

## 6.0

# AGRICULTURE AND FORESTRY RESOURCES

This chapter provides an evaluation of the potential environmental effects of adopting the proposed 2035 San Benito County General Plan (2035 General Plan) on agricultural resources. As established in the Notice of Preparation (see [Appendix A, Notice of Preparation](#)), development and other activities resulting from implementation of the 2035 General Plan may result in degradation of agricultural resources within the County.

The following environmental assessment includes a review of agricultural and forestry resources potentially affected by the implementation of the 2035 General Plan. Along with providing a description of the existing agricultural and forestry resources, this RDEIR evaluates the potential environmental effects that could result from urban and other development that would be allowed under the proposed 2035 General Plan, including, among others, conversion of agricultural land to non-agricultural use and conflicts with Williamson Act contracts, as well as potential effects on forest resources, including forest land, timberland, and timberland production.

Existing agricultural resources in the 2035 General Plan study area, which includes all of the unincorporated County were determined, identified using a variety of information sources including review of farmlands classified as “important” by the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP), the Williamson Act Program, existing agricultural conservation easements, aerial photographic records, and other mapping data. Forestry resources were identified by a review of the California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program (FRAP) land cover maps and the existing 1992 General Plan Land Use Diagram. Rules and regulations influencing agricultural resources were identified by a review of state regulations and the 1992 San Benito County General Plan. Potential impacts related to agricultural and forestry resources were evaluated based on California Environmental Quality Act (CEQA) assessment criteria by identifying the extent and locations of future development that would likely occur under the 2035 General Plan relative to the locations of agricultural and forest resources that could be affected by that development, and by using guidelines adopted by the County.

## 6.1 SETTING

The environmental and regulatory setting of the County with respect to agriculture and forestry resources described below is based on the General Plan Background Report (“Background Report”)(San Benito County 2010b). Pursuant to §15150 of the State CEQA Guidelines, this document is incorporated into the RDEIR by reference as though fully set forth herein. Where necessary, setting information originating from the Background Report has been updated with the best available and most current data, as previously discussed in Section 4.3. The Background Report document is available for download from the San Benito County General Plan Update website at: <http://sanbenitogpu.com/docs.html>. Copies of the Background Report may be viewed during standard business hours (8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m.), Monday through Thursday, at the San Benito County Planning and Building Department: 2301 Technology Parkway, Hollister, CA 95023-9174. County offices are closed to the public on Fridays.

### 6.1.1 Environmental Setting

#### County General Plan

The 1992 San Benito County General Plan is the starting point of this review of agriculture. This section outlines the agriculture-related policies of the current plan and the specific implementing actions that are called for, especially those concerning farmland protection. In dealing with the subject of agriculture, the 1992 General Plan concentrates on the importance of protecting farmland in the face of development pressures, especially the increase in rural residential development. There are specific sections on agriculture in the Land Use Element and in the Open Space and Conservation Element. Overall, the policies and actions identified below address two separate but related dimensions of how urbanization affects agriculture in San Benito County: 1) the conversion of agricultural land to residential and other non-farm uses; and 2) the impacts of nearby non-farm uses on existing agricultural operations.

*Land Use Element.* Below is a summary of the seven policies and related actions in the Agriculture section of the Land Use Element of the 1992 General Plan. The policies address topics such as lot sizes, allowed uses, priority soils, mitigation of impacts of development, and agricultural land preservation.

- Policy 1. The agriculturally designated areas of the County shall be developed at a low-density use (5-acre minimum lot size).
- Policy 2. The type of uses allowed within the agriculturally designated areas shall be related to the suitability of the soil resources, climate, and water supply. The types of uses

allowed on most agriculturally designated areas within the County include agriculture, agricultural processing, grazing, land in its natural state, wildlife refuges, and low-intensity residential. Uses subject to use permit approval include low-intensity recreational facilities, mineral extraction and processing, and also institutional uses and uses that, by their nature, should be located in undeveloped areas.

- Policy 3. Grade 1 soils as defined in the Soils Survey of San Benito County shall be the highest priority for protection of soil resources.

Actions:

- a) Development proposals in the following locations will be exempt from Policy 3.
  - i. Grade 1 soils located within the Sphere-of-Influence of a public sewer and water district.
  - ii. A parcel surrounded by property developed at the maximum density allowed in the applicable zoning category on at least three sides.
  - iii. Grade 1 soils in the Soils Survey of San Benito County that have been determined to be Grade 2 or less from an on-site soils test performed by a soils engineer.
  - iv. Grade 1 soils in the Soils Survey of San Benito County that do not have a historical agricultural use.
- Policy 4. 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.

Actions:

- a) Development proposals shall provide a non-development buffer beginning at the property line of the proposed development.
  - b) Development proposals shall not be allowed to increase the volume or velocity of storm water runoff to adjoining agricultural lands.
  - c) Landscaping plans for the non-development buffer areas shall be reviewed to ensure that vegetation will not create intrusive shade, a habitat for pests, or other nuisance to the agricultural operator.
- Policy 5. Encourage the private development of participatory recreational facilities, such as riding areas, camping facilities, and hunting clubs.

Actions:

- a) Allow riding areas, camping facilities, and hunting clubs as conditional uses on Agricultural Rangelands.
- b) Allow riding areas and hunting clubs as conditional uses on Agricultural Productive lands.

- Policy 6. Use available legislative means to preserve agricultural areas.

Actions:

- a) Assist landowners to apply for Williamson Act contracts, when requested.
- b) Investigate the use of any other legislative methods to preserve agriculture.
- c) Continue to utilize Ordinance 557 (Agricultural Community Disclosure).
- d) Encourage agricultural conservation easements and encourage clustered development on the lesser productive soils of the development parcel in the agricultural productive land.

- Policy 7. 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.

Actions:

- a) Explore identifying areas for potential TDC and/or PDC programs.
- b) Investigate establishing a density bonus to developers that transfers development credits from prime agricultural lands to existing communities and residential areas.
- c) Encourage General Plan amendments that will increase population densities to include receiving areas.
- d) Consider the exclusion of hazardous areas (100-year flood, fault zones) from a TDC or PDC programs.
- e) Research the establishment of a local non-profit land trust for the preservation of agricultural lands for the production of food and fiber.
- f) Explore the possibility of allowing property tax benefits pursuant to Internal Revenue Service regulations and subsequent amendments for property in a land trust.



*Conservation and Open Space Element.* There are two goals, four policies, and relate actions that directly relate to agriculture in the Conservation and Open Space Element of the General Plan. The objectives of these policies, as listed under Goal 6, are:

- To encourage and protect agriculture as a viable industry in the County.
- To provide financial incentives to protect the most productive soils resources.
- Stabilize land values for persons interested in purchasing agricultural land while providing economic incentives to landowners to avoid conversion of row crop and orchard land.

The following are the goals, policies, and actions:

- Goal 5. To protect and preserve the agricultural identity of the County.
- Policy 25. Legislative methods to protect agriculture 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.

Actions:

- a) The County should reaffirm and encourage the use of the Williamson Act for the preservation of its agricultural resources. This should include those areas identified on Figure 4 [of the General Plan] and parcels adjacent to those already contracted into the Williamson Act.
  - b) The County should adopt the Agricultural zones which allow only agricultural and compatible uses as indicated in the Land Use Element.
- Goal 6. Agricultural Resources. To continue agriculture as an industry in the County and to preserve present agricultural resources for future generations.
  - Policy 26. Support agricultural industry. It is the policy of San Benito County to promote and support the location of new agriculture related business and industry and support programs that promote local agricultural products and increase marketing opportunities.
  - Policy 27. Options for estate planning. It is the policy of the County to recognize that there are financial options to farmers/ranchers for estate planning purposes such as land trusts.
  - 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.

Actions:

- a) In areas of Agricultural zoning, the County will establish minimum lot sizes appropriate to the land use and soil resources.
- b) Discourage the subdivision of agricultural lands suitable for the production of fruit, nut, and row crops to parcel sizes that are ineligible for inclusion in the Williamson Act contracts.
- c) Discourage the formation or revisions to spheres-of-influence on agricultural lands suitable for the production of row, fruit, or nut crops.

Besides a focus on farmland issues, a comprehensive approach to the agricultural protection issue demands some attention to the other side of the urban-agriculture relationship, namely the manner in which the County plans for and controls development. The Land Use Element includes objectives, goals, and policies to coordinate with the cities of Hollister and San Juan Bautista on land annexation and ensure that growth is being directed to the cities prior to the unincorporated areas. For example, Land Use Policy 15, states that “the majority of development with a density greater than two units per acre shall occur within the cities...and Paicines Ranch Resort.” Other Land Use policies that encourage development of neighborhood plans (Land Use Policy 21) and support small-scale neighborhood commercial uses (Land Use Policy 24) directly support the development of compact community centers, help reduce traffic, and protect undeveloped agricultural land.

### **Agricultural Zoning**

There are two agricultural zoning classifications in San Benito County: the AR (Agricultural Rangeland) and AP (Agricultural Productive) classifications; both cover commercial agricultural operations, with the former zone intended to cover grazing land and the latter zone covering more intensive agricultural uses such as tree, vine, and field crops. In addition, agricultural uses are allowed on a small scale in some non-agricultural zones including the following: R (Rural), RT (Rural Transition), RR (Rural Residential), and R1 (Single-Family Residential).

Minimum parcel size requirements in the AR zone are generally intended to maintain larger parcels suitable for grazing operations and to discourage residential subdivisions. The minimum parcel size in the AP zone allows for subdivisions at up to five acres per unit densities. The two zones together contain 868,168 acres, or 97.6 percent of all land in the County. AR is the dominant agricultural zone, with more than 800,000 acres.

The proportions of agriculturally-zoned land in the unincorporated county are shown in [Table 6-1](#) below. [Figure 6-1](#) shows the distribution of agriculturally-zoned land throughout the County.

**Table 6-1 Agricultural Zoning Districts**

Zoning District	Minimum Parcel Size (Acres)	Total Acres Countywide
AR: Agricultural Rangeland	40	800,454 (90%)
AP: Agricultural Productive	5	66,914 (7.5%)
Non-Agricultural Zones	Various	22,264 (2.5%)
<b>Total</b>		<b>889,632 (100%)</b>

*Source:* San Benito County 2010b.

As well as setting out minimum parcel size, agricultural zoning protects farm operations by restricting urban-related uses. San Benito County's zoning regulations are fairly restrictive in this regard, prohibiting most forms of retail, service, manufacturing, and public activities in agricultural zones. One notable exception is “commercial recreational uses,” including but not limited to, RV parks, hunting clubs, and riding clubs. From a farm enterprise perspective, the key question about allowed uses in agricultural zones is to what extent they include farm-related businesses, such as produce sales, processing, bed and breakfast accommodations (i.e., agri-tourism), and wineries, that add to a farm operator’s income. These uses are generally allowed by conditional use permits in the AR and AP zones (with a few minor exceptions the two zones allow the same uses). Seasonal stands for the sale of agricultural produce grown on the premises where the stand is located are allowed outright. Permanent stands for the sale of agricultural products require a conditional use permit.

### **The Williamson Act Program**

The Williamson Act (The California Land Conservation Act of 1965) is administered by the DOC’s Division of Land Resource Protection. The following is a description of the Williamson Act program from the Division: “The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Act creates an arrangement whereby private landowners contract with counties and cities to voluntarily restrict land to agricultural and open-space uses. The vehicle for these agreements is a rolling term 10 year contract (i.e. unless either party files a “notice of non-renewal” the contract is automatically renewed annually for an additional year). In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value.”

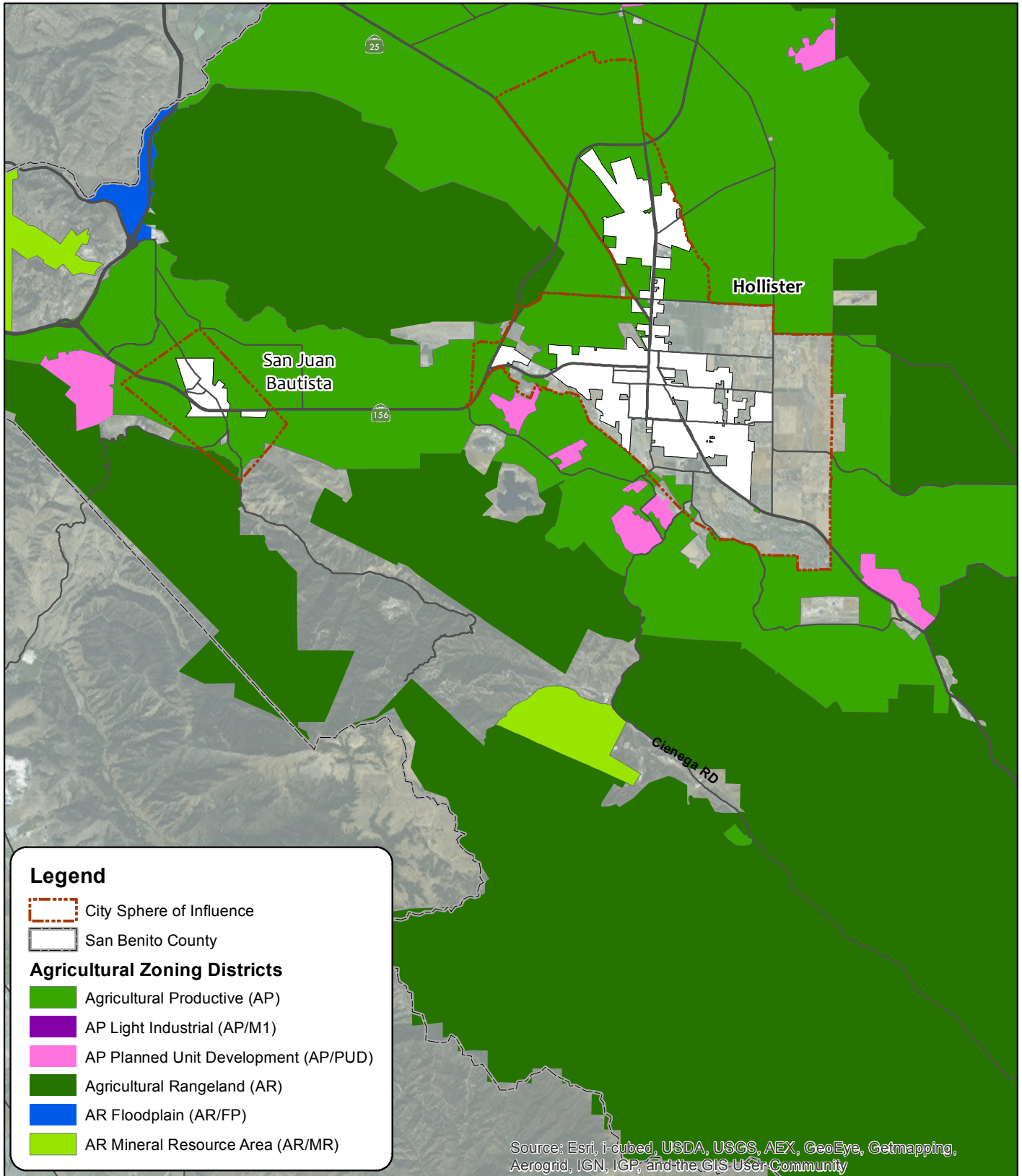
The Open Space Subvention Act (OSSA) was enacted on January 1, 1972, to provide for the partial replacement of local property tax revenue foregone as a result of participation in the Williamson Act and other enforceable open space restriction programs. Participating local governments receive annual payment on the basis of the quantity (number of acres), quality (soil type and agricultural productivity), and, for Farmland Security Zone contracts, location (proximity to a city) of land enrolled under eligible enforceable open space restrictions.

Like almost all of the counties in the state, San Benito County participates in the Williamson Act program. However, the County does not have provisions that address the Farmland Security Zone (FSZ) provisions of the Act enacted in 1998. The FSZ provides for longer-term contracts (20 years instead of 10) and larger property tax decreases.

The State provides the framework of rules and procedures, but counties and cities directly administer the Williamson Act and have some flexibility to impose more stringent enrollment and compatible use requirements. San Benito County implements the Williamson Act in Article 2 (Agricultural Preserves) of Chapter 19.01 (Agricultural Provisions) of the San Benito County Code of Ordinances. The County established an Agricultural Preserve Advisory Committee to review any application to establish new agricultural preserves or any application to alter existing agricultural preserves. The Committee also reviews any request for a determination of compatible use and makes recommendations to the County Board of Supervisors. The Agricultural Preserve Advisory Committee meets regularly twice a year.

As set forth in County Code Section 19.01.021(D)(1)(a), the minimum required acreage for a potential or existing agricultural preserve is:

- 10 acres of orchards, vineyards, or irrigated vegetable and field crops;
- 40 acres of irrigated pasture or dry-land farmed land;
- 160 acres of grazing land; or
- A combination of actual acreage in any of the above categories; provided that the sum of the percentages in any of the above categories equals or exceeds 100 percent. The percentage of acreage in each category is calculated by dividing the actual acreage in each category by the minimum acreage required in that category.



\*Remainder of South County not shown is zoned "AP"

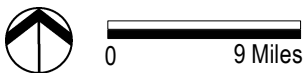


Figure 6-1

# Agricultural Zoning in San Benito County



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The following are the details of the County's participation in the program (See [Figure 6-2](#)):

- 583,522 acres were enrolled as of 2007.
- 52,529 enrolled acres, or 9 percent of the total Williamson Act contract lands are prime agricultural land.
- Total enrolled acres increased by 3,057 acres from 1991 (the earliest year for which data is available) to 2007.
- 82 properties containing 8,675 acres, or 1.5 percent of all enrolled acres, were listed as non-renewals as of 2007.
- San Benito County received \$762,000 from the State of California in subvention funds in 2007, as partial compensation for the property taxes lost through the program; \$238,000 of this total, or 31.2 percent, was for properties on prime agricultural land.

In 2010 the State significantly reduced Williamson Act subvention payments to local government. The DOC website stated the following: “While subvention payments have been customary for many years, they have never been guaranteed. The Williamson Act contracts between landowners and local governments are important to the state’s agricultural production and remain in force, regardless of the availability of subvention payments. Landowners and local governments can non-renew Williamson Act contracts, but the Department doesn’t anticipate a mass exodus from the program. Once the economy rebounds, the Department is hopeful that subvention payments will be available again and the Williamson Act program will continue to have a significant, positive impact on California agriculture and land-use planning.”

### **The Environmental Quality Incentives Program (EQIP)**

The U.S. Department of Agriculture’s (USDA) Natural Resources Conservation Service (NRCS) runs the Environmental Quality Incentives Program (EQIP). EQIP is a voluntary program that provides financial and technical assistance to farmers and ranchers who face threats to soil, water, air, and related natural resources on their land. According to the EQIP program description, “through EQIP, the NRCS provides financial incentives to producers to promote agricultural production and environmental quality as compatible goals, optimize environmental benefits, and help farmers and ranchers meet Federal, State, Tribal, and local environmental regulations.” EQIP offers contracts with a minimum term that ends one year after implementation and a maximum term of ten years. The 2008 Farm Bill (The Food, Conservation, and Energy Act of 2008) clarified EQIP purposes to include forest management and energy conservation, as well as practices related to organic production and fuels management. Priority is given to water conservation or irrigation efficiency applications that will reduce water use or where the producer agrees not to use any associated water savings to bring

new land under irrigation production. According to the County Agricultural Commissioner, in 2007 there were 36 applicants for EQIP grants in the County and 12 received funding. In 2008 there were 26 applicants and 6 received funding. In 2008 projects included livestock fencing, stockwater systems, and irrigation improvements.

### **The Right-to-Farm Ordinance**

San Benito County has adopted a comprehensive “right to farm” ordinance, which is contained in Article 1 (Agricultural Community Disclosure) of Chapter 19.01 (Agricultural Provisions) of the San Benito County Code of Ordinances. Section 19.01.002 of the County Code states that “Since the County is an agricultural community, much property lies within, or adjacent to, a zoning district that allows some form of agricultural operations to exist. Therefore, owners and possessors of property in the County should expect that the use and enjoyment of their property will depend on the subject zoning district permissible and conditional uses, which uses in many cases will be a form of agricultural operations.”

The provisions of Article 1 of Chapter 19.01 require a disclosure statement be mailed on an annual basis to all owners of property in the County in conjunction with the annual tax statements. County Code also requires a disclosure form be submitted in all property transfers in the County. Finally, all leases of real property in the County are required to incorporate the disclosure statement. According to the Agricultural Commissioner, on an annual basis there are typically only one or two complaints about agricultural operations made by neighbors. This office also believes that the Agricultural Community Disclosure requirements are successful in informing the community about agricultural operations and keeping complaints at a low level.

In the interest of trying to avoid litigation for disputes arising from agricultural operations, Section 19.01.006 of the County code provides for a mediation process. Upon request for mediation, the parties are given a list of five County officials: the Agricultural Commissioner, the Director of the Cooperative Extension, the County Counsel, the Planning Director, and the Public Works Director. Each side shall eliminate one official, leaving three officials to form the Mediation Committee.

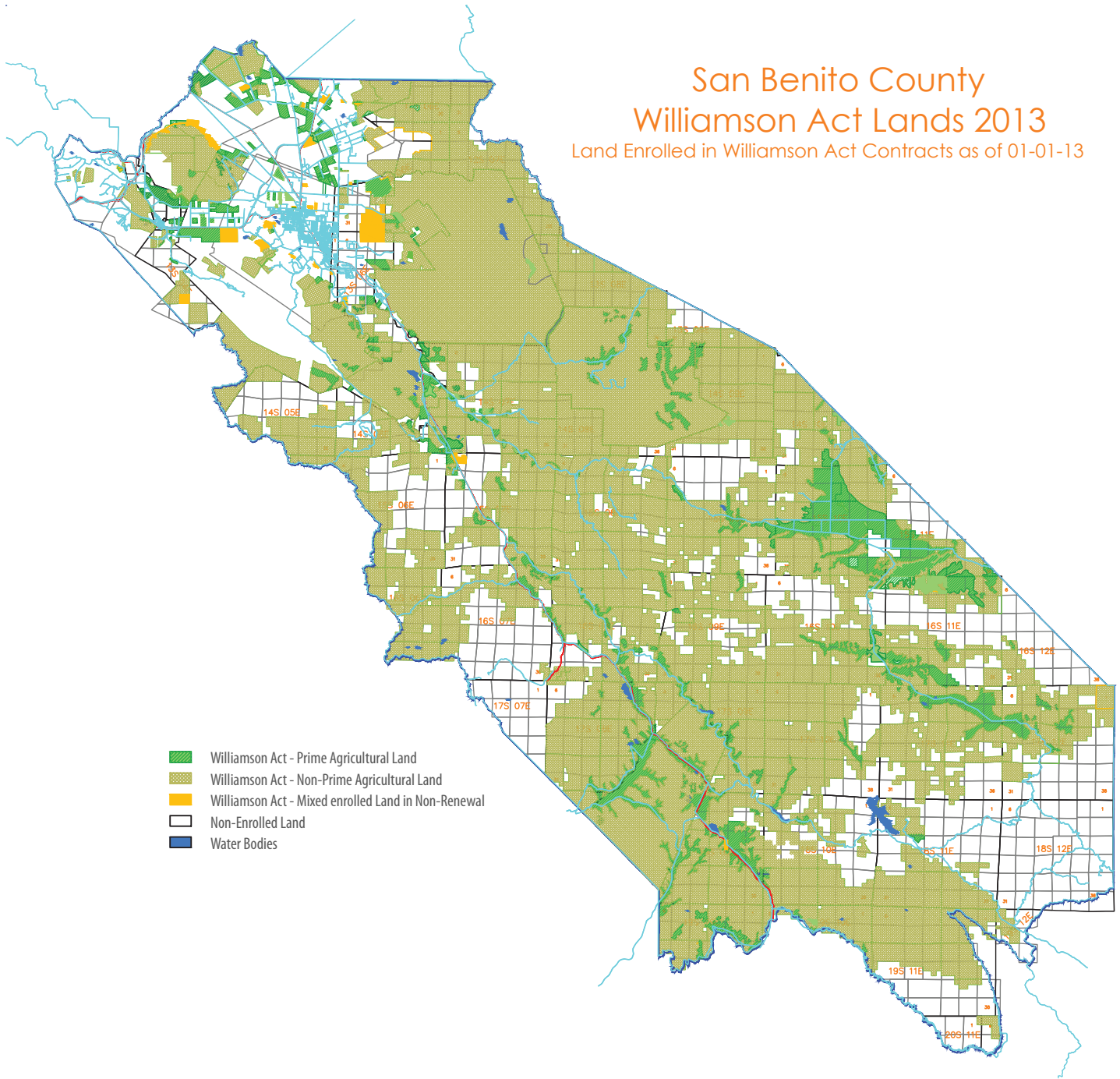
### **LAFCO Boundary Controls**

In reviewing and approving city and special district plans to expand their boundaries, County-level LAFCOs in California can indirectly but significantly influence the urbanization of agricultural land. Periodic LAFCO updates of city Spheres of Influence (SOI), that theoretically project up to 30 years of development into the future, especially can have this influence, since they help determine the direction and pace of municipal expansion. City annexation approvals are less decisive in this regard, since they follow and must comply with the more long-term SOI designations.



# San Benito County Williamson Act Lands 2013

Land Enrolled in Williamson Act Contracts as of 01-01-13



- Williamson Act - Prime Agricultural Land
- Williamson Act - Non-Prime Agricultural Land
- Williamson Act - Mixed enrolled Land in Non-Renewal
- Non-Enrolled Land
- Water Bodies



Not to scale

Source: California Department of Conservation 2013

Figure 6-2

## Williamson Act Contracts in San Benito County

2035 San Benito County General Plan Revised DEIR



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## **Transfer of Development Credits (TDC)**

The San Benito County Board of Supervisors formed the Transfer of Development Credits Advisory Committee (TDC Committee) in late 2004/early 2005 to research and recommend the best methods to preserve the agricultural and grazing industries and the environmentally sensitive open spaces of the County. The TDC Committee analyzed the total capacity for housing units in the County and found that there is sufficient lands set aside in urban residential (34,006 units), agricultural productive (15,268 units), and agricultural rangeland (16,479 units). They identify that while “one home per five acre housing project may be nice places to live...they generate very few homes and take productive farmland out of the system in large chunks.” Instead of recommending that the County simply downzone agricultural productive/rural lands and agricultural range lands to 10- or 20 acre parcels they developed a set of TDC principles that both protect private land values and protect productive lands. The TDC Committee recommended that these principles or guidelines be incorporated into a TDC and Clustering ordinance. This was done under Chapter 21.09, Transfer of Development Credits, in the San Benito County Code.

## **Urbanization and Agricultural Land**

### **Farmland Categories**

The DOC administers the FMMP. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and conversion of these lands over time to urban or other uses. The FMMP uses aerial photography and soils information to generate reports every two years on the quantity and status of agricultural land statewide and for individual counties. The minimum mapping unit is 10 acres for most land uses and 40 acres for grazing land. The FMMP uses five different categories for agricultural land and three others for “urban and built-up,” other land uses, and water (Table 6-2 and Figure 6-3).

Four of the agricultural categories – prime, statewide importance, unique, and local importance – are collectively labeled as “important farmland” and generally cover cultivated acres or farms that grow plant crops. The fifth agricultural land category identifies rangeland used for livestock grazing. Agricultural land made up more than 75 percent of the total land area in San Benito County. Of this agricultural land total, 91 percent was grazing land. Prime farmland made up 4.1 percent of all agricultural land. Urban and built-up acres were slightly under 1 percent of the total land area.

### Farmland Conversion Trends

Representing about 75 percent of the County's land base, most of the land available for potential urban development in San Benito County is agricultural. As shown in [Table 6-3](#), 2,430 acres were converted to urban uses from 1992 to 2010. Based on the FMMP land use categories, much of this conversion is presumed to have occurred on high value farmland including Prime Farmland. In its 2007 report, *Paving Paradise: A New Perspective on California Farmland Conversion*, the American Farmland Trust analyzed FMMP data for 1990 to 2004 for all California counties. Out of the total 2,191 acres that converted to urban uses in San Benito County over that time period, 966 acres (or 44 percent) were on Prime Farmland, with another 137 on other high quality farmland.

**Table 6-2 Farmland Mapping and Monitoring Program Land Use Categories and Acreage**

Land Use Category	Acres	Percent of Total Mapped Acres
Prime Farmland	27,425	3.08%
Farmland of Statewide Importance	6,475	0.73%
Unique Farmland	2,250	0.25%
Farmland of Local Importance	21,310	2.40%
Grazing Land	614,821	69.11%
Urban and Built-up Land	8,023	0.90%
Other Land	207,937	23.37%
Water Area	1,145	0.13%
<b>Total</b>	<b>889,386</b>	<b>100%</b>

*Source:* Department of Conservation 2010.

From 1992 to 2010, total agricultural land decreased by more than 8,420 acres. Some of this was converted to urban land uses and some to rural residential uses. The majority was converted to grazing land, which increased by 28,189 acres. This is likely due to farmers taking land out of crop production because of water availability and other economic feasibility issues.



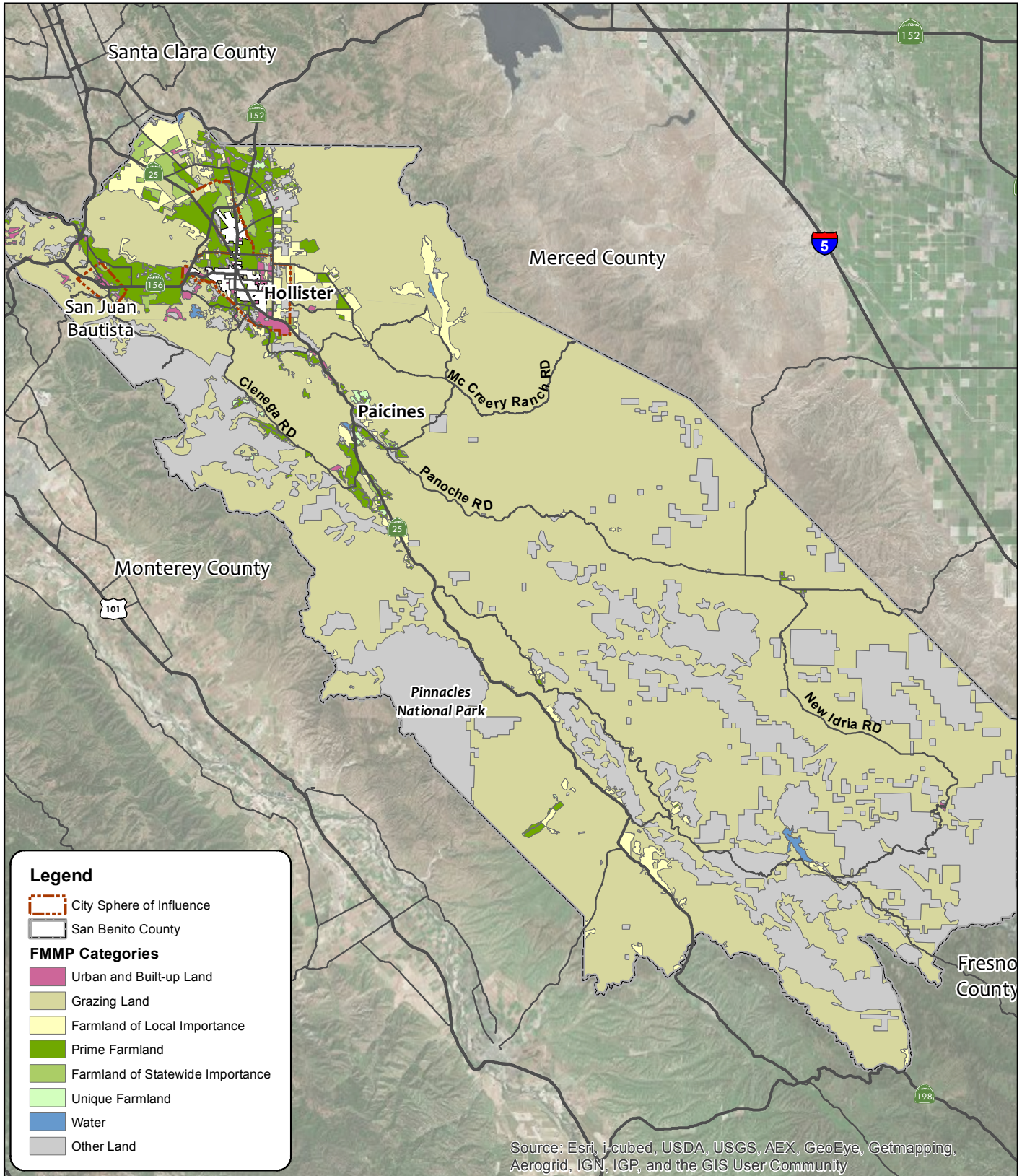


Figure 6-3

# Prime Farmland in San Benito County

2035 San Benito County General Plan Revised DEIR



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**Table 6-3 Agricultural and Other Land Use Changes**

Land Use Category	Acres 1992	Acres 2010	1992-2010 Change	Percent Change	Average Annual Change in Acres
Prime Farmland	41,328	27,425	-13,903	-34%	-772
Farmland of Statewide Importance	12,685	6,475	-6,210	-49%	-345
Unique Farmland	1,746	2,250	504	29%	28
Farmland of Local Importance	38,310	21,310	-17,000	-44%	-944
Grazing Land	586,632	614,821	28,189	5%	1566
<i>Subtotal Agricultural Land</i>	<i>680,701</i>	<i>672,281</i>	<i>-8,420</i>	<i>1.24%</i>	<i>468</i>
Urban and Built-up Land	5,593	8,023	2,430	43%	135
Other Land	201,873	207,937	6,064	3%	337
Water Area	1,093	1,145	52	5%	3
<b>Total</b>	<b>889,260</b>	<b>889,386</b>	126	0%	7

*Source:* Department of Conservation 1996, 2014.

### **Urban-Agricultural Edge Patterns**

As urban centers in agricultural areas expand outward and new residents populate the countryside adjacent to productive agricultural land, the potential for urban-agricultural conflicts increases. This conflict is a common consequence of urbanization in California’s agricultural regions and the result of the juxtaposition of incompatible land uses, the industrial-like processes of growing crops and animals adjacent to or nearby new residential development frequently housing people unfamiliar with agricultural operations. Since the bulk of San Benito County’s high quality farmland is located near developed areas, there is a high potential exposure of agricultural operations to non-farm residences and other forms of urban development.

This exposure pattern does not suggest that problems always occur wherever the two different land uses meet. Rather, the extent of conflict depends on farm practices, the urban-rural backgrounds of residential neighbors, how urban development is configured, and other local factors. According to the Agricultural Commissioner, on an annual basis, there are typically few complaints about agricultural operations made by neighbors. The Agricultural Commissioner’s office believes that the Agricultural Community Disclosure requirements are successful in informing the community about agricultural operations and keeping complaints at a relatively low level.

## **Farms and Farmers**

### **Farm Size**

In 2012, San Benito County had 628 farms with 604,319 acres in crop production. The average farm size was 962 acres. This average masks a great deal of variation, since farms range in size from a few acres to several thousand acres. The median farm size was 43 acres. The number of farms by size was:

- 1-9 acres: 205 (33%)
- 10-49 acres: 119 (19%)
- 50-179 acres: 107 (17%)
- 180-499 acres: 51 (8%)
- 500-999 acres: 62 (10%)
- 1,000 acres or more: 84 (13%)

The relative significance of the largest farms is indicated by these farm size classifications. With an accumulated total of 604,319 acres, the 146 largest farms (all 500 acres or greater) together comprise roughly 95 percent of all agricultural land in the County. Compared to California as a whole, San Benito County had a lesser share of smaller farms and a greater share of larger farms (USDA 2014b).

### **Changes between 2007 and 2012 Agricultural Census**

Changes in farm numbers and size over the 5-year period between 2007 and 2012 were minimal, suggesting the stability of the agricultural sector in San Benito County. The recent trends include the following:

- The number of farms over the period increased slightly from 625 to 628, adding 24,468 acres of land in farms.
- The number of farms increased by only a few; however, there were fluctuations in the amount of farms by size, most notably a decrease in the smallest size by 41 farms and an increase in medium sized farms (100-179 acres) (USDA 2014b).

### **Agricultural Productivity**

The numerous small San Benito County farms are a mixed group as producers of agricultural commodities. Included are some commercially viable farms managed by full-time or other serious farmers. But perhaps the majority of small agricultural parcels serve primarily as rural



homesites with only incidental commercial production. They are included in this tabulation because the Census of Agriculture uses an economically minimal definition of a “farm”– one that generates at least \$1,000 in annual commodity sales. The \$1,000 minimum is not rigorously applied by the Census when it reports the number of farms per County every five years. The formal definition includes the potential for reaching the minimum; a farm is an enterprise “that produces, or would normally produce and sell, \$1,000 or more of agricultural products per year.” (USDA 2014a)

Farm size affects farm income and profitability. It has a bearing on the viability of individual farm operations and more generally on the economic health of the County’s overall agricultural sector. The larger the parcel, the more likely that income from agricultural commodities can support a family. Larger farms have more flexibility to change what they grow to take advantage of shifts in markets and technologies, and are less likely to be split for residential development. In some cases the integration of small farm parcels into larger operations, through multiple ownership or leasing, can overcome the inefficiencies of small size, depending on location and the ease of moving equipment and labor between different properties.

It is not possible to identify a minimum-acre threshold for a profitable agricultural operation throughout San Benito County, since land requirements vary widely among commodities. Many of the field and vegetable crops are grown on larger parcels than are grapes and tree crops. As well as affecting agricultural productivity and profitability, farm size has an important relationship to County land use policies and practices, especially agricultural zoning and the review of proposals to split parcels to accommodate rural residences or create smaller farm operations. The average farm sizes for the many different commodities are larger than the minimum acreage (5 acres) required in the Agriculture Productive (AP) zone.

## **6.1.2 Regulatory Setting**

### **State**

- **Williamson Act Program.** As described more fully above, the Williamson Act conserves agricultural land and open space lands through property tax incentives and voluntary restrictive use contracts administered by the County, according to state regulations. The program allows landowners to restrict their land to agricultural and open space uses under minimum 10-year rolling term contracts. Land is assessed for property taxes according to its actual use instead of its potential market value.
- **Farmland Mapping and Monitoring Program (FMMP).** As described more fully above, the DOC manages the FMMP, which develops mapping tools and statistical data that analyzes land use changes to farmland. The program rates agricultural land on its

production potential according to the following primary classifications: prime farmland, farmland of statewide significance, unique farmland, grazing land, urban and built-up land, other land, and water.

- **Open Space Lands Act (California Government Code § 65560 et seq.).** The Act requires all cities and counties to include an open space element in their local general plans, which must cover open space for natural resource preservation, managed production of resources, outdoor recreation, public health and safety, military installations, and the protection of places, features, and objects significant to Native American tribes.

## County

- **1992 San Benito County General Plan.** The 1992 General Plan contains agriculture-related policies and specific implementing actions concerning farmland protection. As set forth more fully above, the 1992 General Plan concentrates on the importance of protecting farmland from development pressures, especially rural residential development. There are specific sections addressing agriculture in the Land Use Element and in the Open Space and Conservation Element. The policies address the conversion of agricultural land to residential and other non-farm uses and the impacts of nearby non-farm uses on existing agricultural operations.
- **Right-to-Farm Ordinance.** As described above, San Benito County adopted a comprehensive “right to farm” ordinance contained in Article 1 (Agricultural Community Disclosure) of Chapter 19.01 (Agricultural Provisions) of the San Benito County Code of Ordinances. The purpose of the article states that “Since the County is an agricultural community, much property lies within, or adjacent to, a zoning district that allows some form of agricultural operations to exist. Therefore, owners and possessors of property in the County should expect that the use and enjoyment of their property will depend on the subject zoning district permissible and conditional uses, which uses in many cases will be a form of agricultural operations.”

## 6.2 ENVIRONMENTAL EFFECTS

This analysis evaluates whether urban development that would likely occur under the 2035 General Plan could result in adverse effects on agricultural and forestry resources.

### 6.2.1 Significance Criteria

As set forth in Appendix G to the State CEQA Guidelines, Section II, Agriculture and Forestry Resources, the following criteria have been established to quantify the level of significance of an

adverse effect being evaluated pursuant to CEQA. The numeration of each criterion below corresponds to the questions in the checklist in Appendix G (e.g., II.a, II.b). Implementation of the 2035 General Plan would result in a significant transportation and circulation if it would:

- 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-agriculture use. (II.a)
- Conflict with existing zoning for agriculture use, or a Williamson Act Contract. (II.b)
- 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)). (II.c)
- Result in the loss of forest land or conversion of forest land to non-forest use. (II.d)
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agriculture use or conversion of forest land to non-forest use. (II.e)

## **6.2.2 Analysis Methodology**

The agricultural and forestry resources evaluation includes a review of agricultural and forestry resources potentially affected by the development permitted under the 2035 General Plan. To determine the estimated amount of future farmland, and specifically, the amount of prime farmland, unique farmland, and farmland of statewide importance that would be converted to non-agricultural uses under the proposed 2035 General Plan, an inventory of all productive farmland, as cataloged by the FMMP, located within land uses that would be designated as urban uses under the 2035 General Plan was completed. For purposes of this analysis, urban uses included: Commercial Neighborhood, Commercial Regional, Commercial Thoroughfare, Industrial Heavy, Industrial Light, Planned Development, Public/Quasi Public, Residential Mixed, Residential Rural, Rural, Rural Transitional, the Santana Ranch Specific Plan, and the Fairview Corners Specific Plan. Using Geographic Information Systems (GIS), the amount of developed land was calculated according to the urban/built-up FMMP land classifications. The remaining undeveloped land within the land to be classified with urban land use designations was calculated by subtracting land in the FMMP data set from the total land area that would be classified for urban uses under the 2035 General Plan.

The total acreage of important farmland with the potential to be affected by development was calculated by determining the amount of prime, unique, and farmland of statewide importance within the areas that designated for urban land use under the 2035 General Plan. The analysis

did not include lands within the two boundaries of the two incorporated cities within the County since the County does not retain land use authority over those lands. The evaluation also determined whether the proposed land use designations would conflict with Williamson Act contracts by applying urban land use designations to land under Williamson Act contracts. The evaluation further assessed whether the goals and policies in the 2035 General Plan promote the protection of agricultural resources. Forestry resources were determined by a review of the CAL FIRE FRAP land cover maps and the existing San Benito County Land Use Diagram. Finally, the analysis considered the two possible growth scenarios introduced in Chapter 4: Scenario 1 and Scenario 2. Even at this programmatic level of analysis, Scenario 1 and Scenario 2 have some differences in their impacts on agricultural resources, which are discussed below.

### 6.2.3 Environmental Impacts

The following discussion examines the potential impacts of the proposed project based on the impact threshold criteria described above. [Table 6-4](#) summarizes 2035 General Plan policies that would mitigate environmental impacts associated with agriculture and forestry, including an explanation of how the policy would avoid or reduce impacts, and thus are self-mitigating.

**Table 6-4 2035 General Plan Goals and Policies that Mitigate Agriculture and Forestry Resources Impacts**

Goals and Policies	How the Goal/Policy Avoids or Reduces Impact	Impact AG-#
<b>Land Use Element</b>		
<p><b>Goal LU-1: Countywide Growth and Development</b></p> <p>To maintain San Benito County’s rural character and natural beauty while providing areas for needed future growth.</p>	<p>Sets the overall goal to maintain the County’s rural character, which would involve the preservation and maintenance of agricultural lands.</p>	<p>1,3</p>
<p><b>Policy LU-1.2: Sustainable Development Patterns</b></p> <p>The County shall promote compact, clustered development patterns that use land efficiently; reduce pollution and the expenditure of energy and other resources; and facilitate walking, bicycling and transit use and encourage employment centers and shopping areas to be proximate to residential areas to reduce vehicle trips. Such patterns would apply to infill</p>	<p>Encourages sustainable development patterns that efficiently use land resources, reduce traditional (i.e., vehicular) transportation between housing and employment, and promote alternative transportation methods, thereby reducing the likelihood of conversion of important farmland to urban uses.</p>	<p>1</p>

<b>Goals and Policies</b>	<b>How the Goal/Policy Avoids or Reduces Impact</b>	<b>Impact AG-#</b>
development, unincorporated communities, and the New Community Study Areas. The County recognizes that New Community Study Areas comprise locations that can promote sustainable development.		
<p><b>Policy LU-1.4: Identifiable Community Boundaries</b></p> <p>The County shall encourage defined boundaries between communities (e.g., cities, and unincorporated communities).</p>	Reduces impacts to important farmlands by ensuring clear and identifiable boundaries are maintained between urban residential communities and working agricultural landscapes.	1,3
<p><b>Policy LU-1.5: Infill Development</b></p> <p>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.</p>	Encouraging infill development will direct growth towards underutilized and vacant parcels in incorporated areas versus undeveloped land in the unincorporated County, minimizing impacts to farmland.	1
<p><b>Goal LU-3: Agricultural and Rangeland</b></p> <p>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.</p>	Avoids impacts to agricultural lands, including important farmlands, and conflicts with land zoned for agriculture by ensuring the agricultural industry is protected from incompatible urban land uses.	1,2,3
<p><b>Policy LU-3.1: Agricultural Diversification</b></p> <p>The County shall support existing farms, vineyards, and other agricultural operations and encourage the agricultural industry to continue diversification that includes organic, value-added, small-scale, sustainable, and community-supported agricultural practices throughout the County.</p>	Limits impacts to important agricultural uses and reduces the likelihood of conversion from agricultural to urban uses by supporting farms, vineyards, and other agricultural operations to continue to diversify practices.	1,3

Goals and Policies	How the Goal/Policy Avoids or Reduces Impact	Impact AG-#
<p><b>Policy LU-3.2: Agricultural Integrity and Flexibility</b></p> <p>The County shall protect the integrity of existing agricultural resources, and provide for flexibility and economic viability of farming and ranching operations.</p>	<p>Reduces impacts to important farmland and on land zoned for agriculture within the County by protecting the integrity of existing operations and resources.</p>	<p>1,2,3</p>
<p><b>Policy LU-3.9: Right to Farm and Ranch</b></p> <p>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 area 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.</p>	<p>Encourages the protection of agricultural lands and operations and the minimization of related land use conflicts in the County by supporting the rights of farming operations, even when established urban uses in the area may result in complaints against agricultural practices. Reduces nuisance complaints from new urban residents by requiring prospective residents in new developments near agricultural areas to be notified that there may be inconveniences and discomfort associated with normal farming activities, and that such operations are not considered nuisances.</p>	<p>1,2,3</p>
<p><b>Policy LU-3.10: Agricultural Land Mitigation</b></p> <p>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.</p>	<p>Minimizes impacts to important farmlands, conflicts to agriculturally-zoned uses, and agricultural conversion impacts by establishing a program designed to mitigate the loss of farmland resulting from urban development in the unincorporated areas of the County by requiring the permanent protection of farmland at a 1:1 ratio based upon the amount of farmland converted. The policy is designed to specifically compensate for the loss of agricultural land.</p>	<p>1,2,3</p>

Goals and Policies	How the Goal/Policy Avoids or Reduces Impact	Impact AG-#
<p><b>Policy LU-3.11: Williamson Act Contracts Non-Renewal on Small Parcels</b></p> <p>The County shall consider not renewing current Williamson Act contracts on small parcels that are not devoted to commercial agriculture.</p>	<p>Would remove small parcels not devoted to agriculture from the Williamson Act program to maintain farm efficiency, but also would reduce the potential amount of agricultural land eligible for protection under the Williamson Act.</p>	<p>2</p>
<p><b>Policy LU-3.12: Agricultural Viability of Small Parcel Sizes</b></p> <p>The County shall require project applicants seeking to subdivide agriculturally-zoned parcels to demonstrate the continued viability of lots less than 40 acres for commercial agriculture operations.</p>	<p>Limits the subdivision of agriculturally-zoned parcels suitable for agricultural operations by requiring applicants to demonstrate the viability of lots less than 40 acres since small parcel sizes may not support efficient agricultural operations.</p>	<p>2</p>
<p><b>Policy LU-3.14: Land Trusts and Financial Incentives</b></p> <p>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.</p>	<p>Encourages consideration of land trusts and financial incentives as a means to protect and preserve agricultural resources, thereby reducing the conversion of important farmlands. Promotes the use of land trusts and financial incentives to preserve agricultural resources.</p>	<p>1,2,3</p>
<p><b>Goal LU-4: Residential Development</b></p> <p>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.</p>	<p>Supports incentives for clustered residential development in order to concentrate urban uses away from valuable agricultural lands and to create higher density urban uses that reduce sprawl on valuable agricultural lands, minimizing impacts to important farmlands.</p>	<p>1,3</p>
<p><b>Policy LU-4.6: Clustered Residential Program</b></p> <p>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.</p>	<p>Reduces impacts to important farmland by encouraging the clustering of residential uses in rural areas to maximize the preservation of agricultural lands.</p>	<p>1,3</p>

<b>Goals and Policies</b>	<b>How the Goal/Policy Avoids or Reduces Impact</b>	<b>Impact AG-#</b>
<p><b>Policy LU-4.7: Clustered Residential Site Layout</b></p> <p>The County shall encourage clustered residential development to be designed to respect existing natural features (e.g., rivers and streams, hills and ridge lines, and substantial tree stands) as appropriate to the density and character of the development, and if applicable to use such features to separate clustered parcels from farming areas.</p>	<p>Clustered residential development would direct growth to suitable areas and away from sensitive agricultural uses, such as important farmlands.</p>	<p>1,3</p>
<p><b>Policy LU-4.8: Conservation Easements Related to Clustered Residential Development</b></p> <p>The County shall encourage new clustered residential development to provide agricultural and/or other appropriate open space easements on farming or open space parcels(s) at the time that the development occurs, or if in a multi-phased Planned Development, according to an adopted specific plan.</p>	<p>Potentially minimizes impacts to important farmland by requiring new development to provide agricultural and/or open space easements on the residual farming parcel at the time of subdivision.</p>	<p>1,3</p>
<p><b>Policy LU-4.9: Transfer of Development Credit Program</b></p> <p>The County shall maintain and implement the voluntary Transfer of Development Credit (TDC) program as an incentive to protect farmland and focus future develop away from the most productive farmland.</p>	<p>Supports incentives such as a voluntary Transfer of Development Credit (TDC) program to protect important farmlands.</p>	<p>1,3</p>
<p><b>Policy LU-8: New Communities</b></p> <p>To provide the option for New Communities to be considered as a way of accommodating planned growth in the unincorporated parts of San Benito County.</p>	<p>Reduces the likelihood of conversion from agriculture to urban uses and urban sprawl on valuable agricultural lands by promoting clustered and higher density growth patterns in the New Community Study Areas.</p>	<p>1,3</p>
<p><b>LU-8.5: Sustainable New Communities</b></p> <p>The County shall encourage New Communities to be planned and designed to reflect the spirit and intent of sustainable growth strategies, such as providing, as appropriate to the site and scale of the proposed New Community:</p>	<p>Provides that New Communities are sustainably planned, including the reduction of loss of important farmland, to the extent feasible.</p>	<p>1</p>



<b>Goals and Policies</b>	<b>How the Goal/Policy Avoids or Reduces Impact</b>	<b>Impact AG-#</b>
<p>a. easy access to major transportation links, transit, bicycle networks;</p> <p>b. a balance between jobs and housing;</p> <p>c. good internal connectivity and good connectivity to the community at large;</p> <p>d. a reduced parking footprint, a transportation demand management program;</p> <p>e. institutions such as schools within walking distance from residences;</p> <p>f. distinct, compact, walkable neighborhoods, each with a recognizable center;</p> <p>g. walkable streets with shade trees and sidewalks or walking paths</p> <p>h. habitat avoidance and conservation plans; and i.e. restoration of resources such as riparian corridors; and permanent preservation of open space.</p>		
<b>Circulation Element</b>		
<p><b>Goal C-6: Air Transportation</b> To promote the safe and efficient use of aviation facilities.</p>	<p>Controls on aviation facilities would reduce impacts on nearby agricultural land uses by helping reduce potential conflicts between these uses and aviation facilities.</p>	<p>1</p>
<p><b>Policy C-6.1: Private Airstrip Control</b> The County shall control the location, development, and use of private airstrips and agricultural landing fields.</p>	<p>Potentially limits the development of private airstrips within agricultural lands by controlling the development of agricultural landing fields.</p>	<p>1</p>
<p><b>Policy C-6.2: Protect Prime Farmland</b> The County shall not allow new air strips to be developed on prime agricultural land.</p>	<p>Reduces agricultural impacts by prohibiting new airstrips on prime agricultural land.</p>	<p>1</p>
<b>Natural and Cultural Resources Element</b>		
<p><b>Goal NCR-1: Open Space</b> To preserve and enhance valuable open space lands that provide wildlife habitat and conserve natural and visual resources of San Benito County.</p>	<p>Potentially acts to preserve agricultural lands as a form of open space benefiting natural and visual resources.</p>	<p>1</p>

Goals and Policies	How the Goal/Policy Avoids or Reduces Impact	Impact AG-#
<p><b>Policy NCR-1.1: Integrated Network of Open Space</b></p> <p>The County shall maintain an integrated network of open space lands that support natural resources, recreation, tribal resources, wildlife habitat, water management, scenic quality, and other beneficial uses.</p>	<p>Potentially acts to preserve agricultural lands as a form of open space benefiting natural and visual resources.</p>	<p>1</p>
<p><b>Goal NCR-6: Energy Resources</b></p> <p>To increase energy independence and reduce greenhouse gas emissions through the use of renewable energy sources and improved energy conservation and efficiency.</p>	<p>Seeks to minimize impacts to agricultural lands, specifically rangelands, as new sources of renewable energy are developed.</p>	<p>1</p>
<p><b>Policy NCR-6.4: Large-Scale Alternative Energy Installations</b></p> <p>The County shall encourage large-scale solar and wind energy production facilities in Rangeland designated areas, so long as they do not result in a tax burden to the County, result in permanent water transfers off of productive agricultural land, or pose a health or safety risk to existing residents. In addition, these facilities should include dedications of agricultural land and habitat mitigation, measures to control erosion, and financial assurances for decommissioning.</p>	<p>Minimizes impacts to agricultural lands related to large-scale solar and wind installations by ensuring such facilities are properly sited and do not result in permanent water transfers off productive agricultural land. Also, incorporates the requirement for dedications of agricultural land mitigation.</p>	<p>1</p>

*Sources:* San Benito County 2011, 2014; Planning Partners 2012.

***Impact AG-1: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agriculture use (II.a).***

**Level of Significance:** Significant and unavoidable for both Scenario 1 and 2.

### Scenario I Impacts

The following discussion examines the potential impacts of Scenario 1 based on the impact threshold criteria described above. Implementation of the proposed 2035 General Plan under Scenario 1 would lead to urban development, including infrastructure, roadways, and other utilities, that could convert prime farmland, unique farmland, or farmland of statewide

importance to non-agricultural use. While the 2035 General Plan would protect the majority of farmlands of concern, specifically under the Agricultural land use designations and the Land Use Element goals and policies, the 2035 General Plan under Scenario 1 nonetheless would allow for the conversion of farmlands to non-agricultural use to accommodate future residential growth, new employment, commercial development, roadway improvements, energy development, and other developed uses, and therefore may have a potentially significant impact.

San Benito County contains approximately 672,281 acres in agricultural use, which comprise 75 percent of the County’s total land area. In 2010, the FMMP categorized approximately 36,150 acres of the total farmland as prime farmland, farmland of statewide importance, and unique farmland. This important farmland represents approximately 3.3 percent of all land in the County. Over an 18-year period from 1992-2010, total agricultural land has decreased from 680,701 to 672,281 acres, a decrease of 8,420 acres or 1.2 percent. Over the same time, urban and built-up land increased from 5,593 to 8,023 acres, an increase of 2,430 acres or 43 percent. Annually, the loss of important farmland averaged approximately 2,034 acres per year, with higher losses occurring in the prime farmland category. Similarly, unique farmland, farmland of statewide importance, and farmland of local importance declined disproportionately, with a combined loss of 43 percent during the 18-year period. As a result, the conversion of important farmlands to other uses has been a slow but steady process over the 18-year period. It should be noted that much of the loss relates to conversion of important farmland to grazing use, and these lands potentially could be converted back to active farmland. Future growth resulting from the implementation of the proposed Scenario 1 would result in both the direct and indirect conversion of important farmlands to urban or non-agricultural uses. This conversion would primarily be due to urban development associated with new residential and employment growth, and the construction of infrastructure such as roadways and utilities improvements. According to the proposed 2035 General Plan, the projected development forecast by 2035 would result in the need for an additional 13,545 dwelling units and an additional 7,500 jobs in the unincorporated County. [Table 6-5](#) summarizes the projected additional dwelling units and jobs by 2035.

**Table 6-5      2035 General Plan Residential Estimates in Unincorporated County**

	<b>Estimated Number of Net New Units by 2035</b>
Single-Family	10,365 units
Multi-Family	3,180 units
<b>Total</b>	<b>13,545 units</b>

*Sources:* DOF 2011, San Benito County 2011b.

*Note:* <sup>1</sup>Estimates were derived from San Benito County General Plan Update - Build-out Analysis.

As shown in [Table 6-5](#), by 2035, new dwelling units in unincorporated San Benito County would include approximately 10,365 single-family units and approximately 3,180 multi-family units. In order to accommodate these new residential units, currently undeveloped and vacant land would likely be converted to urban uses. [Table 6-6](#) shows the number of additional jobs expected in the unincorporated San Benito County by 2035.

**Table 6-6 2035 General Plan Employment Estimates in Unincorporated County - Scenario 1**

<b>Jobs</b>	<b>Estimated Number of Net New Jobs by 2035</b>
Retail	1,670
Service	1,400
Office/R&D/Industrial	3,480
Farm	950
<b>Total</b>	<b>7,500</b>

As shown in [Table 6-6](#), the 2035 General Plan would result in an additional 7,500 jobs in the unincorporated County if growth occurs as projected under Scenario 1. Together, new residential units, employment areas, and other urban uses in the County would convert existing undeveloped land uses to residential and commercial development by 2035. Such development has the potential to occur on prime farmland, farmland of statewide significance, and unique farmland within the County.

According to 2010 FMMP data, approximately 2,872 acres (15 percent) of urban development has occurred within the 18,527 acres proposed to be designated for urban land uses under the 2035 General Plan Land Use Diagram. Refer to Section 6.2.2 above for a list of land uses that are considered “urban” under the 2035 General Plan. This leaves 15,655 remaining undeveloped acres that could potentially be converted to urban uses under the 2035 Land Use Diagram. Of the remaining developable acres, approximately 1,925 acres consist of important farmlands. [Table 6-7](#) summarizes the total acres of developable land, developed land, remaining undeveloped land, and important farmland types within urban land use designations under the 2035 Land Use Diagram.

The 2035 Land Use Diagram and land use goals and policies were designed to promote clustered residential development located away from prime farmland and other natural resources, and to accommodate regional commercial and employment growth at key intersections along State Route 25, the Airpark Business Center, and the San Felipe Road business corridor. San Benito

County ranked first in all Central Coast counties and third in all California agricultural counties in the percentage increase in people per urbanized acre, which indicates that the 1992 General Plan policies effectively promoted clustering. Continuation of these policies as proposed in the 2035 General Plan should have the same results.

Table 6-7 summarizes the total amount of important farmland within urban land use designations with the potential to be converted to urban uses under Scenario 1 of the proposed 2035 General Plan. As shown in Table 6-7, even by directing future growth to clustered residential communities instead of residential “ranchettes” for example, the proposed 2035 General Plan has the potential to convert up to 5,164 acres of important farmland under Scenario 1, which represents a loss of approximately 14 percent of total important farmland within the unincorporated County. Of this amount, approximately 4,441 acres or 86 percent would consist of prime farmland, approximately 592 acres or 11.5 percent would consist of farmland of statewide importance, and 131 acres or 2.5 percent would consist of unique farmland.

This summary does not account for farmland conversion that may result over time from rural residential development that could occur within non-urban designated lands, such as rangeland, rangeland management area, agriculture, and park land. For example, under the proposed Rangeland land use designation, the development standard permits one dwelling unit per 40 acres. Under the proposed Park and Rangeland Management Areas, no residential development would be allowed as many of these lands are under local, regional, state and/or federal management. Under the proposed Agriculture land use designation, one dwelling unit is allowed per five acres. Some level of residential development may occur within the rangeland and agricultural lands. Therefore, while the 2035 General Plan intends to limit new development on important farmlands, some urbanization could occur on prime farmland, unique farmland, and farmland of statewide importance. Further, there is the potential for suburban residential development to occur northeast and east of the City of Hollister, just outside the city limits east of Fairview Road (i.e., Santana Ranch Specific Plan, Fairview Corners Specific Plan, Gavilan College-San Benito Campus). Over time this type of development has the potential to result in greater impacts to the viability of the agricultural industry because of land use conflicts and the loss of larger parcels to residential subdivision.

**Table 6-7 Impacts to Important Farmlands in San Benito County Urban Land Use Designations—Scenario 1**

Urban Land Uses Only <sup>4</sup>	Total Acres	Developed Acres <sup>2</sup>	Undeveloped Acres <sup>3</sup>	Important Farmlands (acres) <sup>1</sup>			
				Prime	Statewide Importance	Unique	Total
Commercial Neighborhood	159	54	105	59	0	0	59
Commercial Regional	126	27	99	25	0	0	25
Commercial Thoroughfare	283	32	251	204	16	0	220
Industrial Heavy	587	108	479	175	0	1	176
Industrial Light	552	163	389	225	11	3	239
Public/Quasi Public	215	128	87	87	0	0	87
Residential Mixed	2,202	1,335	867	698	60	14	772
Residential Rural	1,694	383	1,311	1,212	27	38	1,277
Rural	10,901	209	10,692	1,255	112	75	1,442
Rural Transitional	691	213	478	0	0	0	0
Planned Development	752	220	532	501	1	0	502
Santana Ranch Specific Plan	301	0	301	0	301	0	301
Fairview Corners Specific Plan	64	0	64	0	64	0	64
<b>Total</b>	<b>18,527</b>	<b>2,872</b>	<b>15,655</b>	<b>4,441</b>	<b>592</b>	<b>131</b>	<b>5,164</b>

*Source:* San Benito County 2011a; DOC 2010; Planning Partners 2011.

*Notes:* <sup>1</sup> Amount of farmland types within lands that could become developed as urban uses by 2035.

<sup>2</sup> Amount of land classified “urban” according to the FMMP as of 2010.

<sup>3</sup> Equals total land designated for urban uses minus urban/developed land.

<sup>4</sup> Equals total for all urban land use designations within proposed 2035 Land Use Diagram, not including Rangeland, Rangeland Management Area, Agriculture, or Parks land use designations.

A goal of the 2035 General Plan is to protect the majority of farmlands, specifically the agricultural land within the Hollister and San Juan valleys, through both the Rangeland, Rangeland Management Area, and Agriculture land use designations and goals and policies designed to protect the conversion of agricultural lands to urban uses. The Rangeland, Rangeland Management Area, and Agriculture land use designations under the 2035 General Plan would maintain the productivity of agricultural land, especially prime farmland. Under the 2035 General Plan approximately 62,750 acres are designated for agricultural uses. Similarly, the County identified goals and policies that aim to preserve agricultural lands, slow the conversion of farmlands to urban use, and emphasize the importance of farming and ranching in the County. The 2035 General Plan also contains numerous policies in the Land Use Element that are explicitly designed to cluster residential development to protect the County's existing agricultural resources, preserve prime farmlands, and balance farming needs with the concerns of adjacent rural residential and urban uses. [Table 6-4](#) includes goals and policies from the 2035 General Plan Land Use Element that state the County's intent to maintain agricultural lands.

Under the Countywide Growth and Development section in the Land Use Element, Goal LU-1 sets the overall goal to maintain the County's rural character, which involves the preservation of agricultural lands. The policies supporting this goal support sustainable development patterns and promote infill development, minimizing potential effects on farmland. There are numerous policies in the Agricultural and Rangeland section that emphasize the importance of farming and ranching in the County, and identify ways to protect agricultural operations and promote the agriculture industry. Goal LU-3 would avoid impacts to important farmlands by protecting agricultural operations from incompatible urban uses to allow farmers to efficiently manage their land. The Land Use Element also contains several policies that protect agricultural uses under Goal LU-4, which provides incentives to place clustered residential development away from valuable agricultural lands.

The Natural and Cultural Resources Element also contains policies that would minimize impacts to agriculture related to large-scale solar and wind energy generation installations. Implementation of these policies would preserve open space that could contain agricultural resources. Policies C-6.1 and C-6.2 in the Circulation Element control the development of private air strips and restrict the development of new air strips on prime agricultural land, reducing impacts to important farmlands.

The designation of farmlands of concern for non-agricultural land uses in the 2035 General Plan could lead to the conversion of farmland to non-agricultural uses, regardless of the 2035 General Plan goals and policies. Agricultural parcels located near existing urban uses, specifically the suburban areas around the City of Hollister, may have limited long-term viability for active agricultural activities due to urban edge conflicts. Although there is little current evidence, nuisance complaints from surrounding neighbors, regarding issues such as restrictions on

spraying pesticides and herbicides near sensitive receptors, vandalism, and traffic could reduce the viability of productive agricultural operations that are too close to existing urban development. In addition, many agricultural parcels in the unincorporated County are small, and changing agricultural trends may make their continued operations no longer viable. As a result, keeping agricultural land use designations on these scattered, small parcels, particularly if the parcels are situated near urban uses, may not ensure that agricultural production remains unchanged.

As discussed above, the 2035 General Plan recognizes rangeland and agriculture as the primary current land uses in the County. The 2035 General Plan recognizes the importance of continued preservation of agricultural lands through numerous policies that are intended to protect agricultural values and productivity. However, another purpose of the 2035 General Plan is to develop a framework to guide future land use development to accommodate population growth in an orderly fashion. As a result, it is inevitable that some farmlands would be converted to accommodate long-term population growth needs. Accordingly, some proposed policies would permit the loss of farmland to urban development both on land with urban land use designations and from growth in scattered locations, specifically on Agricultural and Rangeland land use designations. Also, while some proposed policies would fully protect the amount of farmland equal to that removed, no policy would prohibit residential or commercial development or infrastructure, roadway, or energy development on important farmlands. The proposed 2035 General Plan likely will lead to the conversion of agricultural uses to non-agricultural uses, and over time could result in a net loss of important farmland. Therefore, development under Scenario 1 as permitted by the proposed 2035 General Plan has the potential to result in the loss of agricultural uses, including the loss of important farmland to urban uses. This would result in a potentially significant impact.

### **Mitigation Measures:**

*AG-1a. Amend the following policy in the 2035 General Plan Land Use Element:*

*Policy 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 up to an equal number of Prime Farmland acres (i.e. up to 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. Further, the County shall work with the City of San Juan Bautista and the City of Hollister to encourage them to adopt a similar agricultural conversion mitigation ratio.*



*AG-1b. Add the following policy to the 2035 General Plan Natural and Cultural Resources Element:*

*Policy NCR-5.15: Mining Activity Conservation Easements*

*Require mining or mineral or aggregate extraction projects to obtain agricultural conservation easements of similar quality to those Prime Farmland acres, that are Class 1 soil, converted at a minimum of 1:1 ratio, or as necessary to assure no net loss of agricultural productivity or value for each acre of productive agricultural land converted as a result of mining and not returned to agricultural production.*

*AG-1c: Amend the following policy in the 2035 General Plan Natural and Cultural Resources Element:*

*Amend Policy NCR-6.3: Energy Facilities, as follows:*

*The County shall encourage the siting of energy facilities in a manner that is compatible with surrounding land uses and protects scenic and agricultural resources, such as Prime Farmlands.*

Implementation of Mitigation Measures AG-1a-Scenario 1 through AG-1c-Scenario 1 would help maintain existing agricultural lands as agricultural uses. No changes in land uses are required, and no environmental effects would occur. Instead, the County policies would support agricultural uses, conserve prime agricultural land at a 1:1 ratio to reduce potential for additional farmland conversion, and protect agricultural resources from mining and energy development. While proposed County policies and the mitigation measures noted above would encourage the maintenance of existing agricultural lands, the Rangeland, Rangeland Management Area, Park, and Agricultural land use designations and the policies and mitigation measures may not prevent the overall net loss of important farmlands within the County associated with future urban development within agricultural areas. Consequently, implementation of the 2035 General Plan would substantially convert important farmlands to urban and developed rural uses, and result in a significant and unavoidable impact.

## **Scenario 2**

The analysis and conclusions under Scenario 2 are substantially similar to those for Scenario 1. Like Scenario 1, urban development under the proposed 2035 General Plan as could potentially occur under Scenario 2 could convert prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use. Both Scenarios would result in the same 2035 General Plan population and dwelling unit buildout conditions, i.e., 13,545 new residential units and 36,102 new residents. The residential growth patterns for Scenario 2 would result in more jobs in the unincorporated County than anticipated under Scenario 1. As shown in [Table 6-8](#), the 2035 General Plan would result in an additional 8,600 jobs in the unincorporated County under Scenario 2. Together, new residential units, employment generating uses, and other urban uses

in the northwestern part of the County would result in conversion of existing undeveloped land to urban uses. Such development has the potential to occur on prime farmland, farmland of statewide significance, and unique farmland within the County.

**Table 6-8 2035 General Plan Employment Estimates in Unincorporated County - Scenario 2**

<b>Job Generating Land Uses</b>	<b>Estimated Number of Net New Jobs by 20351</b>
Retail	1,920
Service	1,640
Office/R&D/Industrial	4,090
Farm	950
<b>Total</b>	<b>8,600</b>

*Sources:* DOF 2011, San Benito County 2011b.

*Note:* <sup>1</sup>Estimates were derived from San Benito County General Plan Update - Build-out Analysis.

Table 6-9 shows that approximately 5,520 acres of important farmland could potentially be converted under Scenario 2. This represents approximately 15 percent of the total acreage of important farmland in the County. This represents a minor one percent difference between the acreage of important farmland that would be converted under Scenario 2 relative to Scenario 1. However, if and until specific development is proposed in one or more New Community Study Areas, the acreage of important farmland that could be converted under Scenario 2 remains an estimate.

**Table 6-9 Impacts to Important Farmland within San Benito County - Scenario 2**

	<b>Important Farmland Acreage</b>			
	<b>Prime</b>	<b>Statewide Importance</b>	<b>Unique</b>	<b>Total</b>
Scenario 2	4,538	742	240	5,520

*Source:* San Benito County GIS Data 2011; Farmland Mapping and Monitoring Program 2010; Planning Partners 2011.

As shown in Table 6-4, the 2035 General Plan has numerous goals and policies designed to minimize impacts to agriculture. These goals and policies are described above, under the Impact AG-1 analysis for Scenario 1 and would similarly apply under Scenario 2. In addition, the General Plan includes policies that would minimize impacts of agricultural lands from new

communities, which are also listed in [Table 6-4](#). Goal LU-8 would allow for new communities to be considered, which would provide a means for growth to be accommodated in areas other than proximate to Hollister, which generally consist of important farmland. New communities would generally have higher densities than that allowed by zoning, thereby reducing the amount of farmland converted to urban use.

As discussed above, in addition to the goals and policies in [Table 6-4](#) that protect agricultural resources, the 2035 General Plan also develops the framework to guide growth in an orderly manner, which would inevitably involve converting some farmlands to accommodate long-term population growth needs. Accordingly, the adoption of the 2035 General Plan likely would result in the loss of farmland to urban development both within designated urban land uses and due to growth at scattered locations, such as losses from development within Agricultural and Rangeland land uses. Therefore, the buildout of the areas designated for development under the 2035 General Plan in the manner identified in Scenario 2 has the potential to result in the loss of agricultural uses, including the conversion of important farmland. This would result in a potentially significant impact.

**Mitigation Measure:**

*AG-1d. Implement Mitigation Measures AG-1a through AG-1c.*

Implementation of Mitigation Measure AG-1a-Scenario 2 would help to encourage the maintenance of existing agricultural lands as agricultural uses. Policy LU-8.3 would require new communities to be accessible to existing or proposed transportation routes and employment centers. While Policy LU-8.3 would promote self-contained and compact new communities and reduce the need for new infrastructure to support new communities, the policy may not prevent the overall net loss of important farmlands within the County associated with future urban development within agricultural areas. . Consequently, implementation of Scenario 2 of the 2035 General Plan may substantially convert important farmlands to urban uses, and result in a significant and unavoidable impact.

***Impact AG-2: Conflict with existing zoning for agricultural use, or the provisions of Williamson Act contracts (II.b).***

**Level of Significance:** Significant and unavoidable for both Scenario 1 and 2.

The analysis and conclusions under Scenario 1 and Scenario 2 with respect to the potential to conflict with agricultural zoning or the provisions of the Williamson Act are roughly similar. Implementation of the proposed 2035 General Plan would lead to development that could conflict with existing zoning for agricultural uses, or lands subject to Williamson Act contracts. Generally, future growth would be directed away from the most productive agricultural lands

and there is relatively little land enrolled in the Williamson Act program located near the peripheries of cities and unincorporated communities. Additionally, proper early termination procedures would be followed for active contracts in place for lands which could be developed with urban uses and the 2035 General Plan contains various goals and policies that support consistency with the Williamson Act program. However, conflicts with existing zoning for agricultural uses or for lands subject to Williamson Act contracts could occur, and this impact would be potentially significant.

Both agricultural zoning categories in San Benito County aim to conserve farmland and include two principal agricultural zones: Agricultural Rangeland (AR), which has a 40-acre minimum parcel size, and Agricultural Productive (AP), which has a five-acre minimum parcel size. These zones implement land use designations in the proposed 2035 General Plan Land Use Diagram of Rangeland (RG), Rangeland Management Area (RGMA), or Agricultural (A). Uses consistent with a Rangeland land use designation are open space and grazing land on hills, mountains, and within remote areas of the County. The Rangeland and Rangeland Management Area land use designations would be applied to areas in the County that have minimal transportation access, high to very high fire hazard, and no public infrastructure (e.g., sewer, water, drainage systems). The Agricultural land use designation is designed to protect agricultural land, especially prime farmland in the County. The Agricultural land use designation is applied to agriculturally productive lands, including crop land, vineyards, and grazing land that have transportation access, but little to no infrastructure.

Various state and local programs are also in place to conserve farmland, including the Williamson Act program and the Farmland Security Act (FSA). The Williamson Act program conserves agricultural land and open space lands through property tax incentives and voluntary restrictive use contracts administered by the County according to state regulations. The program allows landowners to restrict their land to agricultural and open space uses under minimum 10-year rolling term contracts, and to receive property tax assessments according to their actual use instead of the potential market value. The program also functions to discourage premature development on agricultural lands under contracts. Similar to the Williamson Act, the FSA provides landowners with 20-year renewable contracts in return for larger property tax reductions than the standard program. Like most counties in the state, San Benito County participates in the standard Williamson Act program, but does not participate in the FSA program.

As of 2009, San Benito County had 583,263 acres enrolled in the Williamson Act, 87 percent of the County's 672,281 total agricultural acres. Approximately 52,162 enrolled acres, or 8.8 percent, are on prime farmland. There is relatively little enrolled land located on the peripheries of cities and unincorporated communities.

Non-renewals are often filed in anticipation of converting farmland to other uses. Non-renewal trends may be an indicator of farmland conversion. During 2008, 675 acres in the County were listed for non-renewal, but in 2009, 141 acres in the County were placed under Williamson Act contracts and the County had no listings for non-renewal. Thus, there is not a current trend of losing agricultural land through Williamson Act non-renewal. However, the trend in growth of solar development projects creates the potential that the County will see an increase in Williamson Act non-renewals and cancellations should the County consider such projects.

The County's Williamson Act program is set forth in Article II of Chapter 19.01 of the San Benito County Code of Ordinances. As set forth in County Code § 19.01.021(D)(1)(a), the minimum required acreage for a potential or existing agricultural preserve must be either 10 acres of orchards, vineyards, or irrigated vegetable and field crops; 40 acres of irrigated pasture or dry-land farmed land; 160 acres of grazing land; or a combination of actual acreage in any of the above categories; provided that the sum of the percentages in any of the above categories equals or exceeds 100 percent. The percentage of acreage in each category is calculated by dividing the actual acreage in each category by the minimum acreage required in that category. State law requires that contracted parcels be located in designated "agricultural preserves" at least 100 acres in size to encourage the concentration of enrolled lands, but allows counties to establish preserves of less than 100 acres if certain findings are adopted. As of the date of this RDEIR, San Benito County has adopted a resolution staying the creation of any more agricultural preserves indefinitely, so long as there are no (or nominal) tax subvention payments from the State of California. The following analysis assumes that the creation of new agricultural preserves and Williamson Act contracts could occur at some point during the life of the 2035 General Plan.

Land uses designated under the proposed 2035 General Plan could conflict with the provisions of the Williamson Act if the 2035 General Plan would result in urban development or energy development (e.g., Solargen Panoche Valley Solar Farm Project) that would occur on lands subject to Williamson Act contracts. Additionally, while the 2035 General Plan could result in direct conflict with existing parcels zoned for agricultural use or under Williamson Act contracts, it also could result in indirect conflicts due to the removal of parcels not under Williamson Act contracts from agricultural preserves. The purpose of an agricultural preserve is to protect Williamson Act contracts from nearby incompatible uses. In general, removal of non-contracted lands from a preserve would encourage the concentration of enrolled land. Removal would also reduce land use conflicts with adjacent uses by consolidating the overall boundary of an agricultural preserve. However, removal of lands from an agricultural preserve could inadvertently cause the parcels no longer under contract to be converted to incompatible land uses. Therefore, while larger Williamson Act contracted land would be consolidated within an agricultural preserve, the removal of smaller parcels could indirectly result in land use conflicts due to agricultural land uses that could be developed with incompatible uses.

A key goal of the 2035 General Plan is to cluster future residential development and protect the majority of farmlands and the agricultural industry in the County. The General Plan contains numerous policies in the Land Use Element to protect farmlands, and several policies specifically designed to minimize conflicts among agricultural uses, or land under Williamson Act contracts. [Table 6-4](#) includes selected goals and policies from the 2035 General Plan Land Use Element that would minimize conflicts with agriculturally-zoned uses, or land under Williamson Act contracts.

The Land Use Element contains various policies that seek to minimize conflicts with existing lands zoned for agricultural uses, or land under Williamson Act contracts. In general, these policies seek to preserve agricultural lands and consider removal (e.g., through non-renewal) of smaller parcel sizes to ensure the viability of large-scale commercial agricultural. Goal LU-3 would minimize conflicts with agriculturally-zoned uses and parcels under the Williamson Act by preserving land used for productive agriculture. Keeping agricultural land under Williamson Act contracts retains the concentration of agricultural land and supports the continuation of agricultural operations.

As a legislative effort to preserve agricultural land from urbanization, the Williamson Act conserves agricultural land through property tax incentives and voluntary restrictive use contracts. Lands under Williamson Act contracts must be large enough to be economically viable for commercial agriculture because smaller parcels are not efficient for large-scale agriculture. State law presumes that agricultural parcels are large enough to sustain their agricultural use if the land is at least 10 acres in size if within prime agricultural land, or at least 40 acres in size if on land that is not prime agricultural land. The eligibility criteria for San Benito County's existing Williamson Act program require enrolled parcels to be 40 acres for prime farmland, and 160 acres for non-prime farmland or grazing land. While County eligibility criteria would encourage the enrollment of only large parcels efficient for commercial farming, the existing criteria would discourage farmers with small agricultural parcels to participate in the Williamson Act program, thereby reducing the total number of agricultural lands enrolled in the program.

The implementation of all the proposed goals and policies cited above would avoid conflicts with existing agricultural uses and lands under the provision of Williamson Act contracts. Further, because the majority of future urban development would be directed to designated growth areas within designated urban land uses under Scenario 1 or 2, limited growth would be expected to occur on other agricultural lands or on lands subject to Williamson Act contracts. Also, subsequent site-specific land use conflicts between new urban uses proposed to be located near agricultural uses or on land subject to Williamson Act contracts would undergo environmental review on a case-by-case basis, and would be required to follow early termination procedures for land with active Williamson Act contracts in place.

The 2035 General Plan includes goals and policies to encourage that lands contracted under the program remain large enough for economically productive agricultural practices. For example, LU-3.11 supports maintaining large parcel sizes in order to ensure efficient large-scale agricultural operations by removing parcels under Williamson Act contracts not devoted to commercial agriculture. Policy LU-3.12 would limit the subdivision of large agriculturally-zoned parcels by requiring applicants to demonstrate the viability of lots less than 40 acres since small parcel sizes often do not support efficient agricultural operations. These policies complement the Williamson Act program by ensuring only large parcels, efficient for large-scale commercial agricultural are kept. However, removal of small parcels would reduce the overall amount of land available to participate in the Williamson Act program, and could indirectly cause parcels no longer under contract to be converted to incompatible land uses. As a result, the agricultural resources that remain under contract could be impacted by an indirect conversion of nearby land uses no longer under contract, and no longer fully protected from nearby urban development pressure. There is also the potential that future urban and energy development on lands enrolled in the Williamson Act will result in incompatible land uses, non-renewal, eventual removal of land from the program, or the cancellation of contracts. This would be a potentially significant impact.

**Mitigation Measures:**

*AG-2a. Amend the following policy in the 2035 General Plan Land Use Element:*

*Policy LU-3.11: Williamson Act Contracts Non-Renewal on Small Parcels*

*For parcels not operated as part of a larger farming operation, ~~t~~The County shall consider not renewing current Williamson Act contracts on small parcels that are not devoted to commercial agriculture.*

*AG-2b. Add the following policy to the 2035 General Plan Land Use Element:*

*Policy LU-3.15: Williamson Act Minimum Parcel Size*

*For parcels not operating as part of a larger farming operation, the County shall encourage larger parcel size minimums (40 or more acres) and/or evidence of commercial agricultural use for entering new Williamson Act contracts.*

No land use changes or changes in agricultural activities would result from implementation of these mitigation measures. For these reasons, there would be no environmental effects of implementing the measures. Even with implementation of Mitigation Measures AG-2a and AG-2b, the proposed policies of the 2035 General Plan could result in a decrease in the amount of farmland that could be preserved within San Benito County. Therefore, this potential impact would be significant and unavoidable.

***Impact AG-3: Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural uses (II.e).***

**Level of Significance:** Significant and unavoidable for both Scenario 1 and 2.

### **Scenario I**

Implementation of the proposed 2035 General Plan would lead to urban development that would result in direct impacts to agricultural resources, including the conversion of important farmland to non-agricultural uses, as evaluated above in the discussion of Impact AG-1. Indirect impacts caused by urban development may include the removal of small parcels from the Williamson Act program because small parcel sizes are not economically viable and efficient for commercial farming, as evaluated in the discussion of Impact AG-2. Indirect impacts may also result from nuisance effects, including those involving noise, dust, odors, traffic, and the application of herbicides and pesticides, which can then lead to land use conflicts and additional pressures to convert agricultural land to urban uses. Therefore, because the proposed project may involve direct and indirect changes in the existing environment that would convert farmland to non-agricultural uses, this would be a potentially significant impact.

Approximately 75 percent of the total land area in San Benito County consists of agricultural land, including 91 percent grazing land and 4 percent prime farmland. However, between 1992 and 2010, the County lost 8,420 acres of agricultural land. Of these lost agricultural lands, over 33 percent were prime farmland and almost 44 percent were other important farmlands. Compared to other counties in the Central Coast region, San Benito County had a relatively low amount of farmland conversion between 1990 and 2010. However, the County was ranked first in the percentage of important agricultural land converted to urban uses, since the majority of San Benito County's important farmland is located near the developed areas in the northern part of the County. As a result, there is a likelihood of agricultural operations proximate to urban residences and other forms of development.

According to the County Agricultural Commissioner, on an annual basis San Benito County receives only a few complaints about agricultural operations by residential neighbors. This would indicate that the County's disclosure requirements are successful at informing the community about agricultural operations and keeping complaint levels low. However, the proximity of these two land uses (i.e., urban and agricultural uses), particularly in the northern part of the County, may suggest the potential for future land use conflicts between agricultural operations and residences to occur. To minimize such land use conflicts, policies are in place to protect important farmland from urban development resulting from potential tensions between residential growth and the sustainability of local agriculture. The most common tension is the conversion of agricultural land to urban uses, a trend that has continued in San Benito County, and is inevitable because of the likely expansion of the County's two cities, which are both in the center of fertile farmland in the northern part of the County.



Less visibly prominent than the impacts of large and relatively compact residential subdivisions are the impacts from scattered development of rural residences that have the potential to interfere with agricultural operations. Land use conflicts also have the potential to occur when new urban development is located adjacent to farms and ranches, creating nuisances along what is known as the “urban edge.”

As described in Impact AG-1-Scenario 1, the 2035 General Plan could result in direct conversion of important farmlands, comprised of prime farmland, farmland of statewide importance, and unique farmland to urban uses, primarily within designated urban areas in Scenario 1. Implementation of the 2035 General Plan would also result in the conversion of agricultural lands from scattered residential development outside designated communities, as has happened from subdivision activity and the construction of “rural ranchettes” on five-acre and larger lots. Additionally, as described in Impact AG-2, administrative changes proposed in the County’s Williamson Act program could decrease the number of acres of farmland that would be eligible to enroll in the program, thereby reducing the amount of protected farmland.

Indirect changes caused by urban development may include a variety of nuisance effects due to the expansion of the urban fringe, resulting in “urban edge” conflicts. For example, new urban uses (i.e., planned development) that occur near intensely cultivated farmland may experience the negative effects of the juxtaposition of incompatible land uses that often affect both types of property owners. Agricultural operators may experience vandalism, pilferage of crops, dog attacks on livestock, restrictions on pesticide use and other practices, congested local roads, and other impacts that reduce productivity and income. Residential neighbors, for their part, are sometimes sensitive to dust, noise, odors, early morning operations, traffic, pesticide and herbicide use, perceived health problems, and other effects on quality of life, which can lead to land use conflicts and increased development pressure to convert to urban uses. However, the County has received only one or two complaints each year, indicating that the County’s outreach procedures are effective at informing the public, so the “urban edge” conflicts are conjectural at this time. Should they occur, these potential “urban edge” effects may be greatest near the urban edge along the cities of Hollister and San Juan Bautista, where new urban uses are approved (Santana Ranch, Fairview Corners, and Gavilan College) and proposed (San Juan Oaks and/or future planned developments). However, these effects may also occur outside these two cities at scattered locations in agricultural lands due to the development of single-family residences.

During public outreach for the 2035 General Plan, the community identified the importance of the economic vitality of the agricultural industry. Because the intent of the 2035 General Plan is to also accommodate future growth, the proposed plan would balance agricultural uses and the needs of a growing population by generally clustering future development away from important farmlands. The 2035 General Plan contains numerous policies in the Land Use Element that are intended to minimize land use changes that would convert important farmlands to non-

agricultural uses. Table 6-4 includes selected goals and policies from the 2035 General Plan Land Use Element that would minimize the conversion of important farmlands and promote agricultural and urban area compatibility.

The Land Use Element contains various policies that seek to preserve agricultural land and the agricultural industry, including several policies that outline mitigation requirements. The Land Use Element also includes various policies that seek to reduce urban and agricultural land use conflicts. Because the expansion of urban uses onto adjacent farmland has been identified as an issue in San Benito County, specific policies were designed to better protect farmlands and minimize nuisances to urban residents. Policies that would help protect farmland loss include a mitigation program, financial incentives, and zoning measures. Specific policies that would reduce urban and agricultural land use conflicts include the Right-to-Farm Ordinance, as well as policies that would limit the parcelization of farmland.

As described in Impact AG-1-Scenario 1, there are many goals and policies outlined to preserve agricultural land, including Goal LU-1 and Goal LU-3, which would help to maintain the County's rural character to the extent feasible and reduce impacts to important farmlands by ensuring that the agricultural industry is protected from incompatible urban land uses. Under these two goals are policies outlined to protect farmland and reduce urban and agricultural land use conflicts, specifically nuisance complaints from urban residents that can threaten the viability of the agriculture industry. Goal LU-4 supports providing incentives for clustered residential uses as a means to protect valuable agricultural uses. Various policies support this goal, for example Policy LU-4.5 encourages innovative site planning, Policy LU-4.6 encourages the clustering of residential uses, and Policy LU-4.7 encourages clustered residential subdivisions. In addition, Policy LU-4.8 requires clustered development to provide agricultural and/or open space conservation easements on the residual farming parcels and Policy LU-4.9 requires the County to maintain the voluntary TDC program as an incentive to protect farmland. These policies would limit the conversion of farmland to developed uses and the likelihood for urban-edge conflicts by concentrating incompatible uses, such as residential uses, away from agricultural uses.

As described under Impact AG-1-Scenario 1, a purpose of the 2035 General Plan is also to develop a framework to guide future land use development. As a result, it is inevitable that some farmland would be converted to accommodate long-term growth needs. Proposed policies would permit the loss of farmland to urban development both within areas designated for urban uses and due to growth at scattered locations on land not designated for urban land uses. The 2035 General Plan would directly result in the conversion of farmland due to urban development, and indirectly result in the conversion of farmland due to the removal of smaller parcels not under the Williamson Act. Additionally, urban edge patterns may increase nuisances among incompatible land uses, even with the implementation of the proposed land use designations and

listed policies. For these reasons, the potential conversion of additional important farmlands to non-agricultural uses would result in a potentially significant impact.

**Mitigation Measure:**

*AG-3a. Implement Mitigation Measures AG-1a through AG-1c, AG-2a and AG-2b.*

Implementation of Mitigation Measure AG-3a-Scenario 1 would result in helping to maintain existing agricultural lands as agricultural uses. No changes in land uses are required by the measure, and no environmental effects would occur. County policies would support agricultural uses, require all site plans to depict important farmlands, match acres converted with farmland conservation easements on farmland of similar quality to those converted at a 1:1 ratio to preserve farmland loss, increase the minimum parcel size for the Agriculture land use designation, and permit small parcels to participate in the Williamson Act program if they can demonstrate they are part of a larger agricultural operation. County policies also promote compact and clustered growth, thereby reducing growth pressures to convert farmland to urban uses.

Still, while the revised policies would promote the preservation of agricultural lands and reduce land use conflicts, the agricultural land use designations and the policies would not prevent the conversion of farmlands within the County associated with direct impacts due to future urban development and indirect impacts due to nuisance effects from land use conflicts along the expanding urban edge. There are no additional or technically feasible mitigation measures to reduce the impact. Consequently, implementation of the 2035 General Plan would continue to directly and indirectly convert important farmlands to non-agricultural uses, and result in a significant and unavoidable impact.

**Scenario 2**

Implementation of the proposed 2035 General Plan would lead to urban development that could result in direct impacts to agricultural resources, including the conversion of important farmland to non-agricultural uses, as evaluated in Impact AG-3-Scenario 1. As discussed under Impact AG-3-Scenario 1 and shown in [Table 6-4](#), the 2035 General Plan contains numerous policies in the Land Use Element that are intended to minimize land use changes that would convert important farmlands to non-agricultural uses. These policies apply equally to growth as modeled by Scenario 2. In addition, [Table 6-4](#) describes an additional goal that would reduce impacts to farmland related to Scenario 2.

As described under Impact AG-3-Scenario 1, a purpose of the 2035 General Plan is also to develop a framework to guide future land use development. It is inevitable that some farmland would be converted to accommodate long-term development needs. Despite the proposed policies in [Table 6-4](#) that protect farmland, other proposed policies would permit the loss of

farmland within land designated for urban uses, in New Community Study Areas, and due to growth at scattered locations outside land designated for urban uses. For the same reasons as listed under Impact AG-3-Scenario 1, the potential conversion of additional important farmlands to non-agricultural uses would result in a potentially significant impact.

**Mitigation Measure:**

*AG-3b. Implement Mitigation Measures AG-1a and AG-3b.*

Even with the implementation of the above mitigation measure, the impact would remain significant and unavoidable because the potential conversion of additional important farmlands to non-agricultural uses would still remain.

***Impact AG-4: Conflict with existing zoning or cause rezoning of forest land or timberland zoned Timberland Production (II.c); result in the loss of forestland or conversion of forestland to non-forest use (II.d); or cause other changes in the existing environment which, due to their location or nature, could result in the conversion of forest land to non-forest uses (II.e).***

***Level of Significance:*** No impact, no mitigation required.

The analysis and conclusions under Scenario 1 and Scenario 2 for this impact are the same. Forest land, as defined by Public Resources Code §12220(g) and timberland, as defined by Public Resources Code §4526, and timberland production areas, as defined by Government Code §51104(g), do not exist within San Benito County. There are no large forested areas in the County, no commercial forestry production, and therefore, no known timber resources. While the southern, far northwestern, far western, and eastern portions of the County within the Gabilan and Diablo mountain ranges include oak woodland habitat and some very small and scattered forested areas, these areas are not classified as timber lands according to the existing San Benito County zoning designations as well as the governing statutes and regulations. Instead, according to the CAL FIRE FRAP land use cover maps, the majority of these areas are classified as a combination of woodland and shrub habitat. Further, neither timber production nor major harvesting operations contribute to the local economy.

Because no forest land, timberland, or timberland production areas, as zoned by applicable state and local regulations, exist within San Benito County, the proposed 2035 General Plan would not conflict with forest land zoning. Therefore, no impacts would occur related to forest land resources. In addition, for the same reason, adoption of the proposed 2035 General Plan would not result in the loss of forest land or cause other changes that could convert forest land to non-forest uses.