

4.2 AGRICULTURAL RESOURCES

This section includes a description of the existing agricultural resources in the planning area, an explanation of the criteria and methods used to evaluate the significance and quality of agricultural land, and an evaluation of how implementation of the Draft General Plan would affect agricultural resources.

4.2.1 REGULATORY SETTING

FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

Federal Farmland Protection Act

The Natural Resources Conservation Service (NRCS), an agency of the U.S. Department of Agriculture (USDA), implements the federal Farmland Protection Policy Act (FPPA). The purpose of the FPPA is to minimize federal contributions to the conversion of farmland to nonagricultural land uses by ensuring that federal programs are administered in a manner compatible with state government, local government, and private programs designed to protect farmland. The FPPA established the Farmland Protection Program (FPP).

NRCS administers the FPP, which is a voluntary program that provides funds to help purchase development rights to keep productive farmland in agricultural use. This program provides matching funds to state, local, and tribal government entities and nongovernmental organizations with existing farmland protection programs to purchase conservation easements. Participating landowners agree not to convert the land to nonagricultural land uses and retain all rights to the property for future agriculture production. A minimum 30-year term is required for conservation easements and priority is given to applications with perpetual easements. NRCS provides up to 50% of the fair market value of the easement (NRCS 2008).

Land Capability Classification

NRCS has prepared a soil survey for Riverside County, including a Land Capability Classification system that identifies soils by agricultural suitability based on the soil's ability to support common crops and pasture plants without compromising quality over the long term. The Land Capability Classification system uses eight Land Capability Classes (I through VIII) to rank soils. Class I and Class II soils comprise prime farmland, whereas soils less suitable for farming are assigned classes with higher numbers.

Storie Index

NRCS also assigns Storie Index Ratings that rank soil characteristics according to their suitability for agriculture from Grade 1 soils (80–100 rating), which have few or no limitations for agricultural production and are considered prime soils, to Grade 6 soils (less than a rating of 10), which are not suitable for agriculture. Use of Storie Index ratings is another way to determine the presence of prime farmland. Under this system, soils identified as less than prime can function as prime soils when limitations such as poor drainage, slopes, or soil nutrient deficiencies are partially or completely removed. Grade 3 soils are only fairly well suited to intensively grown irrigated crops. Soils in Grades 4 and 5 are generally only used for rangeland. Grade 6 soils are generally unsuited for any agricultural purpose. In addition, NRCS provides farmland classifications for individual soil units.

STATE PLANS, POLICIES, REGULATIONS, AND LAWS

Cortese-Knox-Hertzberg Local Government Reorganization Act

The Cortese-Knox-Hertzberg Local Government Reorganization Act (Cortese-Knox-Hertzberg Act) (California Government Code Section 56000 et seq.) defines prime agricultural land according to several criteria, which

include the NRCS's Land Capability Class System and the Storie Index. The Cortese-Knox-Hertzberg Act defines prime agricultural land as:

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

- (a) Land that, if irrigated, qualifies for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not the land is actually irrigated, provided that irrigation is feasible.
- (b) Land that qualifies for a Storie Index Rating of 80 through 100.
- (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935.
- (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- (e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

Farmland Mapping and Monitoring Program

The California Department of Conservation, Division of Land Resource Protection, administers the Farmland Mapping and Monitoring Program (FMMP). Land is rated based on its soil characteristics and irrigation status. These ratings are then used to help prioritize farmland conservation efforts. The FMMP assigns one of four designations to farmlands: Prime Farmlands, Farmlands of Statewide Importance, Unique Farmlands, and Farmlands of Local Importance:

Prime Farmland. Includes land with the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained yields of crops when treated and managed. Such land must have been used for the production of irrigated crops within the last three years in order to be so designated.

Farmland of Statewide Importance. Land with a good combination of physical and chemical characteristics for the production of crops. It must have been used for the production of irrigated crops within the last three years.

Unique Farmland. Land which does not meet the above criteria for Prime or Statewide Importance, but which is currently used for the production of specific high-value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality and high yields of specific crops. Examples of such crops include oranges, olives, avocado, rice, grapes, and cut flowers.

Farmland of Local Importance. Non-irrigated land that is either currently producing crops or has the capacity of production. This land includes dry land grain, dairies, and other agricultural-zoned land not included in the above categories. This land may be important to the local economy due to its productivity.

Williamson Act

The California Land Conservation Act of 1965 (Williamson Act) is one agricultural conservation tool currently used in California. Under the Williamson Act, local governments can enter into contracts with private property

owners to protect land for agricultural and open space purposes. This voluntary program offers tax breaks by assessing lands based on actual use (agricultural or open space) as opposed to their potential full market value. Local governments receive an annual subvention (subsidy) of forgone property tax revenues from the State via the Open Space Subvention Act of 1971. State payments were significantly reduced several years ago and were halted when the State stopped subvening funds in the 2009-2010 fiscal year because of the State's budget problems.

The Williamson Act program uses 10-year contracts that renew annually until either party files a notice of nonrenewal. If an owner decides to opt out, the land is still protected for 10 years while the tax liability increases in annual increments up to its full market value. Additionally, existing Williamson Act contracts on lands classified by the California Department of Conservation as Important Farmland can be extended to 20-year Farmland Security Zone contracts (i.e., super Williamson Act contracts), which offer landowners greater property tax savings. Statewide, more than 16.5 million acres have been protected under Williamson Act contracts, representing more than half of the State's agricultural and open space lands.

Riverside County designates all properties with Williamson Act contracts as Agricultural Preserves. According to the Department of Conservation, Williamson Act contracts for prime and non-prime agricultural land are located in the eastern part of the planning area in the Bautista Canyon area (DOC 2008).

Nuisance Issues

Encroachment of non-agricultural development in agricultural areas introduces issues such as land use and circulation conflicts, vandalism, and resident complaints about normal agricultural operations. The state recognized potential land use conflicts, and through Assembly Bill 1190 (Chapter 97, Statutes of 1992) amended provisions of the California Civil Code, such that existing agricultural processing facilities do not constitute a nuisance, provided they operate in a manner consistent with historic operations. Please refer to California Civil Code Section 3482.5(a)(1).

REGIONAL AND LOCAL PLANS, POLICIES, REGULATIONS, AND ORDINANCES

Riverside County LAFCO

Provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 will be applied by the Riverside County Local Agency Formation Commission (LAFCO) in making decisions regarding future City annexations of land within the sphere of influence (SOI) and to any reorganization of other service districts for the planning area. The Commission's efforts are directed to ensuring that services are provided efficiently and economically while agricultural and open space lands are protected. The following objectives outlined in LAFCO's policies and procedures (Riverside LAFCO 2004) specifically address annexations and incorporations that include agricultural lands.

- ▶ **Objective 1.1.1.** Annexation proposals covering undeveloped or agricultural parcels to cities or districts providing urban services should demonstrate that:
 - a. Urban development is likely to occur within the next 10 years over a substantial portion of the proposal area, and;
 - b. Urban development will be contiguous with existing or proposed development.

Consistent with Objective No. 3 and legislative intent expressed in Cortese-Knox-Hertzberg, this Strategy shall be implemented with due consideration for preserving open space lands within urban development patterns.

- ▶ **Objective 1.2.1.** City SOIs shall be directed away from substantial areas of prime agricultural land, unless:
 - a. The result would not facilitate an orderly development pattern; and,

- b. The city’s general plan allows for the continued operation of agricultural uses and provides guidelines for the ultimate development of agricultural land at the time the use is terminated or development is proposed.
- ▶ **Objective 1.2.2.** LAFCO shall deny the annexation of agricultural lands unless they meet the criteria specified below:
 - a. The annexation of land located within an agricultural preserve may be approved only when:
 - 1. A notice of non-renewal or cancellation has been filed on the affected property proposed for annexation, or,
 - 2. The jurisdiction’s General Plan contains appropriate language:
 - a. To allow for the effective and continued operation of agricultural uses, and;
 - b. To provide guidelines for the ultimate development of agricultural land at the time the preserve is terminated or development is proposed.
 - b. The loss of non-prime agricultural lands should not be a central issue for annexation where city or county general plans provide for urban development and the proposal would not impact the integrity of surrounding prime agricultural lands.

4.2.2 ENVIRONMENTAL SETTING

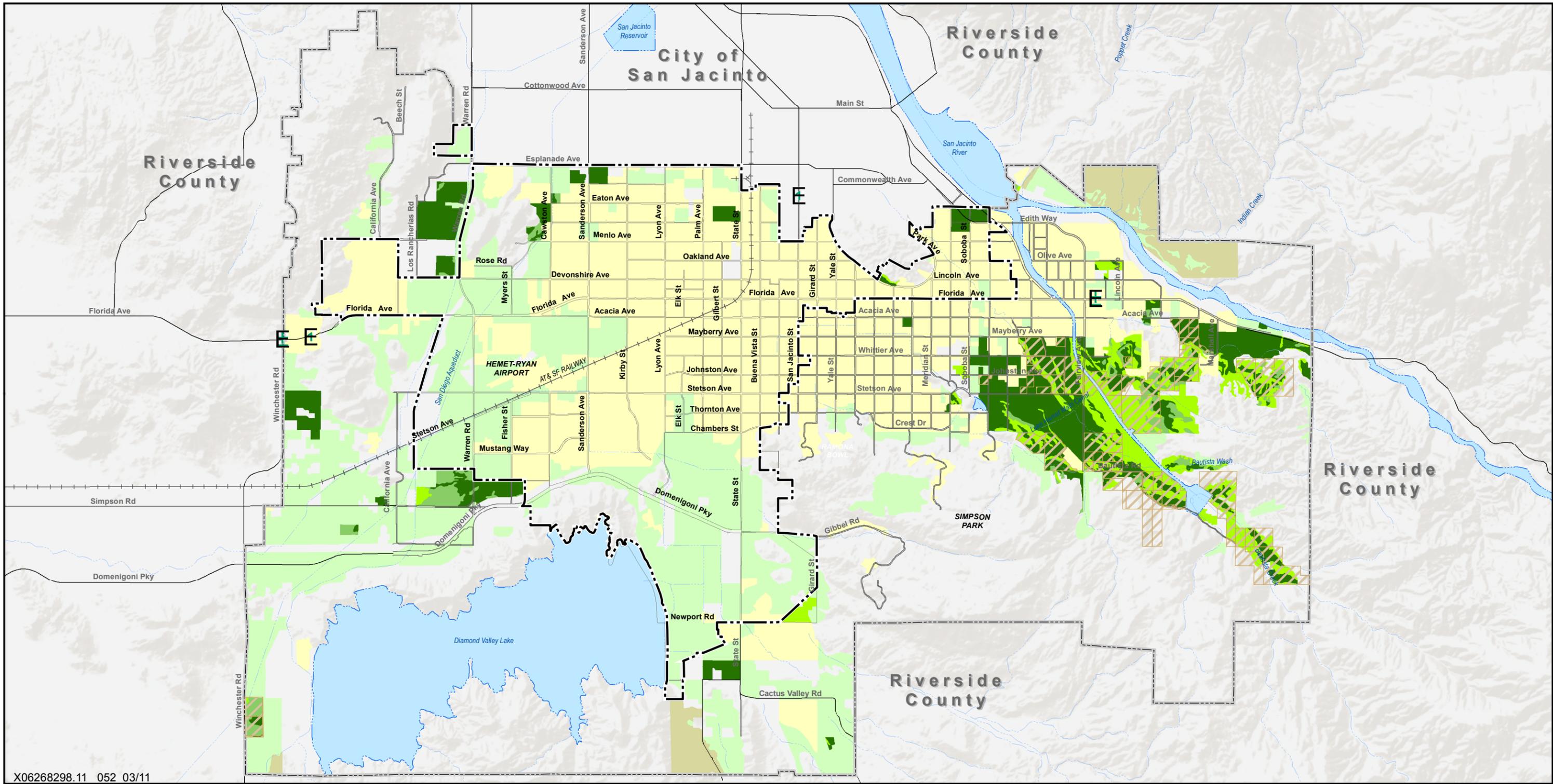
FARMLAND

The agricultural industry was once an integral part of the economy and culture of the San Jacinto Valley. As of 2010, however, there is little agricultural production in the planning area. Table 4.2-1 summarizes the inventory of agricultural land in the planning area. Farmland located within the planning area comprises approximately three percent of all designated farmland in Riverside County.

Table 4.2-1 Farmland Inventories in the Hemet Planning Area	
Farmland Category	Total Acreage Inventoried
Prime Farmland	2,843
Farmland of State Importance	473
Unique Farmland	1,579
Farmland of Local Importance	11,522
Grazing Land	1,086
Total	17,503

Source: California Department of Conservation, Farmland Mapping and Monitoring Program, 2009, and City of Hemet, 2005.

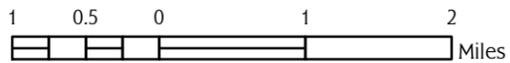
Exhibit 4.2-1 shows the location of agricultural lands throughout the planning area according to the four agricultural land categories described previously, Major areas of prime farmland are located west of State Street in the southern part of the planning area, south of Mayberry Avenue in unincorporated areas east of the City, areas surrounding Hemet-Ryan Airport, and much of the western part of the planning area. Most prime farmland is located in Bautista Canyon and much of it is protected as agricultural preserves.



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Sources:
 Census Tiger Line Data 2005
 Teale Data Center 1999, CDC 2009
 FMMP 2008, ESRI 2010
 CERES 1997



LEGEND

- Williamson Act Parcels Under Contract
- Hemet City Boundary
- Prime Farmland
- Farmland of Statewide Importance
- Unique Farmland
- Farmland of Local Importance
- Grazing Land
- Urban and Built-Up Land
- Planning Area
- Street
- Railroad
- Creek/Canal
- River/Lake

WILLIAMSON ACT CONTRACTS

A preservation easement held by the Wildlife Heritage Foundation conserves 486 acres in perpetuity, of which approximately 250 acres are suitable for citrus-fruit crops. Additionally, according to the Department of Conservation, several Williamson Act contracts for prime and non-prime agricultural land are located in the Bautista Canyon area. Exhibit 4.2-1 illustrates the location of land under Williamson Act contracts in the planning area.

4.2.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

METHODOLOGY

The environmental analysis in this section is based, in part, on a review of FMMP Important Farmland maps. As part of the analysis, this EIR examines the Important Farmland classifications used by FMMP to determine the agricultural significance of the lands (i.e., Prime Farmland, Unique Farmland, and Farmland of Statewide Importance) in the planning area.

THRESHOLDS OF SIGNIFICANCE

Based on Appendix G of the State CEQA Guidelines, an impact on agricultural resources is considered significant if the proposed project would:

- ▶ convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the FMMP, to non-agricultural use;
- ▶ conflict with existing zoning for agricultural use, or conflict with a Williamson Act contract; or
- ▶ involve other changes in the existing environment that, because of their location or nature, could result in conversion of Farmland to nonagricultural use.

There are no forest lands (as defined by Public Resources Code 12220(g)), timberland (as defined by Public Resources Code 4526), or timberland zoned Timberland Production (as defined by Government Code 51104(g)) in the planning area. Therefore, this EIR does not discuss or evaluate impacts related to forest land or timberland.

ANALYSIS APPROACH

The analysis of impacts is based on the likely consequences of adoption and implementation of the Draft General Plan, including future land uses consistent with the Land Use Diagram, and supporting roadways, infrastructure, and public services; along with implementation of Draft General Plan policies and programs.

For agricultural resource impacts, compliance with existing regulations presented in Section 4.2.1, “Regulatory Framework,” would reduce impacts to agricultural resources. The following Draft General Plan programs also address agricultural resources. These programs indicate the City’s intent to conserve agricultural resources and ongoing agricultural operations; however, because of their elective nature, these policies and programs are not considered to reduce impacts that would otherwise be significant.

Policies

- ▶ **LU-3.8 Agricultural Buffers** Maintain open space buffers between agricultural operations and new residential development to reduce potential conflicts.
- ▶ **OS-3.1 Conservation of Agricultural Land** Support conservation of the remaining productive and prime agricultural lands in the planning area by encouraging their preservation, honoring the preservation easements

that conserve Bautista Canyon land in perpetuity and seeking opportunities for additional preservation easements.

OS 3.2 Riverside County Agricultural Land Coordinate with Riverside County to address the preservation of agricultural resources outside of the City's jurisdictional boundaries.

OS-3.3 Land Use Compatibility Recognize and protect areas of agricultural production from the encroachment of incompatible land uses and establish appropriate buffers, disclosures, easements, and mitigation measures, as warranted.

OS-3.4 Conservation Easements Secure scenic, resource, or other open space conservation easements, where feasible and suitable, as a means for protecting prime farmland located adjacent to residential areas and where the property does not qualify for inclusion in an agricultural preserve program.

Programs

- ▶ **LU-P-47 Right-to-Farm Ordinance** The City has adopted and will continue to maintain a "right-to-farm" ordinance to balance the rights of farmers to produce food and other agricultural products with the rights of non-farmers who own, occupy, or use land within or adjacent to agricultural areas.. New residents of properties that lie within 300 feet of land designated for primarily agricultural use will be notified upon purchase of property that no agricultural activity, operation, or facility or appurtenances thereof, conducted or maintained for commercial purposes in the City of Hemet, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years, if it was not a nuisance at the that it began.
- ▶ **LU-P-48 Agricultural Buffers** The City will develop an ordinance to apply an agricultural buffer policy in areas adjacent to long-term ongoing agricultural operations. New residential development proposed adjacent to cultivated agricultural lands shall provide buffers to reduce potential conflicts. The width of such buffers will be determined for each project, considering prevailing winds, crop types, agricultural practices, and other factors. Buffers should be designed to minimize adverse dust, spraying, and noise impacts to newly established residents near ongoing agricultural operations and to avoid nuisance complaints from these newly established residents against nearby agricultural operations. The width of public rights-of-way, drainages, and easements may count as part of the buffer. Within agricultural buffer areas, allowed land uses include drainage swales, trails, other infrastructure, community gardens, landscaped areas, linear parks, roads, and other uses that would be compatible with ongoing agricultural operations. Appropriate maintenance standards for buffers shall be defined for each project to avoid growth of nuisance vegetation.
- ▶ **OS-P-12 Resource Conservation Easements** In coordination with Riverside County, evaluate scenic or resource conservation easements or Williamson Act agreements as suitable means for protecting prime farmland located adjacent to residential areas and where the property does not qualify for inclusion in an agriculture preserve program.
- ▶ **OS-P-13 Agricultural Land Conservation Programs** In cooperation with individual farmers, farming organizations, and farmland conservation organizations, the City shall support Riverside County's efforts to improve the viability of farms and ranches and thereby ensure the long-term conservation of viable agricultural operations within Bautista Canyon.

IMPACT ANALYSIS

IMPACT 4.2-1 Loss of Farmland. *Implementation of the Draft General Plan would result in the conversion of farmland to nonagricultural uses. Development of land uses consistent with the Land Use Plan could convert approximately 2,166 acres of Farmland in the planning area to urban uses. Future development within the planning area could indirectly result in the conversion of adjacent agricultural properties. This impact would be significant.*

According to farmland designations identified by FMMP, the planning area includes approximately 2,750 acres of Prime Farmland, 468 acres of Farmland of Statewide Importance, and 1,561 acres of Unique Farmland. The planning area includes areas proposed for urban uses in the Draft General Plan. Approximately 2,614 acres of Farmland is designated for Agriculture or Open Space use within the Draft General Plan. However, the balance of Farmland is in areas designated for urban uses. Therefore, land use changes consistent with the Draft General Plan would result in the loss of approximately 2,166 acres of farmland in the planning area to urban development.

New development, particularly residential development, can make farming more difficult or costly due to conflicts between non-agricultural and agricultural activities. For example, residents may complain about noise, dust, odors and low-flying aircraft used to dust or spray crops. Increased restrictions on agriculture processes and other aspects of encroachment on agricultural areas can lower productivity, increase costs, and otherwise impair agricultural operations.

Non-agricultural development could cause soil erosion, but this impact would be reduced through application of City policy, as well as state regulations to reduce erosion and runoff (See Section 4.7, “Hydrology and Water Quality” for a detailed analysis of impacts related to soil erosion and runoff). Development in the planning area would add vehicular traffic in areas where agricultural equipment uses roads. This could make the movement of agricultural equipment more difficult. Urban development could cause air pollution that could be harmful to crops, in certain instances. Urban activities can result in vandalism and the introduction of domestic animals that may disturb certain agricultural activities. Non-agricultural development can drive up the potential value of properties, creating pressure to convert agricultural land to urban use. One or more of these conflict mechanisms could limit agricultural activities or encourage farmers to take their land out of agricultural production, resulting in adverse impacts to agricultural resources in the planning area.

The Draft General Plan includes policies and programs that express the City’s intent to conserve agricultural lands within the planning area by supporting the use of tools like conservation easements to protect agricultural uses (OS-3.1, OS-3.2, OS-3.3, OS-3.4, OS-P-12, OS-P-13). Furthermore, program LU-P-48 requires the City to develop an agricultural buffer ordinance. However, even after implementation of these policies and programs, 2,166 acres of Farmland could potentially convert to non-agricultural uses through implementation of the Draft General Plan. Therefore, this would be a **significant** impact requiring mitigation.

Accommodating non-agricultural development within the planning area is a fundamental aspect of the Draft General Plan. Expansion of non-agricultural development will introduce potential land use conflicts in existing agricultural areas. With the exception of the policies and programs described above, no additional feasible mitigation is available to reduce this impact. Any actions taken by the City, including implementation of Draft General Plan policies and programs can reduce, but not completely eliminate, the conversion of Farmland associated with urban development and other conflict between agricultural and urban uses which might indirectly result in conversion of agricultural lands. The policies and programs contained within the Draft General Plan would not prevent these conflicts, and additional conversion or hastening of planned conversion might still occur. No feasible mitigation is available to reduce this impact to a less-than-significant level. This impact would remain **significant and unavoidable**.

IMPACT 4.2-2 Conflict with Existing Agricultural Zoning or Williamson Act Contracts. *The City includes 1,837 acres of land zoned for agricultural use. There are 2,189 acres of land under Williamson Act contracts in the planning area. Implementation of the Draft General Plan would result in the designation of 1,778 acres of agricultural land for other uses, and the designation of 564 acres of Williamson Act contract land to non agricultural uses. This impact would be less than significant.*

There are currently 1,837 acres of land zoned for agricultural uses in the City. In addition, 2,189 acres of land are under Williamson Act contracts within the planning area. Although much of this area would remain designated for Agriculture or Open Space under the Draft General Plan, implementation of the Draft General Plan would result in 1,778 acres currently zoned for agricultural uses to be designated for other uses, including urban uses such as offices, retail, housing, and schools. Implementation of the Draft General Plan would also result in 564 acres of land currently under Williamson Act contracts to be designated for non agricultural uses. The pressures of new urban development in these areas could also foster the conversion of adjacent agriculturally-zoned areas and lands in Williamson Act contracts to non-agricultural use.

The Draft General Plan includes policies and programs that express the City's intent to conserve agricultural lands within the planning area by supporting the use of tools like conservation easements to protect agricultural uses (OS-3.1, OS-3.2, OS-3.3, OS-3.4, OS-P-12, OS-P-13). Policy OS-3.1 in particular requires the City to honor preservation and conservation easements in perpetuity in the Bautista Valley, where most of the agriculturally-zoned and Williamson Act contracted land in the planning area is located. Furthermore, lands under Williamson Act contracts in the planning area are all located beyond the current City limits. The City pre-zones land prior to annexation, and would not pre-zone or annex land in a manner inconsistent with an active Williamson Act contract. This impact would be **less than significant**.