3.2 AGRICULTURAL RESOURCES

3.2.1 Introduction

This section addresses the potential for the Species Conservation Habitat (SCH) Project to result in the temporary and permanent conversion of agricultural land (also referred to as Important Farmland, or Farmland) to nonagricultural use; conflict with existing zoning for agricultural use or a Williamson Act contract; or result in other changes that could lead to the conversion of agricultural land to nonagricultural use.

The Federal Farmland Protection Policy Act (7 USC section 4201 et seq.) defines Farmland as Prime Farmland, Unique Farmland, and Farmland of Statewide or Local Importance. Farmland subject to the Act's requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land. The California Environmental Quality Act (CEQA) (Public Resources Code section 21060.1) defines agricultural land as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as defined by the United States Department of Agriculture land inventory and monitoring criteria, as modified for California. The CEQA Guidelines, Appendix G, refer to such lands as Farmland. The California Department of Conservation (DOC) refers to these types of lands as Important Farmland, the definitions of which are provided later in this section. For purposes of this analysis, the terms agricultural land, Important Farmland, and Farmland are used interchangeably and refer to Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as defined by the DOC.

The study area for agricultural resources is the area within the footprint of and adjacent to the SCH facilities, including the pond sites, diversion and conveyance structures, and sedimentation basins (when applicable). Potential economic impacts from bird intrusions on crops and disruptions of canals and drains are addressed in Section 3.19, Socioeconomics, as are the economic impacts associated with the inability to reclaim Farmland that is currently inundated by the Salton Sea resulting from pond creation. Impacts associated with the temporary and permanent easements that would be required for pipeline installation and maintenance also are addressed in Section 3.19.

Table 3.2-1 summarizes the impacts of the six Project alternatives on agricultural resources, compared to both the existing conditions and the No Action Alternative.

Table 3.2-1 Summary of Impacts on Agricultural Resources

Impact	Basis of Comparison	Project Alternative						Mitigation Measures
		1	2	3	4	5	6	
Impact AG-1: Construction of the diversion and conveyance facilities and brackish water pipeline maintenance would temporarily disrupt agricultural production but would not permanently convert Farmland to nonagricultural use.	Existing Condition	L	O	O	L	O	O	None required
	No Action	L	O	O	L	O	O	None required
Impact AG-2: Construction of the sedimentation basin would result in the permanent conversion of a small amount of Farmland to nonagricultural use.	Existing Condition	L	O	O	L	O	O	None required
	No Action	L	O	O	L	O	O	None required

Table 3.2-1 Summary of Impacts on Agricultural Resources

Impact AG-3: Construction of the sedimentation basin potentially would result in the permanent conversion of Williamson Act contract land to nonagricultural use.	Existing Condition	S	O	O	S	O	O	MM AG-1: Avoidance of Williamson Act land or payment of Williamson Act cancellation fees.
	No Action	S	O	O	S	O	O	Same as Existing Condition

Note:
O = No Impact
L = Less-than-Significant Impact
S = Significant Impact, but Mitigable to Less than Significant
U = Significant Unavoidable Impact
B = Beneficial Impact

3.2.2 Regulatory Requirements

3.2.2.1 Federal Requirements

The United States Department of Agriculture's Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service, intended to produce agricultural resource maps based on soil quality and land use across the nation. As part of this nationwide agricultural land use mapping effort, the NRCS developed a series of definitions for its Land Inventory and Monitoring criteria program. These criteria classified the land's suitability for agriculture production, and the suitability included both the physical and chemical characteristics of soils, as well as specified land use characteristics. Based on the Land Inventory and Monitoring criteria, the NRCS intended to complete a nationwide set of Important Farmland maps; however, due to decreasing Federal priorities, the program and mapping were never completed. Since 1980, the state of California has assisted the NRCS with the completion of mapping in the state. As explained further below, in 1982, the state of California established the Farmland Mapping and Monitoring Program (FMMP) within the DOC to carry on the mapping activity on a continuing basis, and with a greater level of detail.

The Federal Farmland Protection Policy Act (7 USC section 4201 et seq.) applies to projects that are sponsored or financed in whole or in part by the Federal government. The Act does not apply to projects subject to Federal permitting. As a result, the Project is not subject to the Act because it is neither a Federal agency-sponsored project, nor is it funded by the Federal government.

3.2.2.2 State Requirements

California Conservation Act of 1965 (Williamson Act) and Assembly Bill 2530

Commonly referred to as the Williamson Act, the California Land Conservation Act of 1965 (Government Code sections 51200–51297.4) enables local governments to enter into contracts with private landowners that restrict specific parcels of land to agricultural or related open space use. In return, these landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses rather than the property's full market value. Local governments receive an annual subvention of forgone property tax revenues from the State of California via the Open Space Subvention Act of 1971 (Government Code sections 16140–16154). The act establishes principles of compatibility for uses allowed on lands under contract. Generally, uses are compatible if they will not significantly compromise the long-term productive agricultural capability, displace or impair current or

reasonably foreseeable agricultural operations, or result in removal of adjacent contracted land from agricultural open space uses. Property tax assessments of lands under Williamson Act contracts are based on generated income of land as opposed to the potential market value of the property (DOC 2010a). Due to the current state budget crisis, the state suspended its subvention program in 2010 and did not reimburse counties for the money they lost from the property tax breaks for Williamson Act contract holders.

Imperial County supervisors voted in February 2010 not to renew Williamson Act contracts when they are next up for renewal, on January 1, 2011, and not to accept new contracts. This means that lands currently under Williamson Act contracts have begun the nonrenewal process, and will lose their Williamson Act status by January 1, 2021. Any cancellation of Williamson Act contract lands prior to the nonrenewal termination date would require payment of cancellation fees (personal communication, A. Havens 2011).

3.2.2.3 Important Farmlands Inventory

The DOC's FMMP is a state program that produces maps and statistical data used for analyzing impacts on California's agricultural resources. The goal of the FMMP is to provide consistent, timely, and accurate data, including maps and statistical data, in order to assist decision makers in making informed decisions regarding the utilization of California farmland.

Using data from the NRCS, the FMMP produces maps and statistical data used for analyzing impacts on California's agricultural resources. The maps, called Important Farmland Maps, are updated every 2 years with the use of aerial photo interpretation, a computer mapping system, field reconnaissance, and public review. The FMMP identifies seven categories of land: Prime Farmland; Farmland of Statewide Importance; Unique Farmland; Farmland of Local Importance; Grazing Land; Urban and Built-up Land; and Other Land. The definitions for these agricultural land categories were developed by the NRCS as part of the nationwide Land Inventory and Monitoring criteria. The definitions have been modified for use in California. The most significant modification is that Prime Farmland and Farmland of Statewide Importance must be irrigated land. The mapping of Grazing Land as part of the Important Farmland Maps is also unique to California. The minimum mapping unit is 10 acres, unless otherwise specified. Units of land smaller than 10 acres are incorporated into the surrounding map classifications. Each category of farmland is summarized below (DOC 2010b).

Prime Farmland (P). Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.

Farmland of Statewide Importance (S). Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the 4 years prior to the mapping date.

Unique Farmland (U). Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the 4 years prior to the mapping date.

Farmland of Local Importance (L). Land of importance to the local agricultural economy, as determined by each county's board of supervisors and a local advisory committee. Los Angeles County

has determined that Farmland of Local Importance is land that would meet the standard criteria for Prime Farmland or Farmland of Statewide Importance, but is not irrigated.

Grazing Land (G). Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, the University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

Urban and Built-up Land (D). Land occupied by structures with a building density of at least one unit to every 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

Other Land (X). Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

3.2.2.4 Local Requirements

Imperial County General Plan

The Agricultural Element of the Imperial County General Plan (County of Imperial 1996) serves as the primary policy statement by the Board of Supervisors for implementing development policies for agricultural land use in the county. It includes a number of goals and objectives associated with the preservation of agricultural land and maximizing agricultural productivity.

Imperial County Right-to-Farm Ordinance

The Imperial County Board of Supervisors recognized the potential threats to agricultural productivity posed by increasing nonagricultural land uses and approved the Right-to-Farm Ordinance on August 7, 1990. The ordinance permits operation of properly conducted agricultural operations within the county and is intended to reduce the loss of agricultural resources in the county and promote a good neighbor policy by advising purchasers and users of adjacent properties about the potential problems and inconveniences associated with agricultural operations. The ordinance also established an Agricultural Grievance Committee to settle disputes between agriculturalists and adjacent property owners (County of Imperial 1996).

3.2.3 Affected Environment

Imperial County covers an area of 4,597 square miles, or 2,942,080 acres. Approximately 20 percent of the land is irrigated for agricultural purposes, most notably the central area known as Imperial Valley. With over 5,000,000 acres of harvested commodities, agriculture remains one of the most valuable industries in Imperial County. Cattle are the county's top commodity, followed by head and leaf lettuce, wheat, and alfalfa. Other important crops include broccoli, carrots, onions, sugar beets, and spring mix (County of Imperial Agricultural Commissioner 2010). As shown in Table 3.19-4 in Section 3.19, Socioeconomics, the relative importance of individual crops may change over time, although cattle are consistently the top commodity.

Colorado River water is used to irrigate crops and is provided by the Imperial Irrigation District (IID). Water availability plays a critical role for agricultural resources in Imperial County. Irrigation allows farmers to use highly productive soils that might otherwise lay fallow. Although some crops are affected by salinity, extreme temperatures, and other environmental factors, the existing water delivery system overcomes the lack of precipitation in this otherwise arid region as a significant limiting factor to intensive crop production (County of Imperial 1996).

3.2.3.1 Designated Farmland at the Proposed SCH Sites near the New River

The DOC has delineated Important Farmland within the study area, and based on that data, the proposed pond sites are in areas that were recently or are currently inundated by the Salton Sea and as such are not Farmland. The area where water diversion and water conveyance facilities and the sedimentation basin could be located comprises approximately 4,620 acres. Of those acres, approximately 4,275 (about 93 percent) are either Prime Farmland or Farmland of Statewide Importance. In addition, 1,990 acres are under current Williamson Act contracts. Table 3.2-2 shows the various Farmland categories present in the area. Figure 3.2-1 illustrates the distribution of Farmland around the New River within the study area.

Table 3.2-2 New River Farmland Categories

Prime Farmland (acres)	Unique Farmland (acres)	Farmland of Statewide Importance (acres)	Williamson Act Contract lands (acres)
1,794	N/A	2,480	1,990

Note: acreages are approximate.
N/A – No Farmland of this category in the Project vicinity
Source: DOC, FMMP, Imperial County, 2008

3.2.3.2 Designated Farmland at the Proposed SCH Sites near the Alamo River

The DOC has delineated Important Farmland within the study area, and based on that data, the proposed pond sites are in areas that were recently or are currently inundated by the Salton Sea and as such are not Farmland. The area where water diversion and water conveyance facilities and the sedimentation basin could be located comprises approximately 6,500 acres. Of those acres, approximately 4,325 (about 67 percent) are either Prime Farmland or Farmland of Statewide Importance. In addition, 1,137 acres are under current Williamson Act contracts. Table 3.2-3 shows the various Farmland categories. Figure 3.2-2 illustrates the distribution of Farmland around the Alamo River within the study area.

Table 3.2-3 Alamo River Farmland Categories

Prime Farmland (acres)	Unique Farmland (acres)	Farmland of Statewide Importance (acres)	Williamson Act Contract lands (acres)
1,019	N/A	3,306	1,137

Note: acreages are approximate.
N/A – No Farmland of this category in the Project vicinity
Source: DOC, FMMP, Imperial County, 2008

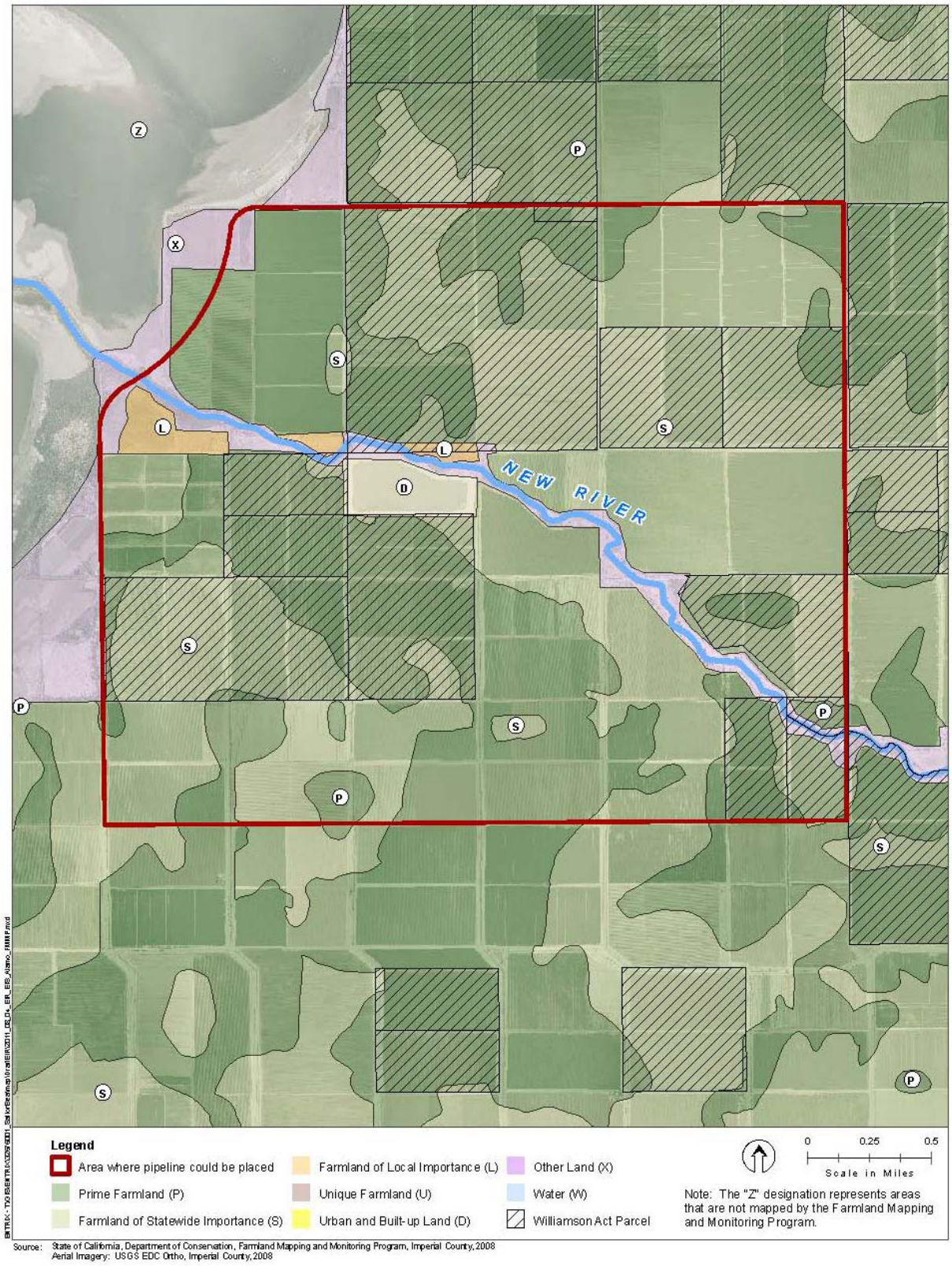

Figure 3.2-1 Farmland Classifications near the New River

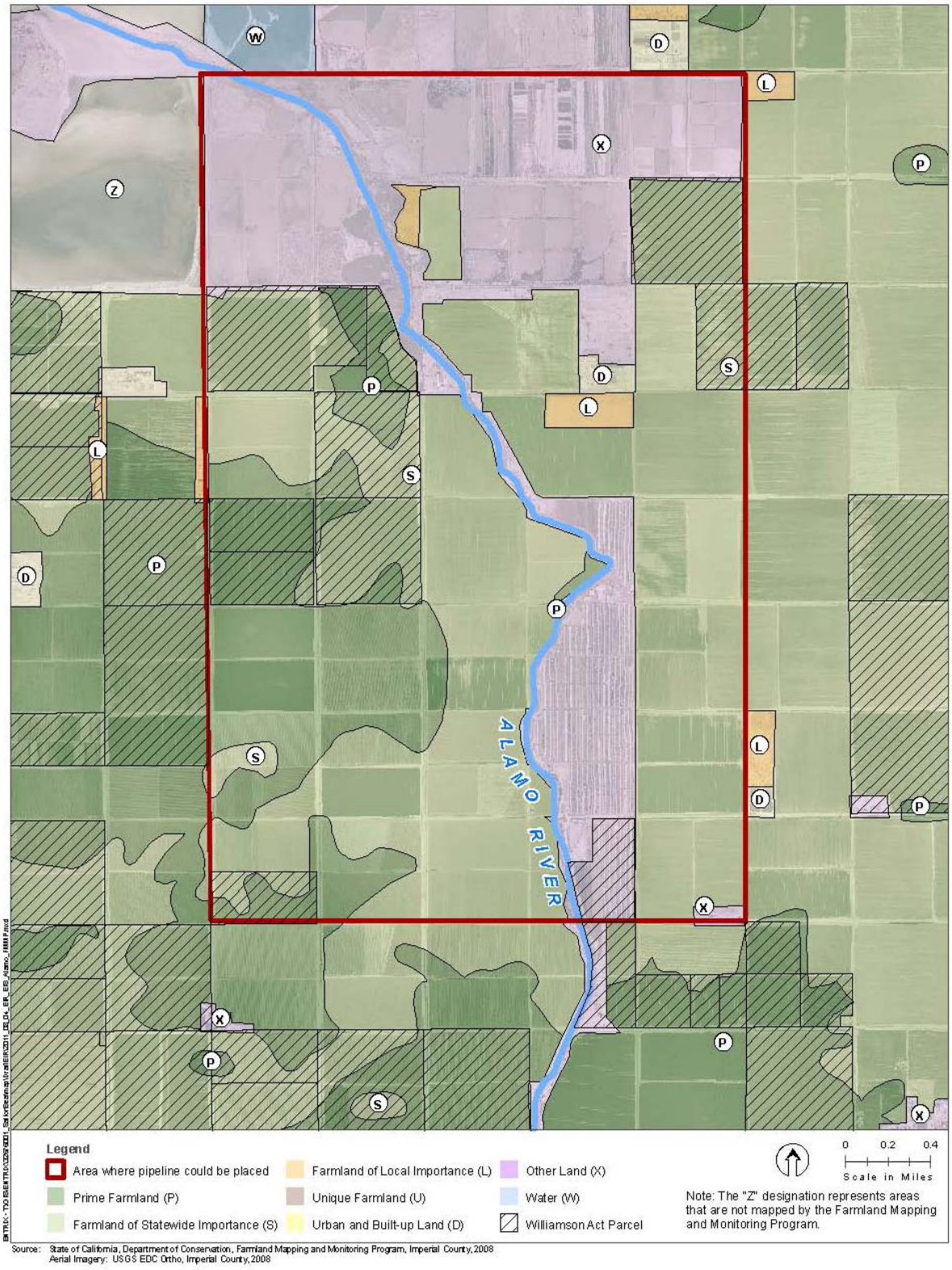

Figure 3.2-2 Farmland Classifications near the Alamo River

3.2.4 Impacts and Mitigation Measures

3.2.4.1 Impact Analysis Methodology

The analysis addresses the potential for the SCH Project to temporarily or permanently convert Farmland to nonagricultural use or conflict with agricultural zoning or a Williamson Act contract.

3.2.4.2 Thresholds of Significance

Significance Criteria

Impacts on agricultural resources would be significant if the Project alternatives would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP, to nonagricultural use;
- Conflict with existing zoning for agricultural use or a Williamson Act contract;
- 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));
- Result in the loss of forest land or conversion of forest land to nonforest use; or
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to nonforest use.

Application of Significance Criteria

The SCH ponds would not be located on Farmland; therefore, no direct impacts on Farmland, agricultural zoning, or Williamson Act contracts would result from their construction, and such impacts are not considered further. The potential for construction of the water diversion and conveyance facilities and sedimentation basin to result in the conversion of Important Farmland to nonagricultural use is considered, however, along with potential conflicts with Williamson Act contracts. Conflicts with agricultural zoning are not addressed further because the ponds would not be located in areas zoned for agricultural use, and water pipelines would be an allowed use as would ancillary facilities such as the sedimentation basin. The Project would not use Colorado River Project as a water supply and would not otherwise affect the availability of water supplies for agricultural uses other than a brief disruption of canals and drains during construction, for which the landowner would be compensated. No other aspects of the Project would result in the conversion of Important Farmland to nonagricultural use. No forest land or timberland resources are in the Project vicinity. Therefore, significance criteria pertaining to these resources are not addressed in this section.

3.2.4.3 No Action Alternative

As described in the *Salton Sea Ecosystem Restoration Program Final Programmatic Environmental Impact Report* (California Department of Water Resources and California Department of Fish and Game 2007), construction of facilities such as desert pupfish channels would be required, as would the relocation of recreational facilities as the Salton Sea recedes. This construction would be located within the Salton Sea bed and would not affect agricultural land. By 2078, the water surface elevation of the Salton Sea would decline to -248 feet mean sea level under the No Action Alternative. The reduction in water surface elevation under this alternative potentially would allow for the reclamation of currently inundated lands for agricultural use.

3.2.4.4 Alternative 1 – New River, Gravity Diversion + Cascading Ponds

Impact AG-1: Construction of the diversion and conveyance facilities and brackish water pipeline maintenance would temporarily disrupt agricultural production but would not permanently convert Farmland to nonagricultural use (less-than-significant impact). Construction would require a 220-foot right-of-way during brackish water pipeline installation, and a right-of-way also would be needed during operations to allow access for maintenance, although the corridor may be smaller. This impact would occur regardless of whether the brackish water pipeline followed an existing roadway or crossed agricultural fields, although it would be somewhat less if the roads were followed. The land right-of-way would be obtained from a willing owner who would be compensated for the temporary loss of the use of this land. Once the brackish water pipeline was installed, crops could be grown in the right-of-way. Temporary disruptions in agricultural uses could occur if the brackish water pipeline needed to be maintained, but crops could be grown again once maintenance was completed. Canals and drains would be temporarily diverted during construction, and potentially during maintenance, but they would be restored once construction was completed. Impacts would be less than significant when compared to both the existing environmental setting and No Action Alternative because disturbed areas would be restored to their previous condition once construction and maintenance activities were completed, and agricultural practices would be able to resume at that time. Thus, Farmland would not be converted to nonagricultural use.

Impact AG-2: Construction of the sedimentation basin would result in the permanent conversion of a small amount of Farmland to nonagricultural use (less-than-significant impact). The sedimentation basin would be located on Farmland adjacent to the New River, which would require the permanent loss of approximately 60 acres. This amount would be negligible when compared to the more than 5,000,000 acres in production in Imperial County and well within the range of variability of the amount of agricultural land fallowed each year. The amount of land that was fallowed in the IID service area between 2002 and 2009 ranged from over 23,000 acres in 2002 to over 49,000 acres in 2007 (Table 3.2-4); the amount of fallowed land increased during this period due in part to water conservation measures required as a result of the Quantification Settlement Agreement, and it also fluctuates annually. Sixty acres represents only 0.0014 percent of the average acreage of land fallowed between 2004, when the IID fallowing program began, and 2009. It also is well under the annual variation in the amount of land that is fallowed (e.g., the amount of fallowed land increased by 1,761 acres between 2006 and 2007, whereas the acreage decreased by 6,198 between 2007 and 2008). This impact would be less than significant when compared to both the existing environmental setting and No Action Alternative given the small area affected in relation to the total area in production and the amount of land fallowed each year.

Table 3.2-4 Fallowed Land in the IID Service Area, 2002-2009

	2002	2003	2004	2005	2006	2007	2008	2009
IID Fallowing Program	—	—	11,827	11,891	14,830	17,078	14,476	15,317
Other Fallowed Land	23,341	25,251	27,912	30,299	32,608	32,121	28,525	26,428
Total	23,341	25,251	39,739	42,190	47,438	49,199	43,001	41,745

Source: IID 2010

Impact AG-3: Construction of the sedimentation basin potentially would result in the permanent conversion of Williamson Act contract land to nonagricultural use (significant impact). Depending on where the sedimentation basin is sited, the Project could permanently convert approximately 60 acres of Williamson Act land to nonagricultural use. The Williamson Act provides financial incentives to encourage the retention of agricultural land. As discussed under Impact AG-2, the conversion of 60 acres of agricultural land would negligible in relation to the amount of land that is currently farmed and fallowed in the Imperial Valley. However, the conversion of land under Williamson Act contracts prior to the nonrenewal termination date would require the payment of cancellation fees (personal communication, A. Havens 2011). This impact would be significant when compared to both the existing environmental setting and No Action Alternative.

Mitigation Measures

MM AG-1: Avoidance of Williamson Act land or payment of Williamson Act cancellation fees. If feasible, the sedimentation basin should not be located on land that is still under Williamson Act contracts. If this is not feasible, the California Natural Resources Agency will pay appropriate cancellation fees to the County of Imperial prior to Project completion.

Residual Impacts

Implementation of MM AG-1 would reduce impacts on Williamson Act contract lands to a less-than-significant level because appropriate compensation would be paid to Imperial County.

3.2.4.5 Alternative 2 – New River, Pumped Diversion

Alternative 2 would not require construction of a brackish water pipeline or diversion structure, and all facilities, including the sedimentation basin, would be constructed on land that was recently or is currently submerged. No impacts on Farmland would occur when compared to both the existing environmental setting and No Action Alternative, nor would conflicts with agricultural zoning or Williamson Act contracts.

3.2.4.6 Alternative 3 – New River, Pumped Diversion + Cascading Ponds

Alternative 3 would not require construction of a brackish water pipeline or diversion structure, and all facilities, including the sedimentation basin, would be constructed on land that was recently or is currently submerged. No impacts on Farmland would occur when compared to both the existing environmental setting and No Action Alternative, nor would conflicts with agricultural zoning or Williamson Act contracts.

3.2.4.7 Alternative 4 – Alamo River, Gravity Diversion + Cascading Pond

Impact AG-1: Construction of the diversion and conveyance facilities and brackish water pipeline maintenance would temporarily disrupt agricultural production but would not permanently convert Farmland to nonagricultural use (less-than-significant impact). The discussion under Alternative 1 is applicable to this alternative.

Impact AG-2: Construction of the sedimentation basin would result in the permanent conversion of a small amount of Farmland to nonagricultural use (less-than-significant impact). The discussion under Alternative 1 is applicable to this alternative, although only approximately 37 acres would be required for the sedimentation basin.

Impact AG-3: Construction of the sedimentation basin potentially would result in the permanent conversion of Williamson Act contract land to nonagricultural use (significant impact). The

discussion under Alternative 1 is applicable to this alternative, although only approximately 37 acres would be required for the sedimentation basin. MM AG-1 also is applicable to this alternative and would reduce the impact on Williamson Act lands to less than significant.

3.2.4.8 Alternative 5 – Alamo River, Pumped Diversion

Alternative 5 would not require construction of a brackish water pipeline or diversion structure, and all facilities, including the sedimentation basin, would be constructed on land that was recently or is currently submerged. No impacts on Farmland would occur, nor would conflicts with agricultural zoning or Williamson Act contracts.

3.2.4.9 Alternative 6 – Alamo River, Pumped Diversion + Cascading Ponds

Alternative 6 would not require construction of a brackish water pipeline or diversion structure, and all facilities, including the sedimentation basin, would be constructed on land that was recently or is currently submerged. No impacts on Farmland would occur, nor would conflicts with agricultural zoning or Williamson Act contracts.

3.2.5 References

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3.2.6 Personal Communications

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