proposed solar farm complex site includes areas designated as Farmland of Local Importance (refer to **Table 4.9-3**, below).

Farmland of Statewide Importance

Farmland of Statewide Importance is similar to prime farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date (DOC 2010). The proposed solar farm complex site includes areas designated as Farmland of Statewide Importance (refer to **Table 4.9-3**, below).

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. Land must have been cropped at some time during the four years prior to the mapping date. (DOC 2010). The proposed solar farm complex site does not include areas designated as Unique Farmland (refer to **Table 4.9-3**, below).

Other Land

Other land is land not included in any other mapping category. Common Examples include low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities, strip mines, borrow pits, and water bodies smaller

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than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as other land. (DOC 2010). The proposed solar farm complex site does not include areas designated as Other Land (refer to **Table 4.9-3**, below).

Urban and Built-Up Land

Urban and built-up land is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures (DOC 2010). The proposed solar farm complex site does not include areas designated Urban and Built-Up Land (refer to **Table 4.9-3**, below).

Imperial County Important Farmlands and Conversion of Farmlands

Table 4.9-2 depicts the conversions of agricultural land to non-agricultural uses within Imperial County from 2008-2010. As depicted in this table, the 2010 inventory of important farmlands included 194,137 acres of Prime, 307,221 acres of Statewide Importance, 2,141 of Unique, and 35,774 acres of Farmland of Local Importance.

As shown in **Table 4.9-2**, there was a net loss of 1,668 acres of Important Farmlands in Imperial County from 2008-2010. Farmland conversions occurred for a variety of reasons, including following of lands resulting in a conversion to a non-irrigated classification, and conversion to urban and other uses due to development of farmsteads, rural commercial facilities, low-density housing, mining facilities, and dairy expansions. The trend in the conversion of agricultural land is expected to continue due to development pressure and other factors.

**TABLE 4.9-2
IMPERIAL COUNTY CHANGE IN AGRICULTURAL LAND USE SUMMARY (2008 – 2010)**

| Land Use Category | Total Acreage Inventoried | | 2008 - 2010 Acreage Conversion | | | |
|------------------------------------|---------------------------|------------------|--------------------------------|--------------|-----------------------|---------------------|
| | 2008 | 2010 | Lost (-) | Gained (+) | Total Acreage Changed | Net Acreage Changed |
| Prime Farmland | 195,588 | 196,137 | 1,865 | 414 | 2,279 | -1,451 |
| Farmland of Statewide Importance | 311,047 | 307,221 | 4,579 | 753 | 5,332 | -3,826 |
| Unique Farmland | 2,197 | 2,141 | 65 | 9 | 74 | -56 |
| Farmland of Local Importance | 32,109 | 35,774 | 1,664 | 5,329 | 6,993 | 3,665 |
| Important Farmland Subtotal | 540,941 | 539,273 | 8,173 | 6,505 | 14,678 | -1,668 |
| Grazing Land | 0 | 0 | 0 | 0 | 0 | 0 |
| Agricultural Land Subtotal | 540,941 | 539,273 | 8,173 | 6,505 | 14,678 | -1,668 |
| Urban and Built-Up Land | 27,709 | 28,485 | 83 | 859 | 942 | 776 |
| Other Land | 458,829 | 460,001 | 338 | 1,510 | 1,848 | 1,172 |
| Water Area | 1,029 | 749 | 293 | 13 | 306 | -280 |
| Total Area Inventoried | 1,028,508 | 1,028,508 | 8,887 | 8,887 | 17,774 | 0 |

Source: DOC 2012b.

B. SOLAR FARM COMPLEX

Existing Conditions

Farming began on the Property in the early 1950s and peaked in the 1970s with approximately 1,700 acres planted with various crops. Between 1954 and 1973 about 180 to 320 acres were farmed. Agriculture peaked in the mid to late 1970s with 1,700 acres farmed in 1978. From 1983 to 2009, up to about 1,024 acres were farmed, although no farming reportedly occurred in 1990. Only 80 acres were farmed in 2010 and 2011. Reduction of farmed acreage was due, in part, to poor soil and groundwater quality and increased cost of electricity to pump the water. Little to no farming has occurred on the Property in 2012 and 2013 (Todd 2013, p. 1). Flood irrigation, pivot and lateral move sprinkler systems, and drip systems have all been used on the Property (Todd 2013, pp. 3-4).

Important Farmland Categories

Figure 4.9-1 depicts the Important Farmlands Classifications on the proposed solar farm complex site. (Note: None of the BLM lands on which the transmission line overbuild would be located, nor any of the IID land on which the Anza Substation modifications are proposed, include classified farmlands).

Table 4.9-3 provides the approximate acreages associated with each of the Important Farmland Classifications on the proposed solar farm complex site.

**TABLE 4.9-3
IMPORTANT FARMLANDS ON SOLAR FARM COMPLEX**

| Classification | Approximate Acreage on Solar Farm Complex | Acreage Temporarily Converted with Project Implementation |
|----------------------------------|---|---|
| Prime Farmland | 651.0 | 651.0 |
| Farmland of Local Importance | 352.0 | 352.0 |
| Farmland of Statewide Importance | 219.0 | 219.0 |
| Unique Farmland | 0 | 0 |
| Subtotal Important Farmlands | 1,222.0 | 1,222.0 |
| Other Land | 9.8 | 9.8 |
| Total | 1,231.8* | 1,231.8* |

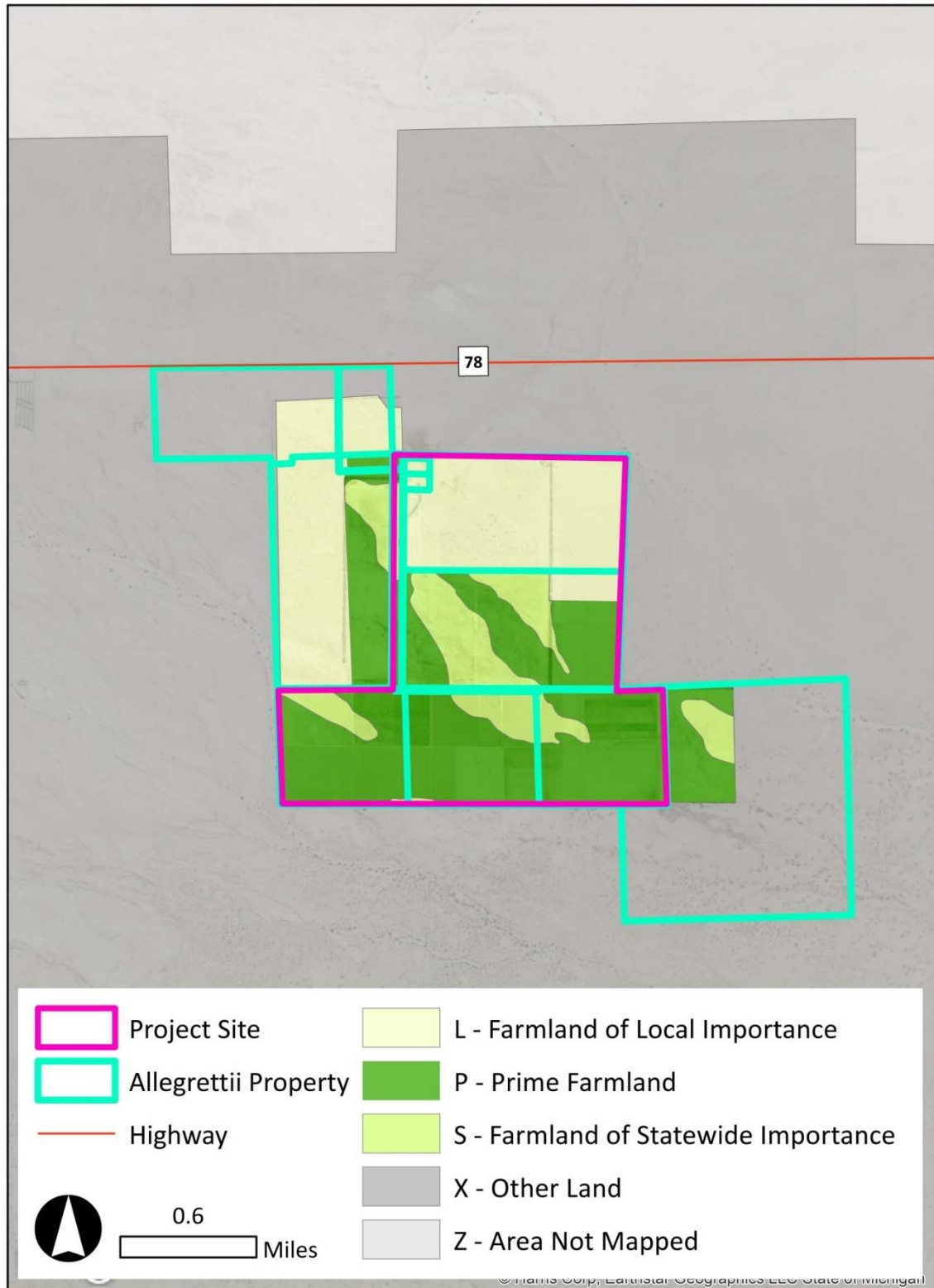
Source: DOC 2012b. *Note: Does not include approximately 6.2 acres devoted to IID transmission line and the new access road.

Agricultural Soils Classifications

United States Department of Agriculture Soil Survey

The United States Department of Agriculture (USDA) conducted a Soil Survey for the Imperial Valley Area and published maps and guidelines to define the condition and location of various kinds of soils in the region (USDA 1981). Soils were characterized according to their appearance, depth, consistency, slope, and erosion factors. The Soil Survey grouped soil types identified in the study into eight soil Capability Classes. The classes were determined according to any limiting characteristics that would prevent the soils from being used for agricultural purposes. These classes are identified in Table 4.9-4. Soils are graded from I through VIII, with I denoting the most suitable class for cultivation, and VIII denoting the least suitable for cultivation.

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Source: Bing Maps, ESRI, California Department of Conservation 2010, Division of Land Resource Protection, U.S. Department of Commerce Tiger/Line Shapefiles, Project Applicant

FIGURE 4.9-1
FMMP IMPORTANT FARMLANDS MAP

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**TABLE 4.9-4
SOIL CAPABILITY CLASSES - CLASS DESCRIPTION**

| Class | Description |
|-------|--|
| I | Soils have few limitations that restrict their use. |
| II | Soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices. |
| III | Soils have severe limitations that reduce the choice of plants, require special conservation practices, or both. |
| IV | Soils have very severe limitations that reduce the choice of plants, require very careful management, or both. |
| V | Soils are not likely to erode but have other limitations, impractical to remove, that limit their use largely to pasture or range, woodland, or wildlife habitat. |
| VI | Soils have severe limitations that make them generally unsuited to cultivation and limit their use mainly to pasture, range, forestland, or wildlife food and cover. |
| VII | Soils have very severe limitations that make them unsuited to cultivation and that restrict their use mainly to grazing, forestland, or wildlife. |
| VIII | Soils and miscellaneous areas have limitations that preclude their use for commercial plant production and limit their use to recreation, wildlife, or water supply or for aesthetic purposes. |

Source: USDA 1981; USDA 2011.

Storie Index

The Storie Index provides another mechanism for rating soils. Under the Storie Index, a numerical system is used to convey 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 these characteristics directly relate to the adequacy of a soil type for use in crop cultivation. **Table 4.9-5** identifies the Storie Index classifications.

**TABLE 4.9-5
STORIE INDEX RATINGS - GRADE INDEX RATING DESCRIPTION**

| Grade | Index Rating | Description |
|-------|--------------|---|
| 1 | 80 to 100 | Few or no limitations that restrict use for crops. Excellent or well suited to general intensive farming. |
| 2 | 60 to 80 | Good or also well suited to general farming. |
| 3 | 40 to 60 | Fairly well suited to general farming. |
| 4 | 20 to 40 | Poorly suited to general farming. |
| 5 | 10 to 20 | Very poorly suited to general farming. |
| 6 | Less than 10 | Not suitable for farming. |

Source: USDA 1981.

The Storie Index does not consider other factors, such as the availability of water for irrigation, climate, and the distance from markets. Values of the index range from 1 to 100 and are divided into six grades. An index of 100 and a grade of 1 is considered the most suitable farmland. Soils that have a Storie rank 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. In the Imperial Valley region, the Storie Index ratings of soils range from 5 to 97 (USDA 1981).

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On-Site Soils

Ten soil types are present on the based on the USDA survey maps. **Table 4.9-6** provides details on these soils, along with their Capability Class and Storie Index rating. Refer to Figure 4.6-2 in Section 4.6, Geology and Soils for a graphical depiction of these soil types on the solar farm complex site.

TABLE 4.9-6
SOIL SUITABILITY - MAP SYMBOL MAPPING UNIT CAPABILITY

| Map Symbol - Soil | Acres within Solar Farm Complex Site | Percent of Solar Farm Complex Site | Capability Class | Storie Index |
|--|--------------------------------------|------------------------------------|------------------|--------------|
| 117 Indio Loam | 103.5 | 8.4 | I | 100 |
| 119 Indio Vint Complex | 93.6 | 7.6 | IIs-1 | 90 |
| 121 Meloland Fine Sand | 144.7 | 11.7 | IIIs-3 | 47 |
| 130 Rositas Sand, 0 to 2 percent slopes | 161.0 | 13.1 | IVs-4 | 57 |
| 132 Rositas Fine Sand, 0 to 2 percent slopes | 173.0 | 14.0 | IIIs-4 | 62 |
| 143 Vint Fine Sandy Loam | 556.0 | 45.1 | IIs-1 | 100 |
| Totals | 1,231.8* | 100% | | -- |

Source: Ericsson-Grant, Inc. 2013.

*Note: Does not include approximately 6.2 acres devoted to IID transmission line and the new access road.

Williamson Act Lands

The Williamson Act (California Land Conservation Act, California Government Code, Section 51200 et. seq.) is a statewide mechanism for the preservation of agricultural and open space land. The Act provides a comprehensive method for local governments to protect farmland and open space by allowing lands in agricultural use to be placed under contract (agricultural preserve) between a local government and a landowner. Amendments to the Budget Act of 2009 reduced the Williamson Act subvention payments budget to \$1,000, essentially suspending the subvention payments to the Counties.

As previously noted, the Imperial County 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. None of the parcels within the boundaries of the solar farm complex site are under Williamson Act contract. Likewise, none of the parcels within the Property are under Williamson Act contract.

C. TRANSMISSION LINE

The portion of the transmission line located on lands under the jurisdiction of the BLM does not contain agricultural resources. The proposed Anza Substation modifications are proposed on land owned by IID within an area that has been previously disturbed and which does not contain agricultural resources.

4.9.3 IMPACTS AND MITIGATION MEASURES

A. STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the thresholds identified in the CEQA Guidelines, as listed in Appendix G. The Project would result in a significant impact to agricultural resources if it would result in any of the following:

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- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- c) 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 511 04(g)).
- d) Result in the loss of forest land or conversion of forest land to non-forest use.
- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

A. ISSUES SCOPED OUT AS PART OF THE INITIAL STUDY

Three CEQA significance criteria were scoped out as part of the Initial Study. Criterion “b” was eliminated from further analysis because no conflicts with the existing A-2 Zoning would occur in association with Project implementation. In addition, there are no Williamson Act lands within or adjacent to the Project area. Therefore, conversion of land under Williamson Act Contract is not an issue and will not be discussed in the EIR.

Criterion “c” was scoped out because based on the Imperial County General Plan Conservation and Open Space Element, mixed chaparral, pinyon-juniper habitats, and the montane hardwood-conifer forest are located in restricted areas of the County. Mixed chaparral and pinyon-juniper habitats are located in the extreme southwestern corner of the County and montane hardwood-conifer forest is in the extreme northwestern corner of Imperial County. Thus, there are no existing forest lands, timberlands, or timberland zoned Timberland Production either on or near the Project area that would conflict with existing zoning. This issue will not be discussed in the EIR.

Lastly, criterion “d” was scoped out because there are no existing forest lands either on the or in the vicinity of the Project area. The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is identified for this issue area.

B. METHODOLOGY

Baseline conditions described in subsection 4.9.2 have been evaluated with regard to their potential to be affected by project construction, operation and reclamation. These activities were identified based on information provided by the Applicant and other supporting information provided to Imperial County. Impacts to agricultural resources have been identified based on the predicted interactions between construction, operation and reclamation activities and the affected environment.

The following discussion of impacts and mitigation measures for the proposed Project is based on the current status of the solar farm complex site (i.e. no longer active agricultural land).

The California Agricultural Land Evaluation and Site Assessment (LESA) Model was used to assess impacts on agriculture and farmland. The LESA Model is an approach for rating the relative quality of land resources that assigns points to six specific, measurable factors. The two Land Evaluation factors (Land Use Capability Classification and Storie Index) are based on measures of soil resource quality. The four site assessment factors address a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. The LESA Assessment Seville Solar Farm

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Complex (portions of Sections 25-27 and Section 23, T12S, R9E, SBB&M) was prepared by Environmental Management Associates (EMA 2013e). (The LESA Assessment is included in **Appendix G** of the Technical Appendices of this EIR on the attached CD).

C. PROJECT IMPACTS AND MITIGATION MEASURES

Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance

Impact 4.9.1 The proposed Project would temporarily convert Prime Farmland and Farmland of Statewide Importance to non-agricultural uses. This is considered a **potentially significant impact**.

Construction

Construction of the proposed Project would result in the direct, temporary conversion of approximately 1,231.8 acres of farmland, including approximately 219 acres of Farmland of Statewide Importance, 651 acres of Prime Farmland as well as 352 acres of Farmland of Local Importance, to a solar farm complex. The conversion and associated impacts are considered temporary because the solar farm complex would be removed and the solar farm complex site would be reclaimed to approximate the existing idle farmland at the end of the useful life of the Project (i.e. 20 to 25 years in the future).

Appendix G of the CEQA Guidelines identifies the California Agricultural LESA Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. The temporary conversion of important farmlands for the construction and operation phases of the Project has been evaluated for significance under CEQA based on the LESA Model (**Appendix G** of this EIR). **Table 4.9-7** presents a summary of the LESA analysis for the proposed Project.

**TABLE 4.9-7
FINAL LESA SCORE SHEET SUMMARY**

| | Factor Rating (0 – 100 Points) | Factor Weighting (Total = 100) | Weighted Factor Rating ¹ |
|---|-----------------------------------|-----------------------------------|---|
| Land Evaluation (LE) | | | |
| Land Capability Classification (LCC Rating) | 71.30 | 0.25 | 17.83 |
| Storie Index Rating | 73.99 | 0.25 | 18.50 |
| <i>Land Evaluation Subscore</i> | | 0.50 | 36.32 |
| Site Assessment (SA) | | | |
| Project Size Rating | 100 | 0.15 | 15.00 |
| Water Resource Availability Rating | 65 | 0.15 | 9.75 |
| Surrounding Agricultural Land Rating | 0 | 0.15 | 0.00 |
| Surrounding Protected Resource Lands Rating | 0 | 0.05 | 0.00 |
| <i>Site Assessment Subscore</i> | | 0.50 | 24.75 |
| TOTAL LESA SCORE | | | 61.07 |

Source: EMA 2013e.

Notes: ¹Weighted Factor Rating calculated by multiplying Factoring Rating Points X Factory Weighting.

A final LESA score between 60 to 79 is considered potentially significant under CEQA unless either the Land Evaluation or the Site Assessment subscore is less than 20 points. As shown in **Table 4.9-7**, the Land Evaluation subscore is 36.32, while the Site Assessment subscore is 24.75. The final LESA score is 61.07. With both subscores (Land Evaluation and Site Assessment) above 20, implementation of the

proposed Project would result in a **potentially significant impact** under CEQA with regard to conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance.

Operation

As would occur during construction, operation of the proposed Project would result in the direct, temporary conversion of approximately 1,231.8 acres of farmland, including approximately 219 acres of Farmland of Statewide Importance, 651 acres of Prime Farmland as well as 352 acres of Farmland of Local Importance, to a solar farm complex. The conversion and associated impacts are considered temporary because the solar farm complex would be removed and the solar farm complex site would be reclaimed to agricultural land at the end of the useful life of the project (i.e. 20 to 25 years in the future). However, because both the Land Evaluation subscore (36.32) and the Site Assessment subscore (24.75) are above 20, implementation of the proposed Project would result in a **potentially significant impact** under CEQA with regard to conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance.

Reclamation

At the end of the Project's useful life, the solar farm complex site would be reclaimed to approximate the existing idle farmland. As a result, the temporary conversion of Prime Farmland, Farmland of Statewide Importance and Farmland of Local Importance would be considered **less than significant** following completion of reclamation.

Mitigation Measures

The following mitigation measures were formulated based on a Staff Memorandum (dated September 2, 2011). The memo was prepared by Planning and Development Services staff in response to concerns related to the temporary loss of agricultural land in association with development of solar facilities.

MM 4.9.1a Prior to the issuance of a grading permit or building permit (whichever is issued first) for the proposed Project, the mitigation of temporary impacts to agricultural lands shall be accomplished via one of the following options:

Non-Prime Farmland

- **Option 1:** The Permittee shall procure Agricultural Conservation Easements on a 1 to 1 basis on land of equal size, of equal quality of farmland, outside 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.
- **Option 2:** The Permittee 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.
- **Option 3:** If the Permittee and 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 2 of this mitigation measure and the public benefit agreement requires that the Agricultural Benefit Fee

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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 the payment of a voluntarily agreed amount to the Agricultural Benefit Fee.

Prime Farmland

- **Option 1:** 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
- **Option 2:** The Permittee 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 the proposed solar farm complex 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:** If the Permittee and 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 2 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 the payment of a voluntarily agreed amount to the Agricultural Benefit Fee; or
- **Option 4:** The Permittee must revise the CUP Application/Site Plan to avoid Prime Farmland.

Timing/Implementation: Prior to the issuance of a grading permit or building permit (whichever is issued first).

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

MM 4.9.1b

In addition to Options 1, 2 or 3 identified in association with Prime Farmland and Non-Prime Farmland, the Permittee shall submit to Imperial County a Reclamation Plan to return the solar farm complex site to its current agricultural condition prior to the issuance of a certificate of occupancy for the O&M building(s). The Reclamation Plan shall include a site reclamation cost estimate prepared by a California-licensed general contractor or civil engineer. The Permittee shall provide a financial assurance/bonding in the amount equal to the site reclamation cost estimate to return the land to its current agricultural condition after the solar facilities ceases operations and closes.

Timing/Implementation: Prior to the issuance of a grading permit or building permit (whichever is issued first).

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

Significance After Mitigation

Implementation of the proposed Project will result in a potentially significant impact related to the temporary loss of Prime Farmland, Farmland of Local Importance and Farmland of Statewide Importance. Implementation of mitigation measures MM 4.9.1a and MM 4.9.1b would reduce the impact to farmlands by preserving comparable Prime Farmland and non-Prime Farmlands. This would be accomplished through the use of conservation easements at the ratios identified in Option 1; or, payment of in-lieu fees based on the formula in Option 2; or, by execution of the Public Benefit Agreement in Option 3; or, for Prime Farmlands only, through the modification of the project to exclude Prime Farmlands as identified in Option 4. In addition, mitigation measure MM 4.9.1b requires preparation of a Reclamation Plan to return the solar farm complex site to its current agricultural condition which would reduce impacts to farmland to less than significant after the solar farm complex is decommissioned. Implementation of any of the options under mitigation measure MM 4.9.1a, in combination with mitigation measure MM 4.9.1b would reduce the impacts associated with the temporary conversion of farmland, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance to a **less than significant level**.

Indirect Environmental Effects of Conversion of Farmland

Impact 4.9.2 The proposed Project would involve indirect changes to the existing environment. Although the changes are not anticipated to pressure adjacent farmlands to convert to non-agricultural uses, construction, operation and reclamation of the Project could result in an increase in pests and nuisance conditions on adjacent lands. Therefore, this impact is considered **potentially significant**.

Construction

Construction of the proposed Project would temporarily convert the solar farm complex site to a non-agricultural use. Adjacent lands within the Allegretti Property are not currently being farmed and no development on Lots 6, 7 and 8 is proposed as part of the Project. However, construction of the solar farm complex could result in an increase in pests and nuisance conditions (e.g. weeds and dust) on adjacent lands during construction. Therefore, indirect environmental effects of the temporary conversion of farmland are considered **potentially significant** during Project construction.

Operation

Idled agricultural land surrounds portions of the solar farm complex site within the Allegretti Property. The remainder of the solar farm complex site, as well as the transmission line alignment and proposed modifications to the Anza Substation, are surrounded by open desert (see **Figure 4.9-1**). The proposed Project would place a solar farm complex in an area formerly used for agriculture. The Project does not include the extension of utilities or infrastructure that would pressure nearby lands to urbanize with residential, commercial, or other urban levels of development. Parcels adjacent to the solar farm complex site that are part of the Allegretti Farms property are not currently being farmed. However, if farming were to occur on these lands, nuisances typically associated with farming (e.g. noise, dust, odor, and pesticide application), are not expected to present a problem to the proposed Project because the solar farm complex does not propose any receptors, such as residential uses, that are sensitive to these issues. [Note: Two existing residences located in the northern portion of Lot 5 would be owned by Regenerate and would not be occupied by parties not associated with the development of Lot 5. Therefore, these residences are not considered to be sensitive. It is assumed that a total of three homes could be built on the three adjacent non-solar Lots 6, 7, and 8. However, no development on these lots is proposed as part of the Project.]

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Depending on management and maintenance practices, operation of the solar farm complex could result in an increase in pests and nuisance conditions (e.g. weeds and dust) on adjacent lands. Invasive / weedy species would be controlled and any non-invasive vegetation that re-establishes within the solar farm complex site would be maintained to a height of less than 18 inches within each solar field. Herbicides would be used to control weedy species when necessary. However, the indirect environmental effects of the temporary conversion of farmland with respect to increased pests and nuisance conditions on adjacent lands are considered **potentially significant**.

Reclamation

Activities similar to those occurring during construction would take place during reclamation as the solar farm complex is dismantled, underground utilities are removed, etc. Reclamation activities could result in an increase in pests and nuisance conditions (e.g. weeds and dust) on adjacent lands during reclamation activities. However, upon completion of site reclamation and final site contour, indirect environmental effects of the temporary conversion of farmland would be considered **less than significant**.

Mitigation Measures

MM 4.9.2 Prior to the issuance of a grading permit or building permit (whichever occurs first), a Weed and Pest Control Plan shall be developed by the Applicant and approved by the County of Imperial Agricultural Commissioner. The Plan shall provide the following:

- 1) Monitoring, preventative, and management strategies for weed and pest control during construction activities at the solar farm complex and portions of the transmission line that are adjacent agricultural lands;
- 2) Control and management of weeds and pests in areas temporarily disturbed during construction where native seed will aid in site revegetation; and,
- 3) A long-term strategy for weed and pest control and management during the operation of the solar farm complex and transmission line that are adjacent agricultural lands. Such strategies may include, but are not limited to:
 - a. Use of specific types of ground cover and maintenance (mowing, replacement, etc.) of such ground cover;
 - b. Use of specific types of herbicides and pesticides on a scheduled basis; and
 - c. Maintenance and management of project site conditions to reduce the potential for a significant increase in pest-related nuisance conditions on adjacent agricultural lands.

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

Enforcement/Monitoring: County of Imperial Agricultural Commissioner.

Significance After Mitigation

Implementation of mitigation measure MM 4.9.2 would ensure that construction, operation and reclamation activities of the proposed Project would not result in pest or weed conditions that would have a significant adverse effect on adjacent lands. Likewise, air quality mitigation measure MM 4.4.1a (in Section 4.4 Air Quality) would ensure that construction, operation, and maintenance activities of the proposed Project would not result in dust conditions that would have a significant adverse effect on adjacent lands and nearby State Parks land. State Nuisance law, along with the implementation of

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mitigation measure MM 4.9.2 would ensure that the Project would not result in indirect environmental effects associated with the temporary conversion of farmlands. Following implementation of mitigation measure MM 4.9.2, indirect environmental effects of the temporary conversion of farmland would be reduced to **less than significant** levels.

4.9.4 CUMULATIVE SETTING, IMPACTS AND MITIGATION MEASURES

A. CUMULATIVE SETTING

The geographic scope for cumulative impacts to agricultural resources is the Imperial Valley located in Imperial County. The Imperial Valley consists of approximately 500,000 acres of more-or-less contiguous farm fields located in the Imperial Valley and surrounded by desert and mountain habitat. The Imperial Valley comprises approximately 17 percent of the county's 2,942,080 acres (Imperial County 1996b, p. 5). Based on the most current available information from the Department of Conservation approximately 539,273 acres of the County are designated as farmland under the FMMP (DOC 2012b). County-wide approximately 20,509 acres of solar projects are currently proposed, under construction, or have been completed. **Table 4.9-8** summarizes these solar projects and the acreage of agricultural land temporarily converted in association with each project.

**TABLE 4.9-8
SUMMARY OF SOLAR PROJECTS AND TEMPORARY CONVERSION OF
AGRICULTURAL ACREAGE IN IMPERIAL COUNTY**

| Project Name | Acres |
|-------------------------------------|-------|
| Chocolate Mountain | 320 |
| Imperial Valley Solar II* | 150 |
| IV Solar Company | 123 |
| Energy Source Solar 1 | 960 |
| Midway Solar Farm I* | 319 |
| Midway Solar Farm II* | 803 |
| Lindsey Solar Farm* | 148 |
| Wilkinson Solar Farm* | 302 |
| Calipat Solar Farm I | 159 |
| Alhambra Solar/Solar Gen 2* | 482 |
| Arkansas Solar/Solar Gen 2* | 481 |
| Sonora Solar/Solar Gen 2* | 488 |
| Imperial Solar West (Westside Main) | 1,130 |
| Campo Verde | 1,443 |
| Imperial Solar South | 947 |
| Calexico I-A* | 720 |
| Calexico I-B* | 610 |
| Calexico II-A* | 940 |
| Calexico II-B* | 732 |
| Mount Signal Solar* | 1,431 |
| Centinela Solar* | 2,067 |
| Wistaria Ranch Solar* | 2,793 |

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**TABLE 4.9-8
SUMMARY OF SOLAR PROJECTS AND TEMPORARY CONVERSION OF
AGRICULTURAL ACREAGE IN IMPERIAL COUNTY**

| Project Name | Acres |
|---|---------------|
| Lyons Solar* | 138 |
| Rockwood Solar* | 396 |
| Ferrell Solar* | 367 |
| Iris Solar Farm* | 520 |
| Imperial Solar 1 (Heber) | 80 |
| Total Acres Without Proposed Project | 19,287 |
| Seville Solar (Allegretti) | 1,222 |
| Total Acres With Proposed Project | 20,509 |

*Source: ICPDSD 2014a & 2014b. * Denotes cumulative projects identified in Table 3.0-1.*

B. CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cumulative Agricultural Resources Impacts

Impact 4.9.3 Implementation of the proposed Project would incrementally add to the temporary conversion of agricultural land in Imperial County. Temporary impacts to agricultural resources are mitigated on a project-by-project basis through payment of in-lieu fees, conservation easements and/or execution of a Public Benefit Agreement. Therefore, temporary impacts to agricultural resources are considered **less than cumulatively considerable**.

Construction, Operation and Reclamation

Cumulative impacts on agricultural resources take into account the proposed Project's temporary impacts during construction, operation and decommissioning as well as those likely to occur as a result of other large scale proposed, approved and reasonably foreseeable renewable energy projects. To determine cumulative impacts on agricultural resources, the temporal nature of the impacts on individual resources is assessed. Solar developments are considered temporary rather than permanent (such as is the case with residential or industrial development) based on a specified useful life (i.e. 20 years up to 40 years) and the requirement that the lands on which solar farms are located be reclaimed to agriculture. The inventory of agricultural resources within the cumulative setting is also considered when assessing the impacts of each individual project.

Of the 1,235 acres that comprise the solar farm complex site, all of the 1,222 acres farmland (as shown in **Table 4.9-9**) would be temporarily converted during construction; remain as a solar generation facility over the operational life of the Project; and be reclaimed to approximate existing idle farmland at the end of the Project's useful life. Thus, the proposed Project would incrementally add to the temporary conversion of agricultural land in Imperial County during the construction and operation periods of the Project.

According to "Table A-9 - Imperial County 2008-2010 Land Use Conversion" prepared by the DOC, approximately half of the County (539,237 acres out of a total of 1,028,508 acres) is classified as Important Farmland (refer to **Table 4.9-2**, above) (DOC 2012b). **Table 4.9-9** summarizes the percentage of each type of farmland in the County that would be temporarily converted by the proposed Project.

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**TABLE 4.9-9
PERCENTAGE TEMPORARY CONVERSION OF FARMLAND BY THE PROPOSED PROJECT**

| Agriculture Classification* | (A) Total Acreage in Imperial County | (B) Approximate Acreage Temporarily Converted on the Solar Farm Complex Site | (B÷A x 100) Project Percent of County Acreages |
|----------------------------------|--|--|---|
| Prime Farmland | 194,137 | 651 | 0.33 |
| Farmland of Local Importance | 35,774 | 352 | 0.98 |
| Farmland of Statewide Importance | 307,221 | 219 | 0.07 |
| Unique Farmland | 2,141 | -- | 0.00 |
| Total | 539,273 | 1,222 | 0.22 |

Source: EGI 2014.

*Note: Does not include the Category "Other". Approximately 9.8 acres of other land and 6.2 acres devoted to IID transmission line and the new access road.

As shown in **Table 4.9-9**, the Important Farmland (Prime Farmland, Farmland of Local Importance and Farmland of Statewide Importance) within the solar farm complex site comprises approximately 0.22 percent (1,222 acres ÷ 539,273 acres x 100) of the total Important Farmlands in the County. Thus, the proposed Project would temporarily convert a very small fraction of the total Important Farmlands in the County and have a minimal effect on agricultural land on a cumulative scale. Furthermore, the conversion would be temporary and last for the duration the Project's useful life (i.e. approximately 20 to 25 years).

"Table A-9 - Imperial County 2008-2010 Land Use Conversion", also identified a net loss of 1,668 acres of Important Farmland in Imperial County from 2008-2010 (refer to **Table 4.9-2**, above) (DOC 2012b). Farmland conversions occurred for a variety of reasons including construction of homes, a school, and a water control structure; fallowing of land; farmsteads; expansion of a fish farm; agricultural equipment areas; wetland areas; confined livestock; and disturbed areas (DOC 2012c).

Table 3.0-1, large scale proposed, approved and reasonably foreseeable renewable energy, (refer to Chapter 3.0) identifies solar developments, similar to the proposed Project, for consideration in the cumulative analysis. The majority of these projects are located on private lands, which are predominately agricultural, and would have agricultural impacts similar to the proposed Project. The impacts of these individual projects include the temporary conversion of Important Farmland, and, in some cases, conflicts with Williamson Act Contracts.

As illustrated in **Table 4.9-9** and discussed in Impact 4.9.1, above, construction of the proposed Project would temporarily convert 651 acres of Prime Farmland, 219 acres of Farmland of Statewide Importance and 352 acres of Farmland of Local Importance to a non-agricultural use over the useful life of the Project. Mitigation measures are identified to minimize the Project's contribution to the cumulative impact to the temporary conversion of agricultural land. Mitigation measure MM 4.9.1a, Option 1 would require the Applicant to conserve Important Farmland through a conservation easement (on a 1 to 1 basis for Non-Prime Farmland and a 2 to 1 basis for Prime Farmland) on land of equal size, of equal quality farmland, outside the path of development; or, Option 2 would require the Applicant to pay an "Agricultural In-Lieu Fee"; or, Option 3 would allow the Permittee and the County to voluntarily enter into a Public Benefit Agreement. Another option, which applies only to Prime Farmland (Option 4), would require the Permittee to revise the project CUP Application/Site Plan to avoid Prime Farmland. Mitigation measure MM 4.9.1b would require the Applicant to submit to Imperial County a Reclamation

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Plan to return the solar farm complex site to its current agricultural condition of idle farmland at the end of the useful life of the Project. The implementation of the Reclamation Plan would eventually return the solar farm complex site to approximate the existing idle farmland condition. Therefore, the incremental impact of the temporary conversion of 1,222 acres of farmland would be mitigated to **less than cumulatively considerable** through implementation of mitigation measures MM 4.9.1a and MM 4.9.1b.

When the proposed Project is combined with the cumulative projects (identified in Table 3.0-1 and noted as part of the County-wide solar projects listed in **Table 4.9-8**), the total agricultural land conversion is estimated to be 20,509 acres (inclusive of all Important Farmland acreage). During construction and operation, the proposed Project would contribute approximately 5.9 percent ($1,222 \text{ acres} \div 20,509 \text{ acres} \times 100$) of the total temporary agricultural land conversion associated with cumulative solar projects on a County-wide basis. The cumulative projects combined would contribute to the mostly temporary conversion of approximately 3.8 percent ($20,509 \text{ acres} \div 539,273 \text{ acres} \times 100$) of the farmland in Imperial County. With the implementation of mitigation measure MM 4.9.1a Options 1, 2 or 3 for Prime Farmland or Non-Prime Farmland (and Option 4 for Prime Farmland); and mitigation measure MM 4.9.1b (which requires preparation of a reclamation plan), the Project's contribution to temporary conversion of agricultural land impacts would be **less than cumulatively considerable**. Likewise, each individual cumulative project would be required to provide mitigation for any impacts to agricultural resources.

In order to address the increased demand for solar facilities, Imperial County has developed the following measures to apply to all new proposed solar projects, as described in the Staff Memorandum dated September 2, 2011:

- 1) Preservation of Comparable Agricultural Lands. Each solar project is required to procure agricultural conservation easements or pay an "Agricultural In-Lieu Mitigation Fee" that would result in the conservation of farmland of comparable quality and classification as would be temporarily removed from agricultural use by the solar facility. A solar project may satisfy the in-lieu fee requirement by executing a Public Benefit Agreement with the County.
- 2) Reclamation Plan. Each solar project is required to prepare a site reclamation plan that demonstrates that the project site will be returned to its current agricultural condition when the solar facility is decommissioned. The typical length of operation of the solar facilities is anticipated to range from 30 to 50 years. The project applicant must also provide financial assurances in the amount equal to the cost estimate for the reclamation in order to ensure that funds will be available to implement the reclamation plan.

Compliance with the requirements for each solar project to preserve comparable agricultural lands and to provide a detailed reclamation plan, including bonding or financial assurances, would reduce each project's contribution to cumulative agricultural impacts, including the temporary conversion of important farmland, to **less than cumulatively considerable** by ensuring that comparable farmland is preserved and/or that the land is returned to an agricultural condition when each project ceases to operate, approximately 20 years (or up to 40 years) in the future.

Mitigation Measures

Mitigation measures will be imposed on the Project to minimize the Project's contribution to the cumulative impact to agricultural resources. Mitigation measure MM 4.9.1a provides three options by which the Applicant may mitigate impacts resulting from the temporary conversion of agricultural land for Non-Prime and Prime Farmland and an additional fourth option (exclusion of Prime Farmland acreage) for Prime Farmland. Mitigation measure MM 4.9.1a would require the Applicant to: conserve

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Important Farmland of like quantity and quality (on a 1 to 1 basis for Non-Prime and 2 to 1 basis for Prime) through a conservation easement (Option 1); or, pay an in-lieu fee based on a formula (Option 2); or voluntarily enter a Public Benefit Agreement (Option 3), as compensation for the temporary loss of the agricultural resources. A fourth option for Prime Farmland (Option 4) would require the Permittee to avoid Prime Farmland.

Mitigation measure MM 4.9.1b requires preparation of a reclamation plan to be implemented at the end of the Project's useful life. The reclamation plan would identify the process by which the solar farm complex site would be returned to a condition that could support agricultural production similar to the pre-Project conditions. Implementation of the reclamation plan would eventually return the solar farm complex site to approximate the existing idle farmland condition.

Mitigation measure MM 4.9.2 requires that potential weed and pest issues are managed to avoid creating a nuisance to neighboring lands.

Implementation of mitigation measures MM 4.9.1a, MM 4.9.1b and MM 4.9.2 would reduce the Project's contribution to temporary cumulative agricultural impacts during construction and operation to a **less than cumulatively considerable** level.

Significance After Mitigation

Implementation of mitigation measures MM 4.9.1a and MM 4.9.1b would reduce the Project's contribution to cumulative temporary conversion of agricultural land to less than cumulatively considerable. Mitigation measure MM 4.9.2 would ensure that potential weed and pest issues are managed so that the Project is not a nuisance to neighboring lands. Following implementation of these measures, the proposed Project would not result in any residual impacts to agricultural resources that would otherwise be cumulatively considerable.

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