

<i>Issue</i>	Less Than Significant or No Impact	Potential Significant Impact Adequately Addressed in MEIR	MEIR Required Additional Review: No Significant Impact	Less Than Significant Impact Due to Mitigation Measures in Project Description	New Additional Significant Impact Not Addressed in MEIR	New Additional Mitigation Measures Required
5.2 Agricultural Resources. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/> ¹	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Prime Farmland

Project Area. The majority of the Mountain House Master Plan area has been designated “Prime Farmland” on the draft San Joaquin County Important Farmland Map (California Resources Agency, 1984). The exceptions include portions of Neighborhoods C, I, K and L that contain lesser-quality “Unique” farmland, grazing land, irrigated pasture, other lesser-quality farmland, or urban development.

Adjoining Areas. San Joaquin County has also identified lands abutting the eastern edge of the Master Plan area as Prime Farmland. Lands west of the Master Plan area (in Alameda County) are also classified as Prime Farmland, except for the area adjoining proposed Neighborhood C, which is classified as lesser-quality grazing land. Lands north of the Master Plan area are generally lesser-quality farmland (San Joaquin County, 1992).

Williamson Act Contracts and Agricultural Zoning

Project Area. There are no Williamson Act contracts within the Specific Plan II project area, including Neighborhoods I and J. All previous contracts in the project area have expired. The project area is currently zoned for a variety of

¹ Remains significant and unavoidable as stated in the 1994 MEIR.

land uses as proposed in Specific Plan II, with residential land use and recreation commercial (golf course). The water treatment plant site in Neighborhood I is zoned Public Facilities (P).

Adjoining Areas. Two parcels are under Williamson Act contract immediately east of Mountain House: 1) a 34-acre property at the northeast corner of Mascot Boulevard and Mountain House Parkway, and 2) a 158-acre property at the northeast corner of Grant Line Road and Mountain House Parkway. The contracts on both of these properties have been renewed.

Lands to the north and west of Neighborhoods I and J are zoned for agriculture. Lands across Old River north of the project area are zoned AG-40 and AG-80. Lands west of the project area in Alameda County are generally zoned for agriculture with 100- to 160-acre minimum lot sizes. To the east, the designations include public facilities, residential and commercial uses that cover Neighborhoods K and L. Neighborhood H is located to the south and includes residential, commercial and public designations (see Figure 3-1).

Other Agricultural Conditions

Project Area. The Neighborhood I and J project area consists mainly of agricultural lands that have historically been leased for tenant farming. Several farm irrigation facilities traverse the Neighborhood I and J area; these include BBID irrigation distribution canals and drainage conveyance pipelines, distribution pipes and ditches, and surface runoff tailwater ditches. The tailwater ditches temporarily collect irrigation water runoff and detain excess water before discharge into either farmer-owned or BBID-owned runoff conveyance lines. Water flows in these ditches temporarily during the irrigation season.

Adjoining Areas. Farmlands adjoin the project area to the west and north of Old River. Farmlands in production for alfalfa, corn, and irrigated farmland adjoin the project area to the west. Lands to the south and east are part of the Mountain House project, with Neighborhoods E, F and G either completed or currently under construction.

Significant Impacts Identified in 1994 MEIR

The 1994 MEIR identified the following two significant agricultural impacts of the Master Plan:

- 1) Development of the proposed project would result in the loss of approximately 3,600 acres of Prime Farmland. (The 1994 MEIR identified this impact as significant and unavoidable.)
- 2) Conflicts between urban and rural land uses would occur, particularly where existing agricultural operations abut planned residential development. (The 1994 MEIR [page 6-25] also discussed pressures on adjoining agricultural lands as a potential growth-inducing impact of the proposed project.)

The 1994 MEIR also identified the following cumulative impact:

- 3) Cumulative loss of agricultural land in the Central Valley due to urbanization.

Findings Related to Significant Impacts Identified in 1994 MEIR

For the above potential agricultural impacts, the Master Plan was amended in accordance with some of the recommendations of the 1994 MEIR mitigation measures.

For Impact No. 1 above, the Master Plan (Section 17.13.4[a]) was amended to refer to a countywide agricultural mitigation fee. If such a fee were adopted within the County, funds could be used to purchase conservation easements to protect agricultural lands and the applicant for Mountain House could participate in the fee program. The San Joaquin County Board of Supervisors reviewed a draft Agricultural Mitigation ordinance on November 14, 2006. The Board directed staff to make revisions and bring the matter back to the Board of Supervisors on November 21, 2006. The findings for the 1994 MEIR identified the loss of 3,600 acres of Prime Farmland as a significant unavoidable impact, and the Board of Supervisors adopted "Statements of Overriding Consideration" as required by CEQA.

For Impact No. 2 above, provisions for notification regarding the County's Right-to-Farm Ordinance were added to the Master Plan (Section 3.2.4, Implementation, items b and c). Each deed for the parcels sold within Mountain House is to include a reference to the County's Right-to-Farm Ordinance. The 500-foot buffer area along the western project boundary, which the 1994 MEIR also recommended as mitigation, was changed to a 100- to 220-foot buffer. The Board of Supervisors found that the urban/rural conflict impact could be mitigated to a less-than-significant level by these measures.

For Impact No. 3 above, the 1994 MEIR (pages 6-10 through 6-11) recommended that San Joaquin County impose the agricultural mitigation fee recommended as mitigation for Impact No. 1 above, and that jurisdictions in San Joaquin County and elsewhere in the Central Valley (a) be encouraged to increase the densities of planned urban development on agricultural lands so that less agricultural acreage is used, and (b) modify their General Plans to designate agricultural lands for urban growth that will be accommodated during a planning period not to exceed 20 to 25 years. The 1994 MEIR further recommended that the legal findings adopted by each of the Local Agency Formation Commissions (LAFCOs) in the Central Valley counties when approving annexations of agricultural land or other LAFCO actions be modified to incorporate additional findings related to preservation of agricultural lands. As of November 2006, these recommended mitigation measures had not been specifically implemented.

Discussion Regarding Specific Plan II

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?*

The currently proposed development within Neighborhoods I and J would not be substantially different from that evaluated in the 1994 MEIR or the Specific Plan II Initial Study. As described in the 1994 MEIR, proposed development throughout the Specific Plan II project area would convert approximately 700 acres of Prime Farmland to non-agricultural use. A small portion of neighborhood I is designated as "Unique Farmland" which includes grazing lands and other similar agricultural lands. "Grazing" lands are located in the southwest corner of Neighborhood I, while "Unique Farmland" is located along Old river in a narrow band that is about 1,500 feet wide by 12,000 feet long (SJCCDD, 1992). As noted earlier, the findings for the 1994 MEIR identified the loss of this farmland as a significant unavoidable impact, and the Board of Supervisors adopted "Statements of Overriding Consideration" as required by CEQA to justify the loss of 3,600 acres of Prime Farmland associated with the entire Mountain House development.

The adopted Master Plan includes an implementation statement stating that if a countywide agricultural mitigation fee were established, an agricultural mitigation fee based on each agricultural acre converted to urban use shall be paid by the developer to the County as specified in the ordinance. The County has adopted an agricultural fee. However, this fee excludes areas that have an urban General Plan designation or an urban zoning designation. At the time of preparation of this Initial Study, all of Mountain House had an urban General Plan designation and nearly all of Mountain House had been rezoned, changing the permitted uses from agriculture to non-agriculture. Consequently, the agricultural mitigation fee would not be applicable to any development within Mountain House.

The proposed project would not have any significant new farmland conversion impacts not already addressed in the 1994 MEIR or the Specific Plan II Initial Study. Therefore, no new impacts would result and no additional mitigation measures are necessary.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The Neighborhood I and J area does not contain land under Williamson Act contract and the project is zoned for urban uses. Minor rezonings are included as part of the project but these would not conflict with agricultural use.

Areas designated for possible use of reclaimed wastewater under Specific Plan II are zoned for agriculture, and some properties may be under Williamson Act contract (see Figure 3-16). Irrigation of these agricultural lands with reclaimed wastewater would not conflict with agricultural zoning or Williamson Act provisions, however.

Development in the Neighborhood I area also has the potential to create other conflicts with agricultural uses in adjoining areas to the west that are currently under Williamson Act and/or zoned for agriculture. Potential conflicts with these adjoining agricultural lands and uses are discussed in the evaluation of Prime Farmland impacts in (a) above and in (c) below. No significant impacts would result and no mitigation measures are necessary

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

As noted above, the development of Neighborhoods I and J would result in conversion of Prime Farmland to non-agricultural use. The following discussion describes the possibility of impacts on "Farmland" outside the project area. (As described under Item (a) above, "Farmland" is defined as 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.)

Potential for Rezoning of Off-Site Farmland

The Master Plan and Specific Plan II (Section 2.1.2) state the following objective: "To size public services and facilities to maintain the community's boundaries by serving only the Master Plan area." Thus, any potential rezonings for adjoining lands, including land defined as "Farmland," would depend upon the availability of water and wastewater services to serve such lands and would require environmental review at the time of rezoning requests. The water and wastewater treatment plants have been planned, sized, and designated to serve only development within Mountain House.

Specific Plan II (Section 2.1.2) also states the following objectives:

- *To minimize impacts on County agricultural lands by developing the community in an orderly and efficient manner, at average residential densities of at least 6.5 units per acre.*
- *To establish strong community boundaries and reduce potential conflicts with adjacent agricultural lands by creating buffers along the western and eastern community boundaries.*

Based on these provisions, it is reasonable to conclude that Specific Plan II – including currently proposed development in Neighborhoods I and J – would not create a significant potential for rezoning of off-site farmland, beyond the urban-agricultural conflicts and growth-inducing impacts assessed in the 1994 MEIR.

Potential for Land Use Conflicts with Adjoining Farmland

As noted earlier, provisions for deed notification regarding the County's Right-to-Farm Ordinance have been added to the Mountain House Master Plan and the County's Development Title. These provisions would apply to development in the Specific Plan II area, including Neighborhoods I and J. The discussion below addresses additional measures being implemented to reduce potential land use conflicts with nearby agricultural operations.

Specific Plan II (Section 4.3.1) states that "all Community Edges required by the Master Plan will be implemented by Specific Plan II and implementing Tentative Maps and development applications." These edges include the Western Community Edge along Alameda County line, the Eastern Community Edges along Mountain House Parkway and the Wicklund Cut, and the Northern Community Edge along Old River.

Specific Plan II (Section 4.3.1) further states that "during the incremental phasing of the various areas within Specific Plan II, a minimum of a 100-foot setback will be established between the ultimate build-out boundary of any phased subdivision and any interim on-going farm operations."

A minimum 100-foot-wide setback from the community boundary to the nearest dwelling would extend along the western edge of Neighborhood I, separating proposed housing from agricultural uses to the west. Roads and an adjoining buffer strip would be located along the western edge of Neighborhood I at the County line (see Figure 3-5).

A regional park would extend along the northern boundary of Neighborhood I, providing the required buffer. Old River would also serve as a buffer for agricultural lands to the north. These lands are generally of lesser quality than agricultural lands to the east and west of the Master Plan area.

Potential for Disruption of Irrigation Service to Adjoining Farmland

The Mountain House Master Plan (Section 12.3.4, pages 12.11 through 12.13) contains policies and implementation measures for maintaining irrigation service to lands outside the Master Plan area that are within the BBID service area. These provisions would apply to development in Neighborhoods I and J.

Under Specific Plan II, irrigation service to the subdivision sites would be terminated from BBID delivery points, and any BBID facilities would be removed, subject to BBID's approval. Improvement plans that reflect termination of irrigation service would be reviewed by BBID and MHCS D for approval.

Farmland irrigation supply and drainage issues are described in a farm irrigation report for each Mountain House neighborhood. Farm irrigation reports must be submitted to and approved by the San Joaquin County Community Development

Department with Tentative Subdivision Maps for each neighborhood. Farm irrigation reports have been prepared and approved for Neighborhoods I and J. The reports can be reviewed at the San Joaquin County Community Development Department.

Irrigation Service in Neighborhoods I and J. Neighborhoods I and J areas are currently irrigated from Old River. Irrigation water is pumped from the river and distributed through pipes and ditches to individual fields by owners and/or tenants. With development of Neighborhoods I and J, existing irrigation supply facilities would be abandoned and removed. Existing pipes serving fields that extend into Alameda County to the west would remain, but would be cut and plugged at the County line. Irrigation drainage features would require modification to allow these remaining fields in Alameda County to drain. Drain water would be collected in private farm drain ditches flowing east toward the County line, and then conveyed north along the west side of the County line in a new farm ditch to be discharged to the existing marina (located outside northwest corner of Mountain House) via a relocated pump. These modifications would be located outside the Neighborhood I area, but no acquisition of easements is anticipated because the modifications would be private farm improvements intended for construction on the Patterson property (Condor Earth Technologies, Inc., 2004a). The improvements would presumably be the responsibility of that property owner.

Summary of Potential Effects on Irrigation Service to Adjoining Farmlands. The irrigation service changes described above have the potential to temporarily disrupt irrigation service to farmlands outside the project area. However, the study findings described above indicate that irrigation service to adjoining areas could be maintained with development of individual neighborhoods.

The Mountain House Master Plan (pages 12.11 through 12.13) requires that irrigation service be maintained to lands outside Mountain House that are within the BBID service area, and that Mountain House provide permanent or interim facilities as needed, as each phase develops, to assure continued service to BBID customers. Development permits must include a plan for constructing or modifying facilities to maintain service and a schedule for constructing the necessary facilities.

Specific Plan II addresses the fact that all necessary easements shall be acquired and all necessary permits for irrigation system changes obtained before issuance of building permits within Specific Plan II neighborhoods where development would affect the existing irrigation system. No additional mitigation measures would be necessary for Neighborhoods I and J.

Conclusion

There are no significant agricultural environmental effects not previously examined in the 1994 MEIR and Specific Plan II Initial Study. There are no substantial changes with respect to the circumstances under which the 1994

MEIR was certified, nor any new available information that was not known at the time the 1994 MEIR was certified such that major revisions of the previous 1994 MEIR would be required.

Sources of Information

Alameda County, General Ordinance Code, Title 17, Zoning.

California Resources Agency (Department of Conservation), 1984. *Farmland Mapping and Monitoring Program* (cited in *Mountain House New Community Master Plan and Specific Plan I Final Environmental Impact Report* [San Joaquin County, 1994]).

California Resources Agency (Department of Conservation), 2002, Alameda and San Joaquin County Important Farmland (map).

Condor Earth Technologies, Inc., 2003. *Farm Irrigation Report, Land East of Mountain House Parkway and Neighborhood B, Specific Plan 2, Mountain House, California*. December 31.

Condor Earth Technologies, Inc., 2004a. *Farm Irrigation Report, Neighborhoods I and J, Mountain House, California*. May 7.

San Joaquin County, 1992. *General Plan 2010, Volume I: Policies/Implementation*. Adopted July 29, 1992 and amended December 2001.

San Joaquin County, 1994a. *Findings Regarding Impacts Identified in Final Environmental Impact Report as Potentially Significant Environmental Impacts, County of San Joaquin, California, Mountain House/Adoption of Master Plan, Specific Plan; Conforming Amendments of General Plan and Development Title; Development Agreement*.

San Joaquin County, Community Development Department, 1992. *Mountain House New Town General Plan Amendment Final Environmental Impact Report*. March (page 4.1-8, Figure 4.1-2 – “Prime Farmlands”).

SWA Group, 2004. *Mountain House New Community Specific Plan II*.