

4.2 AGRICULTURAL RESOURCES

This section describes the existing agricultural resources of the Project Site and vicinity and evaluates the potential individual and cumulative impacts related to agricultural resources from implementation of the proposed Project.

Data collection was conducted through review of the following resources: soils and farmland classifications by the United States Department of Agriculture's (USDA) National Resource Conservation Services (NRCS) Web Soil Survey; the California Farmland Conservancy Program; the Land Conservation Act of 1965 (the Williamson Act) contracts; and farmland classifications from the California Department of Conservation (DOC) Farmland Monitoring and Mapping Program (FMMP). It also includes information from both the San Benito County 1985 General Plan and the San Benito County Public Review Draft 2035 General Plan Update; aerial photography; and Project application and related materials. The California Land Evaluation and Site Assessment (LESA) Model was also used to evaluate the quality of land being offered for off-site agricultural preservation uses. This section also draws on information prepared for the 2003 San Juan Oak Golf Club General Plan Amendment/Zone Change/Vesting Tentative Subdivision Map EIR (2003 EIR) and associated technical study titled "Soils and Prime Farmland Analysis" (1993) by Questa Engineering Corporation, including summaries from interviews with local agricultural land owners and land managers. The study area is defined as the approximately 1,994-acre Project Site and nearby agricultural parcels. The current condition and quality of these agricultural resources, as well as current and historical practices were used as the baseline, as appropriate, against which to compare potential impacts of the proposed Project.

4.2.1 Setting

This section discusses the existing conditions pertaining to agricultural resources within the Project Site and vicinity.

a. Regional Agricultural Resources. The San Benito River Valley supports some of the most productive farmland in the State. Agriculture makes a substantial contribution to the County economy and accounts for the vast majority of the privately-owned land in the County. The principal crops are fruits and nuts, vegetables and other row crops, and small grains. The County lands also support the livestock industry, namely beef cattle and sheep. By acreage, pasture and rangeland comprises the majority of agricultural land (at approximately 508,000 acres).

The County's gross agricultural production in 2012 totaled approximately \$297.8 million (County of San Benito, Crop Report, 2013). The highest grossing agricultural commodity was vegetable and row crops, representing 70 percent of total agricultural sales, followed by fruit and nut crops (14%), field crops (7%), cattle (<0.1%), and other livestock and poultry products (0.1%).

The California Department of Conservation (DOC) identifies and designates important farmlands throughout the State as part of its Farmland Mapping and Monitoring Program (FMMP). The FMMP rating system classifies farmland, as described more fully in the



Regulatory Setting discussed below. According to the DOC, approximately 672,370 acres of land in San Benito County were classified as “agricultural land” in 2012 under the DOC/FMMP definition, accounting for approximately 76 percent of land in the County (DOC, 2014). Of this total 672,370 acres of agricultural land in the County, 27,446 acres were classified under the FMMP definition as “Prime Farmland” and 6,359 acres were classified as “Farmland of Statewide Importance.” The remaining acreage was classified primarily as grazing land. The majority of the County’s Prime Farmland is located near developed areas; thus, the most valuable agricultural soils are subject to being affected by the expansion of urban development (San Benito County, 2010). According to the FMMP, a total of approximately 1,100 acres of Important Farmland (Prime Farmland, Farmland of Statewide or Local Importance, and Local Farmland) and non-classified farmland in San Benito County was converted between the years 2010-2012 (DOC, 2014).

b. Agricultural/Urban Interface Issues; Agricultural Resources in the Project Vicinity.

Prime Farmland, Unique Farmland, and Farmland of Local Importance (as defined under the FMMP) are located adjacent to the north and west of the Project Site. Large agricultural parcels abut urban land uses, including residences and industrial development, near the Project Site. Specifically, row crops are grown between the northern boundary of the Project Site and State Route (SR) 156.

Urban development adjacent to agricultural areas has the potential to create a variety of conflicts for both growers and urban uses. Potential agricultural/urban land use conflicts are commonly associated with the following activities:

Potential Concerns for Urban Neighbors

- *Use of pesticides/dust problems in vicinity of residential neighborhoods, particularly near schools.*
- *Odors and health concerns associated with fertilizer/pesticide application and livestock.*
- *Noise related to farming equipment or farm worker activities.*
- *Farm worker parking.*

Potential Concerns for Agricultural Interests

- *Restrictions on activity arising from neighbor concerns/complaints*
- *Loss of revenue and competitiveness*
- *Competition for water and land*
- *Pilferage, trespassing, and littering*
- *Dust from adjacent construction activity*

c. On-Site Agricultural Uses. The Project Site consists primarily of land used for agriculture (both current and historic), which slopes from an elevation of approximately 1,120 feet above mean sea level (msl) in the southeastern portion of the overall site to about 220 msl near the northwest property corner. Vegetation across the Project Site consists primarily of non-native annual grassland, but also includes agricultural fields, woodlands, ruderal lands, and other habitats. Currently, approximately 1,502 acres of the Project Site is used for agricultural activities. This includes approximately 1,131 acres of grazing land (75% of total agricultural



land); approximately 315 acres (21%) of dryland farming; and approximately 56 acres (4%) of row crops, which is limited to an organic olive orchard near Union Road (approximately 13 acres) and row crops east of San Juan Oaks Drive (approximately 43 acres). Since at least the early 1980s (and likely much longer), the areas designated for development as part of the Project that are located within the Project Site have been used for grazing land and dry land farming without irrigation (Google Earth historic aerial photographs and Questa Engineering, 1993). The location of agricultural uses has not substantially changed since the 2003 EIR.

As described more fully in Section 4.9, *Hydrology and Water Quality*, and in Appendix J, *Water Supply Assessment*, agricultural water for the Project Site is supplied from several groundwater wells and the Central Valley Project (CVP) water. The on-site agricultural uses currently have a demand of approximately 100 to 200 acre feet of water annually, depending on crop and climatic conditions (Tully & Young, 2015).

Important Farmland on the Project Site. The Project Site was analyzed using the DOC's FMMP, which identifies Important Farmland (comprising Prime Farmland, Unique Farmland, and Farmland of Statewide Importance) throughout California based on both current use and soil quality. The FMMP rating system classifies farmland according to the criteria described more fully in Section 4.2.1(d) (Regulatory Setting) below.

To classify land as Prime Farmland, the FMMP must determine that it has the best combination of physical and chemical features able to sustain long term agricultural production, with the soil quality, growing season, and moisture supply needed to produce sustained high yields. The FMMP designates Farmland of Statewide Importance as land other than Prime Farmland which has a good combination of physical and chemical characteristics for the production of crops. In order to be classified as Prime Farmland or Farmland of Statewide Importance by the FMMP, land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date (2014). In the case of the Project Site, irrigated land is limited to approximately 43 acres, which consists of the olive orchards and row crops east of San Juan Oaks Drive. The FMMP also designates Unique Farmland as land which has been used for the production of specific high economic value crops at some time in the last four years. Examples include oranges, olives, avocados, rice, grapes, and cut flowers.

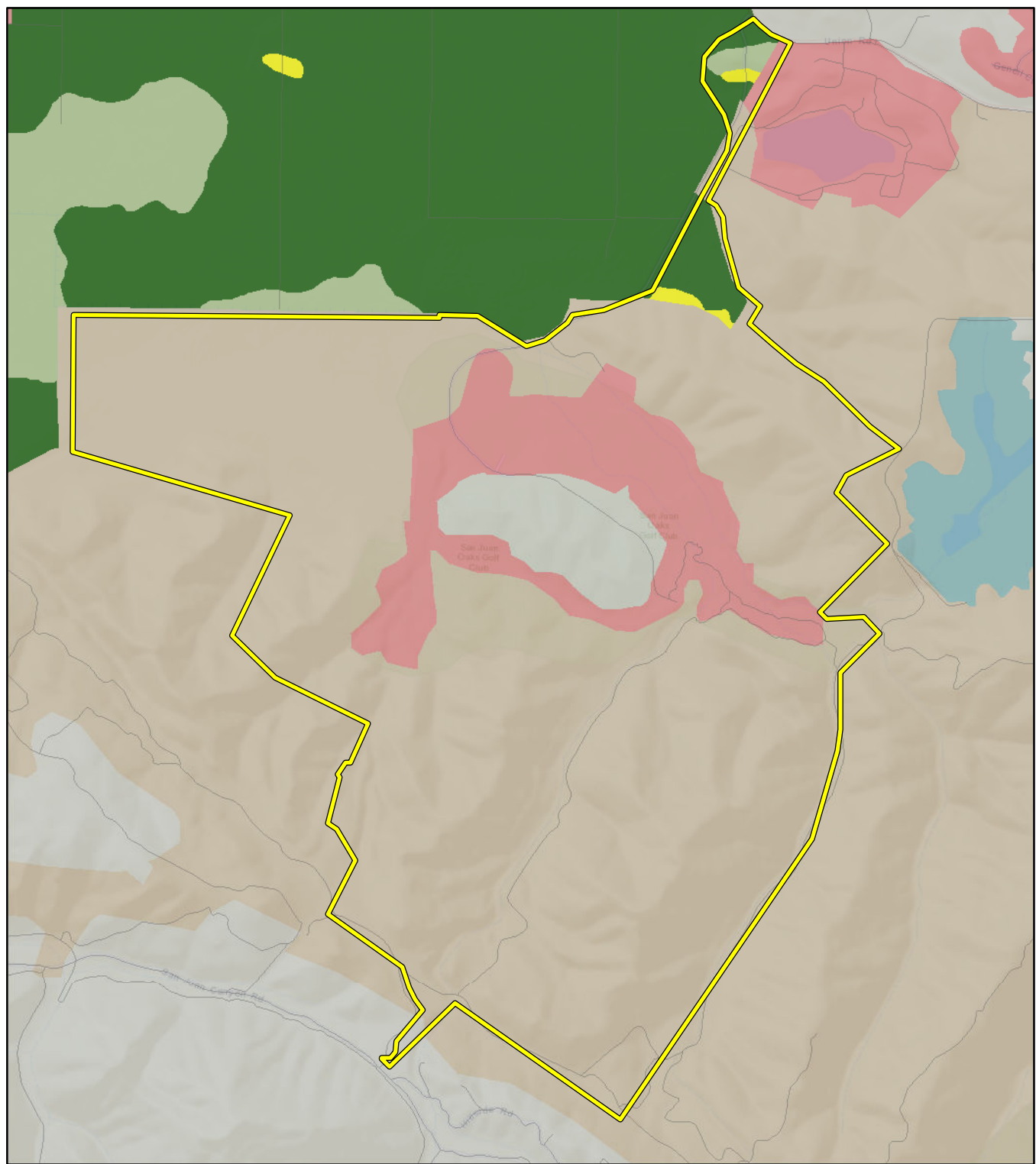
According to the DOC's FMMP's *San Benito County Important Farmland Map* (November 2010), FMMP designated lands are shown in Figure 4.2-1 and their acreages are described in Table 4.2-1. Outside of the Existing Golf Club, which is designated as Urban and Built-Up, over 95% of the Project Site is designated as Grazing Land by the FMMP.

Table 4.2-1
FMMP Designations on the Project Site

Soil Type	Approx. Acreage
Prime Farmland	35
Farmland of Statewide Importance	7
Unique Farmland	6
Grazing Land	1563
Urban and Built-up Land	256
Other Land	94

Source: County of San Benito, FMMP Data, 2010.





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FMMP data provided by County of San Benito, 2010.

- | | |
|----------------------------------|-------------------------|
| Project Site Boundary | Grazing Land |
| FMMP | Urban and Built-Up Land |
| Prime Farmland | Other Land |
| Farmland of Statewide Importance | Water |
| Unique Farmland | |

0 1,050 2,100
Feet



FMMP-Designated Farmland

Figure 4.2-1

Figure 4.2-2 includes numbered areas that illustrate the location of existing agricultural uses within the Project Site. To provide context in which to better understand the existing setting of the Project Site, the following information is being provided regarding the proposed land uses on the Project Site, excluding the area of the Existing Golf Club (see also Figure 4.2-3) (Whitson Engineers, personal communication and documents, 2014).

- Area 1 This area is currently an approximately 13-acre olive tree orchard. The orchard is split by the Project Site's entrance road, with roughly half on each side of the existing road. It is irrigated primarily with groundwater, but can be irrigated with CVP water. It is designated as Unique Farmland under the FMMP. Under the proposed Project, this area would be permanently preserved for agricultural uses through an agricultural easement and would be expected to remain in production, as described in the Specific Plan, although it would also be classified as a public park and used for passive recreational purposes.
- Area 2 This area (approximately 11 acres) is used for row crops, and surrounds the western portion of the organic olive tree orchard (Area 1). This area is designated as Prime Farmland and Farmland of Statewide Importance under the FMMP. This area would continue to be farmed as row crops and this use would not be modified by the proposed Project. This area is irrigated with groundwater. Under the proposed Project, the entirety of this area (spread over two parcels) would remain in agricultural production.
- Area 3 This area (approximately 32 acres) is used primarily for row crops. It is generally irrigated with groundwater and has CVP water availability. It is designated as Prime Farmland under the FMMP. Additionally, approximately four acres of this area would be built as a public park as part of the Project (including various improvements such as a community garden, dog park, and supporting facilities). The remainder of this area would continue to be available for agricultural purposes, and such use would be permanently preserved through an agricultural easement.
- Area 4 This area (approximately six acres) is used for rangeland/dryland farming, and is adjacent to the existing San Juan Oaks golf course maintenance facility. It is not irrigated, and it generally has been left in its native state or at times dryland farmed for hay, with minimal success. This area is not fenced for cattle and the road to the maintenance facility goes through this area. It is designated as Grazing Land under the FMMP. This area would be developed with urban uses as part of the proposed Project.
- Area 5 This area (approximately 309 acres) is used for rangeland/dryland farming. The site is not irrigated (and has not been irrigated for over 20 years). There are no active wells but it does have CVP water availability. This area has generally been used for cattle grazing and dryland farming for hay. This area is designated as "Grazing Land" under the FMMP. Implementation of the proposed Project would result in the urban development of all of Area 5, except for a small portion (approximately 0.2 acre) which would remain in rangeland. Adjacent to the far



northwest corner of Area 5, there is a small wetland area (approximately 0.4 acre) that is fenced to keep cattle out of the wetland. The small 0.4-acre wetland would remain undeveloped.

Area 6 This area (approximately 1,131 acres) is used for rangeland, and is located on the north and south sides of the Existing San Juan Golf Club. It is not irrigated and has no source of irrigation. It is used for cattle grazing. It is designated as Grazing Land under the FMMP. This rangeland consists of low lying hills to steep topography. Implementation of the proposed Project would increase the size of this area to approximately 1,188 acres (by changing the parcel lines). This enlarged area (approximately 1,188 acres) would be permanently preserved as part of a wildlife preserve easement (and available for rangeland use to allow for cattle grazing, subject to resource agency approval) with development of the proposed Project. On a small portion of this area, a water storage tank would also be located.

Prime Farmland and Storie Index Soils on the Project Site. In addition to the FMMP's mapping of Important Farmland, two other State and Federal classification systems exist for the productivity of agricultural lands in California, namely: the Natural Resource Conservation Service's farmland classifications and the California Storie Index. Following is a description of each method of classification as well as a description of how each of these classifications applies to the soils within the Project Site.

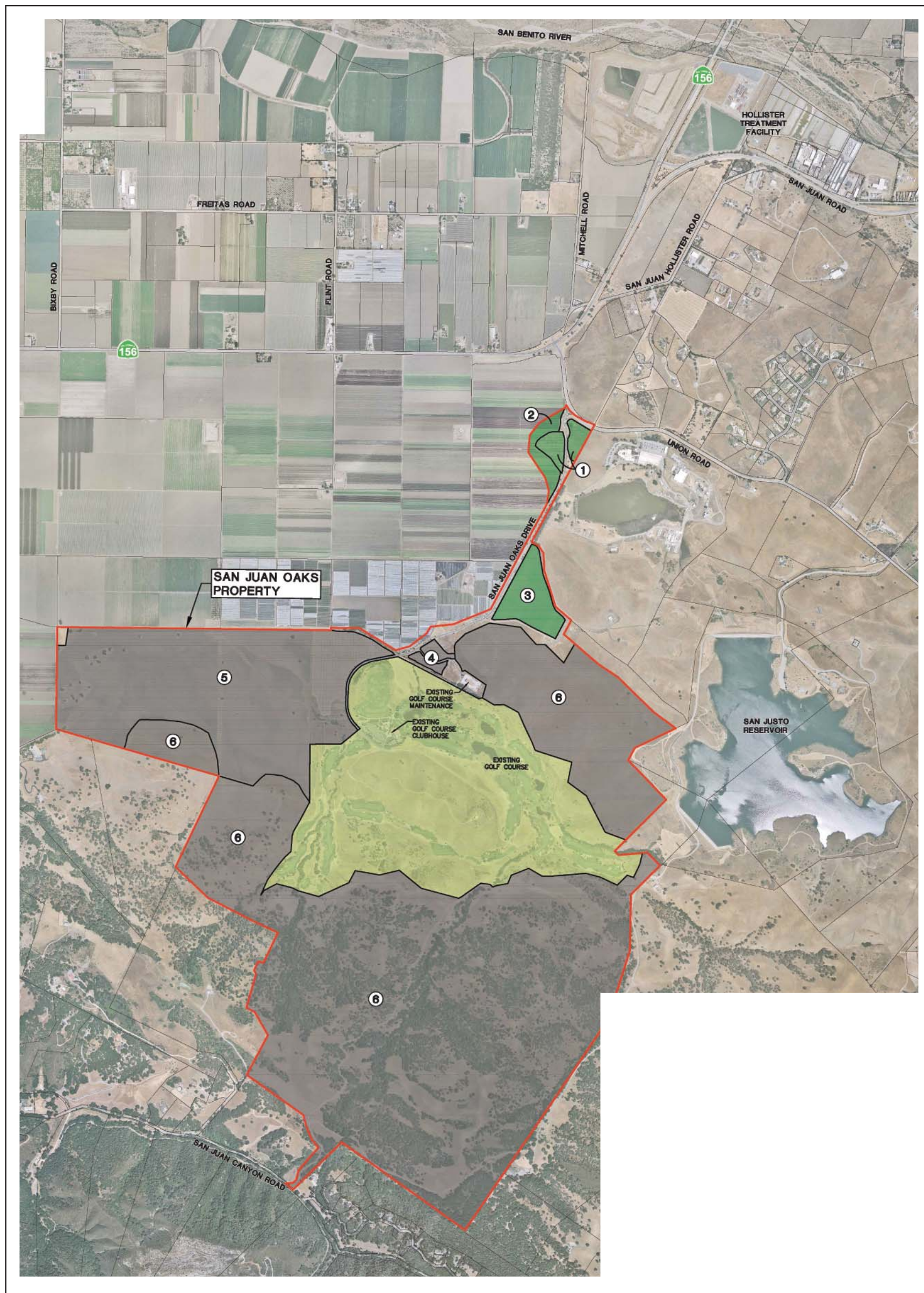
Natural Resource Conservation Service Farmland Designation. The U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) farmland classification identifies mapped soil types as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. In the NRCS classification system, prime farmland is defined as farmland meeting either the State definition of prime agricultural land (per California Government Code Section 51201, which includes Capability Class 1 or 2 and California Revised Storie Index of Grade One, among other variables) or the federal definition of prime farmland [per CFR Section 657.5(a)(1)]. According to the federal definition in the Code of Federal Regulations Title 7 (Agriculture) Section 657.5(a)(1), prime farmland has "the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses."

Capability Classes provide insight into the suitability of a soil for field crop uses based on factors that include texture, erosion, wetness, permeability, and fertility.¹ Specifically, the Capability Classification System categorizes soils from Class I to Class VIII based on their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time (i.e., Class I soils have few limitations for agriculture; in comparison, Class VIII soils are unsuitable for agriculture).²

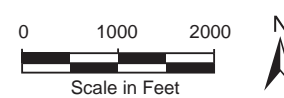
¹ As defined in Government Code Section 51201 (California Land Conservation Act of 1965), Capability Class 1 and Class 2 soils qualify as prime soils for purposes of Williamson Act eligibility.

² Natural Resources Conservation Service, <http://soils.usda.gov/technical/handbook/contents/part622.html>, accessed in July 2014.

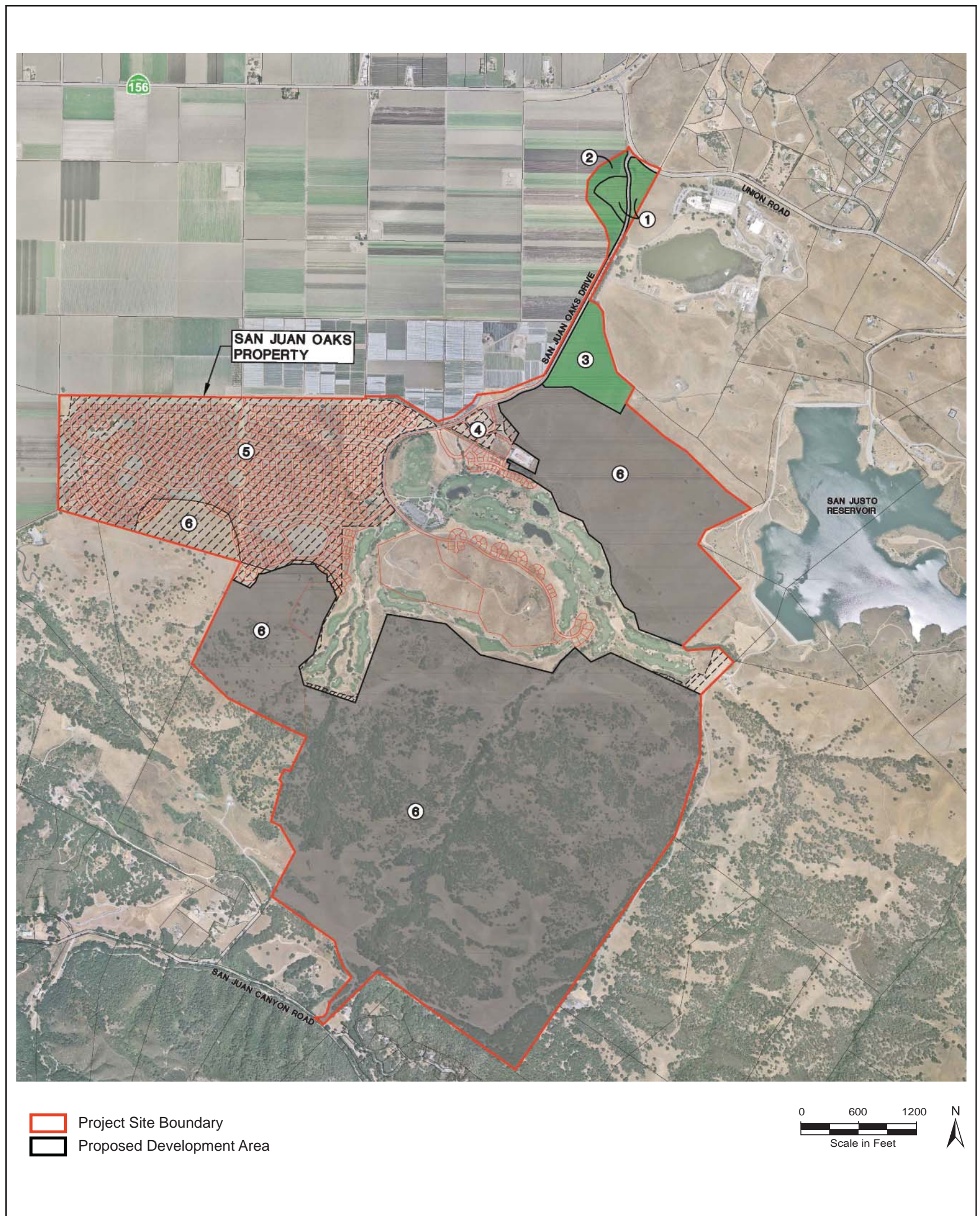




- Project Site Boundary
- Proposed Development Area



Existing On-Site Agricultural Uses



Based on the Capability Class of the soil and other factors described above, the NRCS then identifies mapped soil types as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland.

Storie Index Ratings. The Storie Index is a soil rating based on soil properties that govern a soil's potential for cultivated agriculture in California. The Storie Index assesses the productivity of a soil from the following four characteristics:

- 1) Factor A – degree of soil profile development;
- 2) Factor B -- texture of the surface layer;
- 3) Factor C – slope; and
- 4) Factor X – manageable features, including drainage, micro relief, fertility, acidity, erosion, and salt content.

As defined in Government Code Section 51201 (California Land Conservation Act of 1965), soils with a Storie Index from 80 to 100 qualify as prime farmland. Under the California Revised Storie Index, this translates to a Grade 1 (excellent) index rating.

The County's current adopted General Plan (1985) relies on the Storie Index to help categorize the agricultural resources within San Benito County as follows, and the General Plan's goals, objectives and policies related to agricultural land are further discussed under the regulatory setting section below.³ Specifically as these relate to the Storie Index, the Open Space and Conservation Element of San Benito County's General Plan states, "The County has recognized soils with a Storie Index rating of 80 or better (Grade 1) in the Soils Survey of San Benito County, California as the highest priority for protection." The County's Land Use Element, Policy 3, states, "Grade 1 soils as defined in the Soils Survey of San Benito County shall be the highest priority for protection of soils resources." The Policy further states that development projects on "Grade 1 soils in the Soils Survey of San Benito County that do not have a historical agricultural use" will be exempt from Policy 3."

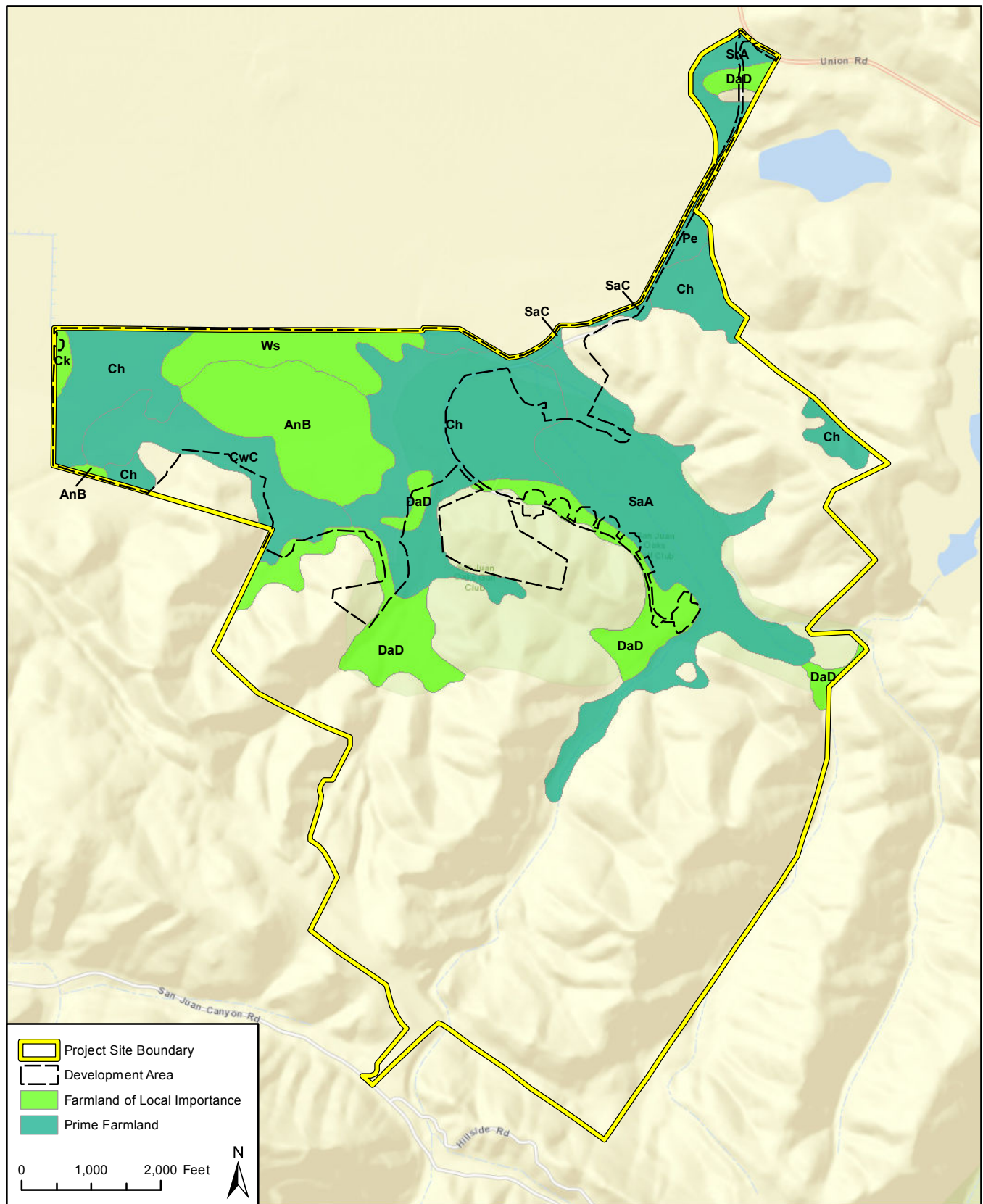
Table 4.2-2 shows the NRCS farmland designation, Capability Class, and Storie Index rating for soil types on the Project Site. Figure 4.2-4 shows the location of NRCS-designated prime farmland and farmland of local importance on the Project Site.

A total of 20 soil map units occur on the Project Site. If irrigated, six of these units (approximately 491 acres, or approximately 25% of the Project Site) would be defined by the NRCS as prime farmland; and four units (approximately 242 acres, or approximately 12% of the Project Site) would be classified as farmland of statewide importance by the NRCS. Because the status of these soils is non-irrigated (which has been the case for at least 35 years), none of the 20 soils map units would be designated as prime farmland according to the NRCS. Approximately 193 acres of soils on the Project Site have a Storie Index rating of 80 or above, which the County's current adopted Open Space and Conservation Element recognizes as the highest priority for protection.⁴ However, only approximately 28 acres of these 193 acres are proposed for development. The other ten soil types on the Project Site are not considered prime farmland or farmland of statewide importance and are scattered throughout the site in a mosaic pattern.

³ The draft 2035 General Plan Update does not reference the Storie Index.

⁴ The draft 2035 General Plan Update does not reference the Storie Index.





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 Soils by the NRCS.

NRCS-Designated Prime Farmland and
 Farmland of Statewide Importance on the Project Site Figure 4.2-4

**Table 4.2-2
 NRCS-Designated Prime Farmland and Farmland of Statewide Importance on the
 Project Site**

Soil Type	Storie Index Rating	Capability Class*		On-Site Acreage (approx.)	Acres Proposed for Development (approx.)
		Irrigated	Non-Irrigated		
Prime Farmland (If Irrigated)					
Clear Lake Clay (Ch)	30	2s	3s	229	134
Cropley Clay, 2-9% Slopes (CwC)	50	2e	3e	62	54
Pacheco Silty Clay (Pe)	30	2w	3w	7	2
Salinas Clay Loam, 0-2% Slopes (SaA)	90	1	3c	162	22
Salinas Clay Loam, 2-9% Slopes (SaC)	90	2e	3e	12	3
Sorrento Silty Clay Loam, 0-2% Slopes (SrA)	90	1	3c	19	3
SUBTOTAL	--	--		491	218
Farmland of Statewide Importance					
Antioch Loam, 2-5% Slopes (AnB)	60	3e	3e	87	87
Clear Lake Clay, Saline (Ck)	15	3w	3w	5	5
Diablo Clay, 9-15% Slopes (DaD)	30	3e	4e	107	20
Willows Sandy Loam (Ws)	30	3w	3w	44	44
SUBTOTAL	--	--		242	156
TOTAL	--	--		733	374

Source: U.S. Department of Agriculture Soil Survey Northern Web Soil Survey, 2013.
<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

The only currently irrigated areas on the Project Site are Areas 1-3 as shown in Figure 4.2-2. These areas contain Clear Lake Clay (Ch), Diablo Clay (DaD), and Sorrento Silty Clay Loam (SrA) soils. The NRCS designates both Clear Lake Clay (Ch) and Sorrento Silty Clay Loam (SrA) as prime farmland if irrigated. Of the 193 acres that have a Storie Index rating of 90 (the two Salinas Clay Loam and the Sorrento Silty Clay Loam soils), only approximately 28 acres are proposed for development. None of the soils on the Project Site are designated as prime soils using the NRCS system for non-irrigated soils.

Soil Survey of the Project Site. As part of the environmental analysis for the 2003 San Juan Oaks Golf Club General Plan Amendment/Zone Change/Vesting Tentative Subdivision Map EIR (2003 EIR), which was adopted by San Benito County and serves as the basis for this SEIR to the extent appropriate, a detailed soil survey of the Project Site was completed by a soil scientist and a certified professional soil classifier from Questa Engineering. Questa Engineering's survey included refining USDA Soils Conservation Service (SCS) San Benito County Soil Survey (1969), taking soil samples for laboratory analysis and mapping and describing their results. While standards and methods for rating and analyzing soils have evolved since the 1969 SCS survey and Questa Engineering's analysis, a contextual understanding of historic farming practices on the Project Site based on interviews with farmers provides a more informed understanding as to why the majority of Project Site has not been actively farmed as row crops (or similar methods) using irrigation and has remained largely as grazing land. As stated in their report from April 1993 (page 3):



“Several farmers who have farmed or managed portions of the Silver Creek Ranch [former name of San Juan Oaks] were contacted and interviewed regarding the cropping history and their farming experience with portions of the Ranch. All interviewed commented on the difficulty of profitability [*sic*] growing field crops in the small narrow valleys of the upper Ranch. In many cases, either sufficient crop was not produced, was of such poor quality so as to not justify harvesting, or the yields obtained after harvesting did not off-set operating costs.

Land slope, and the small size and awkward configuration of the upper portions of the valleys, which make irrigation and cultivation very difficult, also are important in considering how realistic farming is of these areas. Local micro-climatic effects, including shortened day-length from shadowing by the adjacent hill slopes, and possibly cold-air drainage problems may also contribute to diminished yields and lesser quality produce for the valley farmland areas.

These problems are of sufficient magnitude that despite the expense incurred in stream relocation and land improvement, the unsuccessful history of cropping of the late 1970s and early 1980s has shown the local farm managers that field and row crops cannot be profitably grown in the valley portions of the ranch. Thus, since the early 1980s and continuing until today, the golf course project land, and the property surrounding the proposed golf course has been used for dry land farming, irrigated pasture and grazing. While these factors are generally not considered in the various definitions of prime farmland, all are important considerations with respect to farm management.”

e. Regulatory Setting. This section summarizes existing federal, state and local laws, regulations and policies that apply to the evaluation of impacts to agricultural resources. As described above and more fully below, there are a variety of ways to define and classify agricultural land based on the statute, regulation or policy.

Federal.

U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Farmland Designation. The U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) classifies farmland based on the location and quality of soils. According to the federal definition in the Code of Federal Regulations Title 7 (Agriculture) Section 657.5(a)(1), Prime Farmland is “land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses.” The NRCS uses the following classifications for agricultural land: Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Unique Farmland, and Not Prime Farmland.

Farm Bill Conservation Programs. The Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) designated funding for NRCS farmland conservation programs, including the Farm and Ranch Lands Protection Program, Wetland Reserve Program, Grassland Reserve Program, Conservation of Private Grazing Land Program, Conservation Reserve Program, Conservation Stewardship Program (CSP), Environmental Quality Incentives Program (EQIP), Agricultural Water Enhancement Program (AWEP), and Wildlife Habitat Incentives Program.



State.

Williamson Act. Agricultural preserve contracts are executed through procedures enabled by the California Land Conservation Act of 1965, also known as the Williamson Act. A contract may be entered into for property with agricultural, recreational and open space uses in return for decreased property taxes. The County Agricultural Preserve Rules of Procedure require certain minimum parcel sizes and land use restrictions applicable to agricultural preserve lands under their respective contracts. The minimum length of Williamson Act contracts is ten years. Because the contract term automatically renews on each anniversary date (unless certain steps are taken), the actual contract length is essentially indefinite. To be eligible for Williamson Act designation, a minimum 100 acres of non-prime land is typically required and that land must be used to produce an agricultural commodity that is plant or animal and is produced in California for commercial purposes.

As shown in Figure 4.2-5 and described above, the Project Site is not located on land under Land Conservation Act (Williamson Act) contract. Grazing land adjacent to the west and east of the Project Site is under Williamson Act contract.

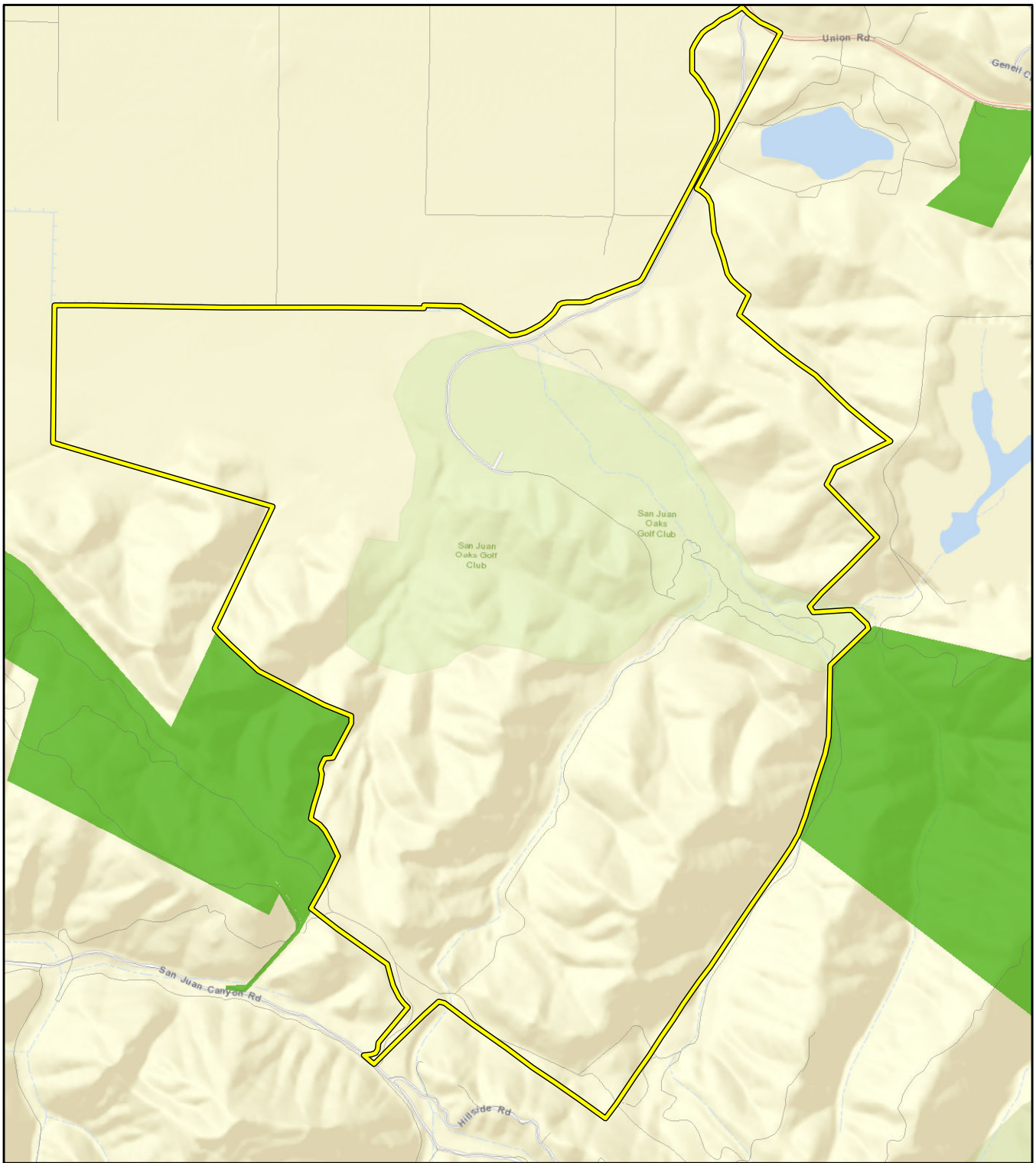
Farmland Mapping and Monitoring Program. Within the California Natural Resources Agency, the State Department of Conservation (DOC) provides services and information that promote informed land-use decisions and sound management of the state's natural resources. As noted above, the DOC manages the Farmland Mapping and Monitoring Program (FMMP), which supports agriculture throughout California by developing maps and statistical data for analyzing land use impacts to farmland.

The developed maps are called the Important Farmlands Inventory (IFI). The IFI categorizes land based on the productive capabilities of the land. There are many factors that determine the agricultural value of land, including the suitability of soils for agricultural use, whether soils are irrigated, the depth of soil, water-holding capacity, and physical and chemical characteristics. To categorize soil capabilities under the FMMP, two soil classification systems are used: the Capability Classification System and the Storie Index (which takes into account other factors as well, such as slope and texture). The FMMP data is updated every two years.



FMMP rates the production potential of agricultural land according to the following classifications:

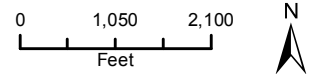
- ***Prime Farmland.*** Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. These are Class I and Class II soils.
- ***Farmland of Statewide Importance.*** Farmland 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.





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Williamson Act data provided by County of San Benito, 2013.

-  Project Site Boundary
-  Williamson Act Lands



Williamson Act Lands

Figure 4.2-5



- **Unique Farmland.** Farmland 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.
- **Farmland of Local Importance.** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
- **Grazing Land.** Land on which the existing vegetation is suited to the grazing of livestock.
- **Urban and Built-Up Land.** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Other Land.** 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 than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.
- **Water.** This is used to describe perennial water bodies with an extent of at least 40 acres.

California Government Code Section 56064. This section of the Government Code defines "Prime agricultural land" in a different way, as follows:

"Prime agricultural land means an area of land, whether a single parcel or contiguous parcels, which has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
- Land that qualifies for rating 80 through 100 Storie Index Rating.
- Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.



- Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.”

Local Regulations and Policies.

San Benito County Local Agency Formation Commission. Although San Benito County Local Agency Formation Commission (LAFCO) approval is not required for the Project as a whole (i.e., in terms of annexation), LAFCO is generally responsible for coordinating orderly growth via jurisdictional boundaries, including annexations and approval of out of area service agreements. State law requires LAFCOs to consider agricultural land and open space preservation in all decisions related to expansion of urban development for projects before it for approval. LAFCO’s definition of Prime agricultural land refers to California Government Code section 56064, which is described above.

Current Adopted San Benito County General Plan. The County’s existing 1985 General Plan, as set forth in its Land Use Element (1992) and Open Space and Conservation Element (1995), includes numerous policies that are relevant to agricultural resources.

Land Use Element:

- | | |
|---------------------|--|
| <i>Goal 1</i> | <i>To maintain the County’s rural atmosphere</i> |
| <i>Objective a)</i> | <i>To protect prime agricultural areas in order to preserve them for the present and future agricultural production vital to the County.</i> |
| <i>Objective b)</i> | <i>To direct future County growth to areas which are neither environmentally sensitive nor of substantial agricultural importance.</i> |
| <i>Objective c)</i> | <i>To protect hillsides and grazing lands with grades over 40%</i> |
| <i>Objective d)</i> | <i>To utilize agricultural and open space lands to help define urban and rural residential areas.</i> |
| <i>Policy 3</i> | <i>[Storie Index] Grade 1 soils as defined in the Soils Survey of San Benito County shall be the highest priority for protection of soils resources.</i> |
| <i>Policy 4</i> | <i>Development proposals adjacent to Grade 1 agricultural lands and soils suitable for the production of row crops, flowers, or orchards shall be required to mitigate potential land use conflicts with agricultural operations.</i> |
| <i>Policy 7</i> | <i>It is the policy of the County to consider Transfer of Development credits (TDC) programs, land trusts, and purchase of development credits (PDC) programs to provide financial incentives to protect and preserve agricultural soil resources and to protect the integrity of important agricultural areas for future use.</i> |



Open Space and Conservation Element

Legislative Intent: Conservation Element, Category 2: Important Agricultural Lands

The second category is that of lowland soils. The soil associations shown as groups A, B, and C in Table 7 of the Resource Inventory make up the most productive lands within San Benito County and are illustrated on Figure 4. The County has recognized soils with a Storie Index rating of 80 or better (Grade 1) in the Soils Survey of San Benito County, California as the highest priority for protection. These soil types are listed in Table 8 and the general location of occurrence is illustrated on Figure 6 of the Resource and Constraints Inventory. Therefore, in keeping with Government Code, Section 65561, these farmlands have been included to fulfill the State requirement that the preservation of open space is necessary for the production of food and fiber (Government Code 65560(b)(2)).

- Goal 2 To encourage the orderly development of identified concentrations within the County, utilizing the infilling of existing developed areas and communities, along with an orderly and efficient development plan for public and private services (water and sewer districts)*
- Objective 3) Establish policies and programs to limit development on lands that are environmentally sensitive, environmentally hazardous, or of substantial future agricultural or mineral importance.*
- Policy 18 Protect rural atmosphere and natural resources. General Plan Amendments, Specific Plans, Area Plans, and Area of Special Study that result in a net increase in general plan buildout (Table 1 of the Land Use Element), shall include methods to conserve open space for natural resources including agriculture, wildlife habitat, and water (e.g. conservation easements and/or other similar resource protection measures). Proposed development areas shall also include measures to protect resources on-site and contiguous to the project with the use of clustering, conservation easements, and other similar programs.*
- Policy 23 Avoid land use conflicts. The County policy should be to assign compatible land uses adjacent to agricultural lands and selected mineral resource lands to ensure their protection. The County should encourage the use of the Williamson Act, as well as agricultural zoning and other legislative means to preserve large agricultural open space areas.*
- Goal 4 To preserve large forms of open space areas, such as agricultural land and outdoor recreation areas, in order to serve as a means of delineating the urban/rural boundary.*
- Objective 1) To establish agricultural areas through a combination of the Williamson Act [and] through the use of County agricultural and zoning districts.*
- Goal 5 To protect and preserve the agricultural identity of the County.*



- Policy 25* Legislative methods to protect agricultural and rural identity. It is the County's policy to use the Williamson Act, agricultural zoning and legislative means, where appropriate, to preserve agricultural resources, maintain a rural identity, and to define and shape the urban form. Residential growth should be directed to where services are already provided and to the least productive agricultural lands.
- Goal 6* Agricultural Resources: To continue agriculture as an industry in the County and to preserve present agricultural resources for future generations.
- Policy 28* Maintain viable sizes for agriculture. It shall be the policy of the County to assure that units of land which are suitable for agricultural purposes are maintained.

Draft 2035 General Plan Update. The proposed (but not yet adopted) Draft 2035 General Plan Update Land Use Element and Natural and Cultural Resources Element provide the following goals, policies and objectives pertaining to agricultural resources. Because the Draft 2035 General Plan Update has not yet been adopted by the Board of Supervisors, these policies are included for informational purposes only.

Land Use Element:

- Goal LU-1* To maintain San Benito County's rural character and natural beauty while providing areas for needed future growth.
- LU-1.5* Infill Development. The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas. The County shall encourage infill development on vacant and underutilized parcels to maximize the use of land within existing urban areas, minimize the conversion of productive agricultural land and open spaces, and minimize environmental impacts associated with new development as one way to accommodate growth.
- Goal LU-3* To ensure the long-term preservation of the agricultural industry, agricultural support services, and rangeland resources by protecting these areas from incompatible urban uses and allowing farmers to manage their land and operations in an efficient, economically viable manner.
- LU-3.2* Agricultural Integrity and Flexibility. The County shall protect the integrity of existing agricultural resources, and provide for flexibility and economic viability of farming and ranching operations.
- LU-3.8* Urban Residential Buffer Requirement. The County shall encourage the establishment of a buffer, by the residential developer, between new urban density residential development (i.e., greater than two dwelling units per acre) and existing conventional agricultural operations.
- LU-3.9* Right to Farm and Ranch. The County shall protect the rights of operators of productive agricultural properties (as defined in the Glossary) and ranching



properties to commence and continue their agricultural and ranching practices (a “right to farm and ranch”) even though established urban uses in the general area may foster complaints against those agricultural and ranching practices. The “right to farm and ranch” shall encompass the processing of agricultural and ranching products and other activities inherent in the definition of productive agriculture and in ranching activities. The County shall require all parcel maps approved for locations in or adjacent to productive agricultural areas and ranching areas to indicate the “right to farm and ranch” policy. The County shall require the program to be disclosed to buyers of property in San Benito County.

- LU-3.10 *Agricultural Land Mitigation. If new development permanently converts Prime Farmland that is Class 1 soil to non-agricultural uses, the County shall encourage project applicants to preserve an equal number of acres (i.e. a 1:1 ratio) either on- or off-site. An applicant may pay mitigation fees for some or all of that mitigation as agreed in a development agreement.*
- LU-3.14 *Land Trusts and Financial Incentives. The County shall consider land trusts and financial incentives to preserve agricultural soil resources and to protect the integrity of important agricultural areas for future use.*
- Goal LU-4 *To encourage variety in new unincorporated residential development while also providing incentives for clustered residential as a means to protect valuable agricultural and natural resources.*
- LU-4.6 *Clustered Residential Program. The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas.*
- LU-4.8 *Conservation Easements Related to Clustered Residential Development. The County shall encourage new clustered residential development to provide agricultural and/or other appropriate open space easements on farming or open space parcel(s) at the time that the development occurs, or if a multi-phased Planned Development, according to an adopted specific plan.*
- LU-4.9 *Transfer of Development Credit Program. The County shall maintain and implement the voluntary Transfer of Development Credit (TDC) program as an incentive to protect farmland and focus future development away from the most productive farmland.*
- Goal LU-9 *To ensure that planning and development approvals within city fringe areas are coordinated between the County and the Cities in order to ensure future growth in these areas is orderly, efficient, and has sufficient and necessary public facilities and infrastructure.*

Natural and Cultural Resources Element:

- Goal NCR-1 *To preserve and enhance valuable open space lands that provide wildlife habitat and conserve natural and visual resources of San Benito County.*



NCR-1.3 *Open Space Overlay District. The County shall continue to protect and preserve the rural landscape and implement open space policies for: public health, safety, and welfare; continued agricultural uses; scenic viewscape preservation, including scenic highway corridors; park and recreation uses; conservation of significant natural resources; the containment and definition of limits to urbanization; and the preservation of the natural habitat for threatened and/or endangered plant and animal species.*

The consistency of the Project with applicable County General Plan and Draft 2035 General Plan Update goals, policies and objectives pertaining to agricultural resources, including key policies listed above, is evaluated in Section 4.10, *Land Use*. However, as noted above, because the Draft 2035 General Plan Update has not been adopted as of the writing of this SEIR, this consistency analysis is being provided for informational purposes only.

San Benito County Code. The San Benito County Code regulates agricultural resources in Title 19 (Land Use and Environmental Regulations), Chapter 19.01 (Agricultural Provisions), Article I (Agricultural Community Disclosure [Right-To-Farm Ordinance]) and Article II (Agricultural Preserves [Williamson Act Implementing Ordinance]), as well as in Title 25 (“Zoning Ordinance”) provisions related to agriculturally zoned lands.

Right-To-Farm Ordinance. Similar to many other cities and counties in agricultural areas, San Benito County has an adopted Right-To-Farm Ordinance, codified as Title 19 (Land Use and Environmental Regulations), Chapter 19.01 (Agricultural Provisions), Article I (Agricultural Community Disclosure) of the County Code. This Ordinance protects commercial agricultural operations against nuisance lawsuits, and requires disclosure to potential land buyers that agricultural operations are protected from such actions. To resolve potential landowner disputes, the Agricultural Commissioner’s office is to provide non-binding mediation. While the County Right-to-Farm Ordinance specifically applies to commercial agricultural operations within the unincorporated area, all commercial agricultural operations that comply with agricultural standards currently are protected from nuisance claims under State law (Section 3482.5 of the California Civil Code), whether located within cities or unincorporated areas.

Williamson Act Implementing Ordinance. San Benito County’s Williamson Act implementing ordinance is codified as Title 19 (Land Use and Environmental Regulations), Chapter 19.01 (Agricultural Provisions), Article II (Agricultural Preserves) of the County Code. This Ordinance implements the provisions of the Williamson Act’s restrictions applicable to agricultural preserve lands under their respective contracts. The minimum length of Williamson Act contracts is ten years. Because the contract term automatically renews on each anniversary date (unless certain steps are taken), the actual contract length is essentially indefinite. The County’s ordinance requires certain minimum parcel sizes, minimum income generation, and land uses restrictions. Under the County’s ordinance, a preserve must be comprised of a minimum of ten acres of orchards, vineyards or irrigated vegetable and field crops; 40 acres of irrigated pasture or dry-land farmed land; or 160 acres of grazing land; or a combination of actual acreage in any of these categories, provided that the sum equals or exceeds 100% of the required acreage. Also, the preserve must produce a minimum of \$3500 annual gross income from the sale of agricultural commodities for three out of every immediately preceding five consecutive year period. In addition to commercial agricultural operations, the ordinance specifies certain land uses that are deemed to be compatible with agricultural use of the lands subject to the preserves.



Zoning Ordinance. The County has adopted regulations pertaining to agricultural land in its Zoning Ordinance, codified as Title 25 (Zoning) of the County Code. The Zoning Ordinance specifies permitted and conditional uses of agricultural land, and standards applicable specifically to designated agricultural uses, such as building site areas, height limitations, building setbacks, accessory buildings and agricultural employee housing.

4.2.2 Previous Environmental Review

The 2003 *San Juan Oaks Golf Club General Plan Amendment/Zone Change/Vesting Tentative Subdivision Map EIR* (2003 EIR) examined the agricultural resources in the Project region and the potential impacts resulting from development under the San Juan Oaks Golf Club General Plan Amendment/Zone Change/Vesting Tentative Subdivision Map Project. The 2003 EIR concluded that impacts related to conflicts between existing land uses and proposed uses and the conversion of farmland were significant but mitigable. Mitigation measures included a disclosure of public nuisance to prospective residents, which would mitigate land use conflicts to a significant but mitigable level. The 2003 EIR concluded that the loss of irrigated prime soils that could be used for active agricultural uses on the proposed site would be a significant and unavoidable impact and that no mitigation measures were available to mitigate the loss of prime soils. This analysis used Capability Class ratings for irrigated prime soils, which resulted in a conservative analysis because not all prime soils on-site were irrigated. The 2003 San Juan Oaks Golf Club project included a General Plan Amendment/Zone Change/Vesting Tentative Tract Map. This previously approved project allowed for the development of 156 market rate residential units, 30 affordable units, a resort hotel, a village commercial site, a park, a permanent wildlife habitat/open space, an additional 18-hole golf course, and an additional nine-hole golf course. None of the previously approved uses have been constructed.

Although the 2003 EIR addressed impacts to agricultural resources, substantial changes to the previously approved 2003 San Juan Oaks Golf Club project are proposed as part of the Del Webb at San Juan Oaks Specific Plan project.

The development footprint of the 2003 San Juan Oaks Golf Club Project and the current proposed Project are substantially similar, as shown in Figure 1-1 in Section 1.0, *Introduction*. However, substantial changes to the previously approved 2003 San Juan Oaks Golf Club project are proposed as part of Del Webb at San Juan Oaks Specific Plan Project. Specifically, the Del Webb at San Juan Oaks Specific Plan project proposes to increase the previously approved overall impervious building area from 193 acres to approximately 323 acres, increase the total number of residential dwellings from 186 single-family residential dwellings to 1,084 single-family residential dwellings, increase the neighborhood commercial area from seven acres to approximately 14 acres, increase roadway areas from 44 acres to approximately 88 acres, increase the permanent wildlife habitat/open space from approximately 1,163 acres to approximately 1,243 acres, and develop an approximately ten-acre amenity center. In addition, as part of the Project, approximately 153 acres of off-site prime agricultural land would be permanently preserved for agricultural uses. The increase in development intensity and addition of an off-site agricultural preserve has the potential to substantially alter the severity of the previously identified impacts related to agriculture. Therefore, the following impact analysis has been prepared pursuant to Public Resources Code Section 21166(c) and CEQA Guidelines Section 15162 (b).



4.2.3 Impact Analysis

a. Methodology and Significance Thresholds. Agricultural impacts were evaluated based upon review of DOC farmland classifications and other relevant designations for agricultural land and soils capability, regulatory requirements that apply to the agricultural lands within the Project Site, and the potential of the proposed Project to create conflicts between the agricultural and urban interface.

According to the adopted Appendix G of the *State CEQA Guidelines*, impacts related to agricultural resources from the proposed Project would be significant if the Project would:

- 1) *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;*
- 2) *Conflict with existing zoning for agricultural use, or a Williamson Act contract;*
- 3) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g));*
- 4) *Result in the loss of forest land or conversion of forest land to non-forest use; and/or*
- 5) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.*

To evaluate the significance of impacts from the conversion of farmland to non-agricultural use, this analysis relies on the acreages of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance mapped by the FMMP; and of prime soils mapped by NRCS on the Project Site. The California Department of Conservation's Land Evaluation and Site Assessment (LESA) model was used to evaluate the suitability of the proposed off-site agricultural preserve as an offset for the loss of farmland on the Project Site.

Potential zoning conflicts associated with the Project, including threshold number 2, are discussed in Section 4.10, *Land Use*. The Project Site is not located on forest land or timberland zoned Timberland Production. Therefore, impacts related to forest land and timberland, including threshold numbers 3, 4, and 5, are not discussed further in this section. Details are provided in Section 4.15, *Effects Found Not to Be Significant*.

b. Project Impacts and Mitigation Measures.

Impact AG-1 The proposed Project would convert approximately 12 acres of Important Farmland and approximately 218 acres of NRCS-classified prime farmland (conservatively assuming irrigation) to non-agricultural use. However, the Project would preserve approximately 153 acres of productive off-site agricultural land, which would offset the loss of agricultural land on-site. Impacts from the loss of Important Farmland would be Class III, *less than significant*. [Threshold number 1]



FMMP-Designated Important Farmland. As shown in Table 4.2-1, the FMMP has mapped approximately 35 acres of Prime Farmland, approximately seven acres of Farmland of Statewide Importance, and approximately six acres of Unique Farmland on the Project Site; collectively, this Important Farmland totals approximately 48 acres. The entire area of Important Farmland is clustered in the northeastern portion of the Project Site, along San Juan Oaks Drive (refer to Figure 4.2-1). The majority of this Important Farmland would be protected within an approximately 41-acre portion of the Project Site designated as Agricultural Preserve. The approximately seven acres of Important Farmland outside of the Agricultural Preserve would be within an adjacent permanent wildlife habitat and would continue to allow agricultural uses as a permitted use. Although this area would not be developed with urban uses, the resource agency permits are likely to, but may not allow continued agricultural use for current grazing and dry land farming. Thus, this analysis conservatively assumes that these seven acres would be converted to non-agricultural (open space) uses.

Within the Agricultural Preserve, approximately 13 acres located just south of Union Road would be developed as a community park. While most of the existing olive orchards would be retained, approximately three acres would be used for parking, trails, and sitting/picnic areas and therefore would be converted to non-agricultural use. Additionally, an approximately two-acre area further south but also within the Agricultural Preserve would be reserved for a potential future Public Safety site. Although the County currently has no plans or funding for purposes of constructing such a facility, this analysis conservatively assumes that the two-acre reserved area would be converted to non-agricultural use. Thus, in total, the proposed Project would result in conversion of approximately 12 acres of Important Farmland to non-agricultural use (seven acres located outside of the agricultural preserve, three acres within the community park, and two acres for the potential future fire station).

Outside of the designated 41 acres of Agricultural Preserve, the remaining 1,965 acres consists of Grazing Land and Urban and Built-up Land as defined by the FMMP. Because this area is currently used as a golf course and club house (approximately 262 acres) and the remainder as grazing land (approximately 1,704 acres), the Project would not convert any of this land to non-agricultural use. In order to be classified as Prime Farmland or Farmland of Statewide Importance by FMMP, land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. As described in Section 4.14, *Utilities and Service Systems*, there appears to be adequate water supply for some irrigation. However, based on soils conditions, site topography and drainage, and past farming practices described above, there is no historic precedent to indicate that any portion of the FMMP-designated Grazing Land is economically suitable for irrigated row-crop production.

As described in Section 2.0, *Project Description*, the proposed Development Area currently consists of Grazing Land, which would be converted to non-agricultural use. Additionally, the Project proposes to permanently preserve an approximately 1,243-acre area for wildlife habitat on-site, which would include Grazing Land in the southernmost portion of the site. This habitat area would remain perpetually restricted from future urban development through deed restrictions and/or other appropriate legal instruments. Although Grazing Land located within the proposed Development Areas would be converted to urban uses, it should be noted that the FMMP does not categorize Grazing Land as Important Farmland. Therefore, the loss of Grazing Lands would not represent a significant agricultural impact.



NRCS-Designated Prime Soils. Based on the NRCS’s farmland designations, the proposed Project would involve the loss of prime farmland. Table 4.2-3 shows the acreage of prime soils that would be converted.

**Table 4.2-3
 NRCS-Designated Prime Farmland
 Affected by the Proposed Project***

Soil Type	Capability Class: Web Soil Survey Data	Acreage Affected (approx.)
Clear Lake Clay (Ch)	2s	134
Cropley Clay, 2-9% Slopes (CwC)	2e	54
Pacheco Silty Clay (Pe)	2w	2
Salinas Clay Loam, 0-2% Slopes (SaA)	1	22
Salinas Clay Loam, 2-9% Slopes (SaC)	2e	3
Sorrento Silty Clay Loam, 0-2% Slopes (SrA)	1	3
TOTAL		218

* Assumes all irrigated soils

Source: U.S. Department of Agriculture Soil Survey Northern Web Soil Survey, 2013.

As shown in Table 4.2-3, the proposed Project would involve development on six prime soil types, resulting in the conversion of approximately 218 acres of NRCS-classified prime farmland, assuming all soils to be irrigated.⁵ This total is greater than the amount of FMMP-designated Important Farmland that would be lost because the NRCS has a more expansive definition of prime farmland. For example, under this broader definition, these prime soils include land that has the potential to be agriculturally productive (particularly if irrigated) but is not currently cultivated. It is also important to note that the proposed Project would not substantially affect prime farmland that is currently used in a productive agricultural capacity: no irrigated soils are located in the proposed Development Areas.

Storie Index Soils. As shown in Table 4.2-2, three soil types on the Project Site have a Storie Index rating of between 80 and 100 (i.e., a Grade 1 rating), which qualify as prime farmland under Government Code Section 51201. These soils are Salinas Clay Loam, 0-2% Slopes (SaA), Salinas Clay Loam, 2-9% Slopes (SaC), and Sorrento Silty Clay Loam (SrA) (refer to Figure 4.2-4 for the locations of these soil types on the Project Site). Collectively, the three soil types comprise approximately 193 acres on the Project Site. Policy 3 in the Land Use Element of the County’s existing General Plan (1985) identifies Grade 1 soils as “the highest priority for protection of soils resources.” The Policy further states that development projects on “Grade 1 soils in the Soils Survey of San Benito County that do not have a historical agricultural use” will be exempt from Policy 3.

The proposed Project would involve protection of the Sorrento Silty Clay Loam soils as part of the proposed on-site agricultural preserve along San Juan Oaks Drive. Although the proposed 14-acre neighborhood commercial area would involve urban development largely on Salinas Clay Loam soils, and the proposed non-age restricted single-family residences would be constructed partially on the same soil type, these areas are not currently under agricultural

⁵ These areas are not irrigated, and therefore do not currently qualify as prime farmland under the NRCS rating. However, as a reasonable worst case considering the potential for future irrigation, prime acreages are used in this analysis.



cultivation. Furthermore, since the early 1980s and continuing until today, these areas near the Existing Golf Club have been used for dry land farming, irrigated pasture and grazing (Questa Engineering, 1993; Rincon Consultants site visit, 2014). The remaining Storie Index soils with a Grade 1 rating are located in the Existing Golf Club and proposed permanent wildlife habitat and would not be converted under the proposed Project. Therefore, the proposed Project would not involve urban development on Grade 1 soils that have a substantial history of active agricultural use.

Agricultural Suitability of Off-Site Preserve. The LESA model was used to compare the relative importance of agricultural land on the Project Site and proposed preservation areas that are located off-site. Tables 4.2-4 and 4.2-5 show the results of this analysis.

**Table 4.2-4
 Summary of LESA Model Score Sheet for Proposed Project Site**

Factor Name	Factor Rating (0-100 Points)	X	Factor Weighting (Total = 1.0)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capability Classification	76.20	X	0.25	=	19.05
2. Storie Index Rating	41.40	X	0.25	=	10.35
Site Assessment					
1. Project Size	100	X	0.15	=	15.00
2. Water Resource Availability	33.58	X	0.15	=	5.04
3. Surrounding Agricultural Lands	30	X	0.15	=	4.50
4. Protected Resource Lands	50	X	0.05	=	2.50
				Total:	56.44

**Table 4.2-5
 Summary of LESA Model Score Sheet for Proposed Off-Site Preservation Land**

Factor Name	Factor Rating (0-100 Points)	X	Factor Weighting (Total = 1.0)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capability Classification	86.60	X	0.25	=	21.65
2. Storie Index Rating	91.93	X	0.25	=	22.98
Site Assessment					
1. Project Size	100	X	0.15	=	15.00
2. Water Resource Availability	100	X	0.15	=	15.00
3. Surrounding Agricultural Lands	30	X	0.15	=	4.50
4. Protected Resource Lands	30	X	0.05	=	4.50
				Total:	80.63

As shown in Tables 4.2-4 and 4.2-5, the proposed off-site agricultural preserve has a high LESA score of 80.63, which exceeds the score of 56.44 for the Project Site. Based on these modelling results, the off-site agricultural preserve land has a higher agricultural value than the



agricultural land to be converted on the Project Site, in terms of its agricultural importance. Therefore, the permanent preservation of the approximately 153-acre off-site area for agricultural uses would help to offset the loss of agricultural land on-site.

Conclusion. The Project Site contains approximately 48 acres of Important Farmland, most of which would be preserved within an approximately 41-acre Agricultural Preserve. However, 12 acres of Important Farmland would be converted to non-agricultural use through development of community park amenities, development of a potential future development of a public safety station, or inclusion within a wildlife habitat area, which may not allow continued agricultural production. Although approximately 323 acres of FMMP-designated Grazing Land in the Development Areas would be converted to non-agricultural use, the Project proposes to permanently preserve an approximately 1,243-acre area for permanent wildlife habitat on-site, which would include Grazing Land in the southernmost portion of the site. Furthermore, the loss of Grazing Land does not constitute a significant impact related to Important Farmland under CEQA. The proposed Project also would involve conversion of approximately 218 acres of NRCS-classified prime farmland, assuming all soils to be irrigated. However, the proposed Project would not substantially affect prime farmland that is currently used in a productive agricultural capacity. In addition, urban development would not occur on soils rated as Grade 1 under the Storie Index that have a substantial history of active agricultural use.

Despite the conversion of 12 acres of Important Farmland, the permanent preservation of the approximately 153-acre off-site area for agricultural uses would help to offset the loss of agricultural land on-site. Therefore, overall impacts from the loss of Important Farmland would be less than significant.

Mitigation Measures. The preservation of Important Farmland on-site and an approximately 153-acre off-site agricultural preserve are both included as features of the Project). Because impacts are less than significant, no mitigation measures are required.

Significance After Mitigation. The preservation of an off-site agricultural preserve, as described above and in Section 2.0, *Project Description*, would ensure the greatest feasible reduction in impacts to agricultural land. Impacts from the irreversible conversion of Important Farmland on the Project Site would be less than significant.

Impact AG-2 Implementation of the proposed Project may result in the conversion of off-site farmland due to land use conflicts between existing agricultural land uses and the proposed residential, recreational, resort and commercial uses. This is considered a Class II, significant but mitigable impact. [Threshold numbers 2 and 5]

The Project Site is currently designated by the County General Plan as Rural Transitional (RT)/Planned Unit Development (PUD) Overlay, Commercial Thoroughfare (CTC-1), Agriculture Productive (AP), and Agriculture Rangeland (AR), as shown in Figure 2-3, and zoned by the County for the same uses. With approval of the Project, the Project Site would be re-designated and re-zoned to San Juan Oaks – Specific Plan to allow for development of the proposed uses, thereby eliminating any conflict with the General Plan land use designations or zoning. In addition, as discussed above, no parcels within the Project Site are under any



Williamson Act contracts. Although the Project Site is located adjacent to parcels under Williamson Act contracts, as shown in Figure 4.2-5, the proposed Project would cluster urban development away from these parcels. An approximately 1,243-acre area under permanent preservation for wildlife habitat would border the adjacent parcels under Williamson Act contracts. This habitat area would be located within the southernmost portions of the Project Site and would remain perpetually restricted from future development through deed restrictions and/or other appropriate legal instruments. By preserving open space adjacent to Williamson Act parcels, the proposed Project would not be expected to trigger conversion of these parcels from farmland to urban uses. As such, a less than significant impact related to zoning for agricultural use and Williamson Act contracts would occur.

In addition, consideration should be given to potential land use conflicts between the proposed Project and neighboring agricultural uses since any such conflicts can adversely impact agricultural resources. Here, development of the Project would result in residential, recreational, resort and commercial uses being located adjacent to agricultural operations, which could result in conflicts for both urban and agricultural interests.

Active row crop agriculture and grazing lands are located immediately adjacent to the Project Site to the west and north. In addition, the Project includes the permanent preservation of approximately 41 acres of existing row crop and orchard farmland for agricultural use in the northeastern portion of the Project Site, which would also be close (located approximately 1,000 feet) to the urbanized components of the Project. Accordingly, because of this proximity, the proposed residential, recreational, resort, and commercial uses may result in potential conflicts between these new urban uses and the existing off-site agricultural operations and the preserved on-site row crop and orchard farmland uses. The likelihood of land use conflicts are greater at the northern and western boundaries of the Project Site as proposed residences, golf course, and the commercial center would be located immediately adjacent to agricultural lands. The proposed residential units that would be located nearest to existing off-site agricultural lands would be approximately 300 feet from the adjacent lands. In addition, land use conflicts could arise within the proposed on-site Agricultural Preserve, between the cultivation of orchards and the recreational use of trails that traverse the orchards. Potential land use conflicts are described below.

Impacts to Agricultural Uses. Urban development adjacent to farmland can have several negative impacts on the continuation of agricultural activities. For example, construction of the Project could create excessive dust that could temporarily affect agricultural productivity (see Section 4.3, *Air Quality*). However, emission of dust particulates during construction activity would be reduced by compliance with MBUAPCD Rule 400 (Visible Emissions). It is also recommended that the Project adhere to the MBUAPCD's "best management practices" for the control of short-term construction generated emissions, which include watering of active construction areas at least twice daily, stopping construction during high-wind periods, and applying soil stabilizers to inactive construction sites, among other measures. In addition, there is limited traffic related to agricultural activity along the currently unpaved off-site emergency access road north to SR 156. This access road would be paved as part of the Project and traffic would increase somewhat because the access road would be used by the Project in the event of an emergency (although any such increase would be fairly nominal since this EVA would remain closed to non-emergency Project traffic). While use of this access road during an emergency could impede the ability for



agricultural vehicles to use existing access roads that serve adjacent operations, such impediments would only occur during emergencies, and thus are anticipated to be fairly low in number. Therefore, conflicts between Project-generated traffic and farm vehicles and equipment would be infrequent and are considered less than significant.

The introduction of recreational use on trails within proposed Olive Hill Park (within the on-site agricultural preserve) could increase the risk of trespassing and vandalism on the adjacent orchards, as well as onto adjacent row crops to the west. The Project would include fencing along the western boundary of the park to prevent park users from accessing adjacent row crops to the west. However, impacts to the existing orchard due to the introduction of park users would be potentially significant.

Impacts to Residential, Recreational, Resort and Commercial Uses. Those residing and using facilities adjacent to farmland commonly cite odor nuisance impacts, noise from farm equipment, dust, and pesticide spraying as typical land use conflicts. Pesticide use on nearby row crops and the suspension of dust from operation of farm equipment and earth-moving activities could create health concerns for residents, retail patrons, resort users, golf course users, and employees of the proposed facilities. However, the proposed community park within the existing on-site olive orchard would not expose park users to pesticides because the existing olive orchard is farmed organically and the olive oil that is produced is sold as organic olive oil. The Project applicant has committed to continuing this organic farming practice in the future and to not using pesticides or other hazardous chemicals. As such, users of the community park would not be exposed to pesticides typically associated with farming practices.

Additionally, odors from fertilizers, herbicides, pesticides, and farm equipment exhaust can be incompatible with the proposed land uses. Farm equipment associated with agricultural land uses can generate substantial noise levels (see, e.g., discussion and analysis in Section 4.3, *Air Quality*, and Section 4.11, *Noise*). Development of urban uses next to the on-site agricultural preservation area as well as to existing off-site agricultural uses could expose these urbanized uses to the above referenced issues. In turn, these potential incompatibilities can result in the generation of nuisance complaints, which can in turn negatively impair agricultural resources. However, as discussed in Section 4.3, *Air Quality* and Section 4.11, *Noise*, the above issues have been determined not to be significant and/or can be adequately mitigated; accordingly, any such potential land use conflicts would be considered to have a less than significant impact on agricultural resources. Furthermore, the proposed Project incorporates design features that would minimize potential conflicts:

- The proposed dense row of trees and other vegetation along the entire northern boundary of the active-adult portion of the Project Site, adjacent to an existing east-west drainage channel, which would screen and buffer proposed residences from agricultural uses; and
- Trees and other vegetation that would be planted at the southwest corner and along the western edge of the active-adult portion of the Project Site, to visually screen views from adjacent landowners and provide a buffer from adjacent agricultural land uses.

In addition, the County's Right-to-Farm Ordinance would help to protect on-going agricultural operations from nuisance lawsuits. As described in the San Benito County General Plan Public



Review Draft Background Report, the Right-to-Farm Ordinance, according to the Agricultural Commissioner (2009), on an annual basis there are typically only one or two complaints about agricultural operations made by neighbors. The Agricultural Commissioner's Office has Agricultural Community Disclosure requirements (described below) that are designed to inform the community about agricultural operations. The Project would be required to adhere to the Right-to-Farm Ordinance provision, which would further reduce conflicts between agricultural operations and adjacent uses.

***Disclosure of Potential Nuisance.** In accordance with the County Right-to-Farm Ordinance (No. 577), upon the transfer of real property on the project site within 500 feet of an existing agricultural use or land zoned for agricultural use, the transferor shall deliver to the prospective transferee a written disclosure statement that shall make all prospective residents in the proposed project aware that although potential impacts or discomforts between agricultural and non-agricultural uses may be lessened by proper maintenance, some level of incompatibility between the two uses would remain. This notification shall include disclosure of potential nuisances associated with on-site agricultural uses, including the types of land uses allowed in agricultural zones, the frequency, type, and technique for pesticide spraying, frequency of noise-making bird control devices, dust, and any other agricultural practices that may present potential health and safety effects. Should crop maintenance practices change substantially (e.g., through the use of new agricultural chemicals or application techniques), notification shall be provided to existing and prospective project residents.*

The disclosure shall be provided by the property transferor to prospective residents upon the transfer of real property on the project site. Updated disclosure notifications shall be provided to existing and prospective residents on the project site as necessary if agricultural maintenance practices change. Planning and Building staff shall review the disclosure statement prior to project occupancy.

The introduction of recreational use within active orchards within the proposed Agricultural Preserve would result in potentially significant impacts from land use conflicts.

Mitigation Measures. The following mitigation measure is required to address potential land use compatibility conflicts from placing recreation users within an active orchard.

AG-2 Olive Hill Park Signage. Signage shall be installed at the parking lot, trail entrances, and along the trail (as appropriate) informing users to stay on designated trails and that dogs must remain on leash. Prior to issuance of a building permit for the proposed Olive Hill Park, a site plan shall be submitted to San Benito County for review and approval showing the location of signage. The signage text shall also be submitted to San Benito County for review and approval.

Significance After Mitigation. The implementation of the identified Project design features, adherence to the County's Right-to-Farm Ordinance, and installation of signage consistent with Mitigation Measure AG-2 would reduce impacts to a less than significant level.



c. Cumulative Impacts. As stated in Section 3.3 (Cumulative Projects Setting) in Section 3.0, *Environmental Setting*, due to the long-term and multi-phased characteristics of the proposed Project, this SEIR examines cumulative impacts based on a summary of projections in accordance with long-range general plan buildout of San Benito County and the cities of Hollister and San Juan Bautista, which would result in an increase of approximately 32,300 residents, 10,217 housing units, and approximately 4,320 employees. Cumulative development throughout San Benito County would gradually transform the area's agricultural land uses. As discussed above, development of the Project would result in the loss of agricultural land, including approximately nine acres of FMMP-designated Important Farmland. Other past, present and reasonably foreseeable future projects in San Benito County would also result in the permanent loss of Important Farmland and Williamson Act lands, contributing to cumulative impacts to agricultural resources.

The County currently has regulations and policies to protect agricultural resources, such as the numerous General Plan policies and its Right-To-Farm Ordinance. In addition, all projects related to expansion of urban development that propose annexation to a municipality or a special district or request an out-of-area service agreement would be subject to LAFCO law and the applicable decision making process, which considers agricultural land and open space preservation, as described above. Finally, the County's Right-To-Farm Ordinance would help to minimize compatibility conflicts between agricultural and urban uses.

Although these programs and policies would reduce impacts to the extent feasible, the permanent loss of agricultural land due to development of the Project and other cumulative projects would be considered significant. However, for the following reasons, the Project's contribution to this cumulative impact would not be cumulatively considerable. The proposed Project would include the following: on-site permanent preservation of approximately 41 acres for agricultural uses; on-site permanent preservation of approximately 1,243 acres for wildlife habitat, which would include FMMP-designated Grazing Land in the southern-most portion of the site; and off-site permanent preservation of approximately 153 acres for agricultural uses. Regarding the off-site preservation area, this land has been determined to be of higher quality from an agricultural resource perspective than the land being converted on-site. These measures help to offset the impacts of the proposed conversion of the relatively small amount of Important Farmland (approximately 12 acres), and thus the Project's contribution to agricultural resource impacts would not be cumulatively considerable.

