# SECTION 5:
# ENVIRONMENTAL IMPACT ANALYSIS

## 5.1 - AGRICULTURE

### 5.1.1 - Introduction

Information in this section is based upon the New Model Colony (NMC) Final EIR, City of Ontario, 1997. The NMC Final EIR document is incorporated by reference. The NMC Final EIR prepared for the NMC evaluated the potential impacts to prime agricultural land and to agricultural productivity that would result from the full and complete buildout of the NMC pursuant to the General Plan Amendment. The NMC Final EIR concluded that the conversion of agricultural uses to urban uses within the NMC would result in significant and unavoidable impacts to agriculture.

Preparation of this section of the Draft EIR is intended to document the existing conditions on the project site and evaluate additional information specific to the project site that may not have been included in the broad, program-level evaluation of the NMC Final EIR. Based upon correspondence received from the California Department of Land Conservation, the evaluation of potential impacts to agricultural land and agricultural uses will use the California Agricultural Land Evaluation and Site Assessment Model (LESA). A description of the LESA model and its application to the project site is provided in Section 5.1.4, Project Impacts.

### 5.1.2 - Existing Conditions

#### Regional Agricultural Conditions

According to the 2005 Crop and Livestock Report (San Bernardino County 2006), San Bernardino County's top ten commodities had a combined valuation of $489,109,200. The top ten agricultural products by valuation, including the percent of total valuation in rank order are:

1. Milk - 60.7 percent
2. Eggs - 5.5 percent
3. Replacement Heifers - 5.0 percent
4. Trees and Shrubs - 4.4 percent
5. Cattle and Calfs (meat) - 3.4 percent
6. Alfalfa - 2.4 percent
7. Oranges - 2.1 percent
8. Indoor Decoratives - 1.4 percent
9. Bok Choi - 1.2 percent
10. Chickens - 0.5 percent

The same report identified San Bernardino County as having 1,259,360 acres dedicated to agriculture. Following are commodity groups and their respective acreages. As a matter of note, the report does not identify acreages for the Livestock and Poultry commodity group.

- Field Crops - 1,249,213 acres
- Fruit and Nut Crops - 4,906 acres
- Vegetable Crops - 4,343 acres
- Nursery Products - 898 acres

The 2005 Crop and Livestock Report identified 136 dairies as of January 1, 2006, down from 154 dairies identified on January 1, 2005. The number of milk cows decreased from 131,700 in 2004 to 114,200 in 2005. This mirrors a trend of steadily decreasing dairy herds from an all-time high of approximately 190,000 in 1997. Milk production declined from 27,647,600 cwt. in 2004 to 24,191,300 cwt. in 2005, with a decrease in the value of production from $412,202,000 in 2004 to $342,897,100 in 2005.

Field crops decreased in acres harvested from 1,648,890 acres in 2004 to 1,249,213 acres in 2005. Fruit and nut crops decreased in acres harvested from 5,572 acres in 2004 to 4,906 acres in 2005. Vegetable crops decreased slightly from 4,646 acres in 2004 to 4,343 acres in 2005. Nursery products decreased in acres to 882.9 in 2005 from 1,009.4 in 2004. As previously stated, livestock and poultry are not reported in acres harvested.

The NMC Final EIR indicated the economic vitality of agriculture in the NMC and Southern California has declined in direct response to increased urbanization pressures that convert agricultural land to urban uses. This trend is anticipated to continue due to continued urbanization of Southern California land and increased competition from other regions within the State, most notably the San Joaquin Valley, and other states located in the Western United States. The information provided in the Crop and Livestock Reports for San Bernardino County for the previous five years indicates that this trend continues.

## NMC Agricultural Conditions

The NMC Final EIR identified agriculture as accounting for 7,328 acres representing approximately 89 percent of the entire NMC (8,200 acres). This agricultural land includes dairies, poultry, cultivated crops, fallow cropland, and nurseries. Approximately half of this acreage is devoted to dairy and poultry operations.

## Project Site Agricultural Conditions

The entire site is used for agricultural production, including areas within the SCE easements. The site includes four dairies, a hog farm, plus cultivated crop areas (Exhibit 3-3, Project Location).

## Existing Regulations and Standard Conditions:

**The City of Ontario Agricultural Overlay Zoning District**, Section 9-1.2700 of the Ontario Municipal Code, allows for the continuation of agricultural uses on an interim basis until development is proposed for individual NMC subareas. The ordinance provides for separation of new urban development from existing agricultural uses and provides for conditional use of new agricultural uses. This ordinance will control development in the project area if agricultural uses remain when development of new urban uses begins.

**Williamson Act.** The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for restricting specific parcels of land to agricultural or related open space use. The Agricultural Overlay Zoning District does not allow cancellation of Williamson Act contracts.

As shown on Exhibit 3-5, Existing Property Ownership, four properties on the project site currently are under Williamson Act contracts. The Di Tommosso property (59.3 acres), the Scritsmier property (49.0 acres), and Visser properties (79.4 acres) are currently under Active Contract status. The Pietersma property (19.2 acres) is currently under a Williamson Act contract that expires in 2010. Currently, Williamson Act non-renewal letters are being processed for the Scritsmeir and Visser Properties and a portion of the Di Tommosso property.

**State Farmland Mapping Program.** The California Department of Conservation (CDC) established the Farmland Mapping and Monitoring Program (FMMP) in 1982. The FMMP is a non-regulatory program and provides a consistent and impartial analysis of agricultural land use and land use changes throughout California. The FMMP produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status and identified by the following categories, collectively referred to as Farmland: Prime Farmland, Unique Farmland, Farmland of Statewide Importance, and Farmland of Local Importance.

Table 5.1-1 Farmland Status provides a summary of theses categories on the project site according to the Chino, San Bernardino County Important Farmland Map that was produced by the FMMP, as does Exhibit 5.1-1.

**Table 5.1-1: Project Site Farmland Categories**

| Use | Acreage |
|---|---|
| Prime Farmland | 221.10 |
| Unique Farmland | 0.0 |
| Farmland of Statewide Importance | 8.59 |
| Farmland of Local Importance | 0.0 |
| Other Land | 276.88 |
| Urban or Built Up | 0.16 |
| **Total** | **506.73** |

Source: State of California, Department of Conservation, Chino, San Bernardino County Important Farmland Map, and Michael Brandman Associates, 2006.

### 5.1.3 - Thresholds of Significance

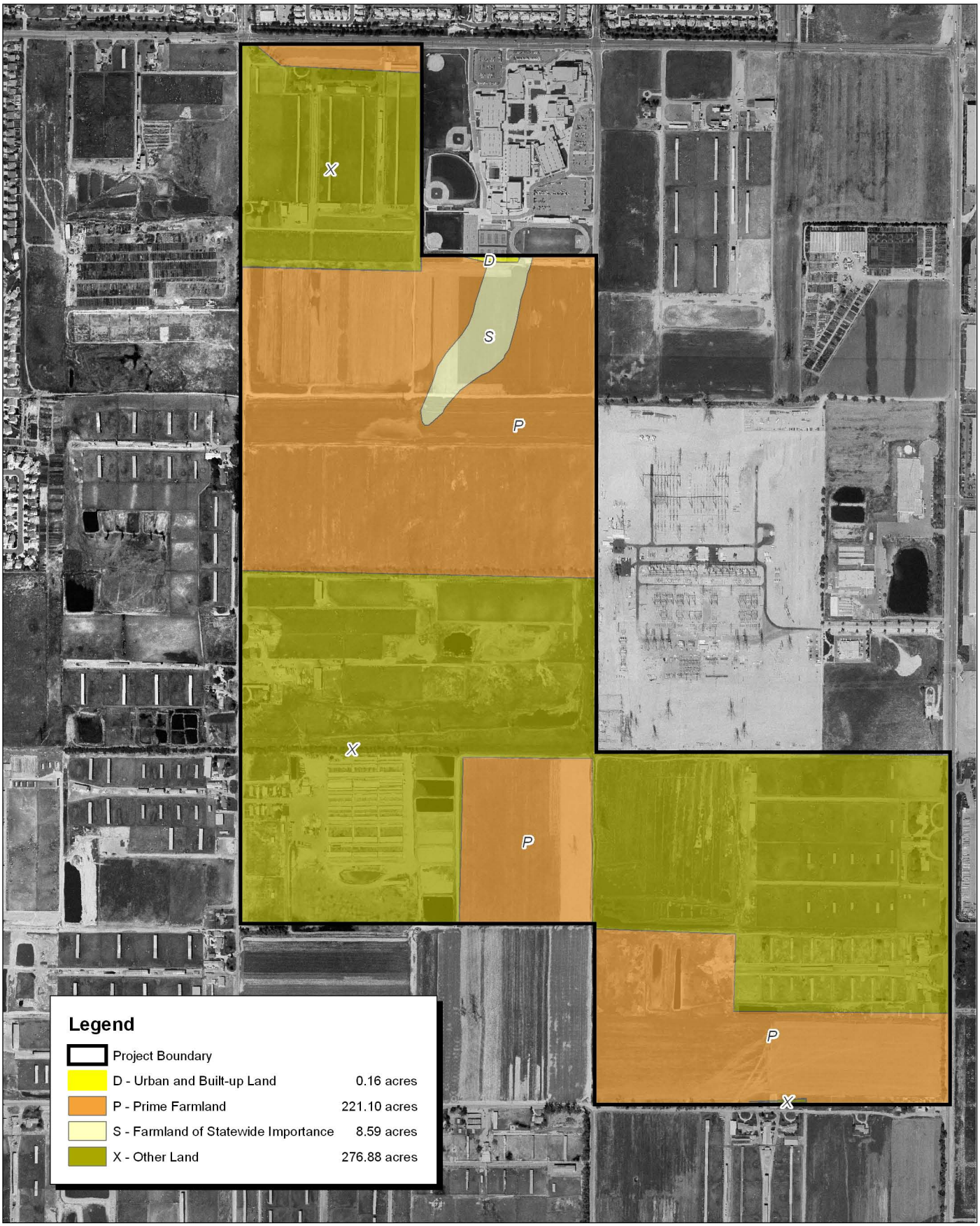
According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if it would:

- 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-agricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson Act Contract.
- Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

Appendix G of the CEQA Guidelines provides for an alternative evaluation technique for assessing potential impacts to agricultural resources by the use of the LESA Model, previously referenced, prepared by the California Department of Conservation.

### 5.1.4 - Project Impacts

The proposed project would convert the existing agricultural land and agricultural uses located on the project site to non-agricultural uses. This would result in the conversion of 229.7 acres of land that is considered either Prime Farmland or Farmland of Statewide Importance to urban uses, which is considered a significant impact on Farmland and agricultural resources. Following is a discussion of the project impacts based on the LESA Model.




Source: Farmland Mapping and Monitoring Program 2004.

NORTH

1,000 500 0 1,000 Feet

Michael Brandman Associates

# Exhibit 5.1-1
# Farmland Status

## Impacts Related to Conversion of Farmland and Agricultural Uses

The LESA Model is composed of six different factors, which evaluate the land and the project site. Two Land Evaluation factors are based upon measures of soil resource quality. Four Site Assessment factors provide measures of a project site's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands intended to measure social, economic, and geographic attributes that contribute to the overall value of agricultural land. The factors used in the Land Evaluation and Site Assessment follow.

### *Land Evaluation*

The factors in the LESA model that are used in the scoring criteria for land evaluation are:

- Land Capability Classification
- Storie Index

### *Site Assessment*

The four factors in the LESA model that are used in the scoring criteria for site assessment are:

- Project Size Rating
- Water Resources Availability Rating
- Surrounding Agricultural Land Rating
- Surrounding Protected Resource Land Rating

For a proposed project, each of these factors is separately rated on a 100-point scale. A single LESA score is generated for a given project after all of the individual Land Evaluation Factors and Site Assessment factors have been scored and weighted. The factors are then weighted relative to one another and combined, resulting in a single numeric score for a given project, with a maximum attainable score of 100 points. It is this project score that becomes the basis for making a determination of a project's potential significance, based upon a range of established scoring thresholds. According to the LESA Model, a project would result in a significant impact on agricultural resources if it meets the criteria specified in Table 9 of the LESA Manual. Table 5.1-2 provides the ratings that determine if a project will result in a significant impact to Farmland.

**Table 5.1-2: LESA Significance Ratings**

| Total LESA Score | Scoring Decision |
|---|---|
| 0 to 39 points | Not considered significant. |
| 40 to 59 points | Considered significant only if LE and SA sub-scores are each greater than or equal to 20 points. |
| 60 to 79 points | Considered significant unless either LE or SA sub-scores are each less than 20 points. |
| 80 to 100 points | Considered significant. |
| Source: California Land Evaluation and Site Assessment Model (LESA), Table 9, California Department of Conservation, 1997. | |

An overview of the six different factors and the worksheets for the proposed project are contained in Appendix I, LESA Model Worksheets

Based on the evaluation in the LESA worksheets, the final score for the proposed project is 73.51 points out of a possible 100 points. Neither of the scores associated with the Land Evaluation factors or the Site Assessment factors were below the referenced threshold of 20 points. Therefore, implementation of the proposed project would have a significant impact on Farmland and agricultural resources.

### Impacts Related to Conflicts with Agricultural Zoning or Williamson Act Contracts

When the city annexed all of the land within the NMC, it was zoned as Specific Plan, which included the project site. However, at the same time, the City adopted the Agricultural Overlay Zoning District, or a "right-to-farm" ordinance, that would allow existing agricultural uses within the NMC to continue until such time as specific development proposals were submitted. The continued operation of the dairies, until such time as the residential component begins construction, is consistent with this ordinance. In addition, the continued use of the other portions of the project site for cultivated row crop production until such time as development proposals for the commercial component are submitted are also consistent with this ordinance. The proposed project may create potential pressure on landowners to cancel or not renew Williamson Act contracts.

### Impacts Related to Other Changes in the Existing Environment

As previously stated, the NMC Final EIR concluded that buildout of the NMC would result in conversion of virtually all of the existing agricultural land to urban uses; a small portion (approximately 200 acres) of the NMC, known as the Southern California Agricultural Land Foundation (SoCALF) properties, would be dedicated to agricultural uses. Because the project site is planned for urban development within the NMC, and because the City's adoption and implementation

of the NMC anticipates the conversion of the project site and surrounding areas from agricultural uses to urban uses, the project would not result in any new conversion of Farmland not previously identified and anticipated by the NMC Final EIR.

Therefore, no other substantial changes in the existing environment resulting in further conversion of Farmlands would occur.

### 5.1.5 - Cumulative Impacts

Planned urban development in the NMC, the City of Chino (The Preserve and Annexation Subarea 1), and Riverside County (Eastvale) will result in the conversion of agricultural uses to non-agricultural uses, leading to substantially reduced agricultural productivity. The proposed Rich Haven Project would contribute to this cumulatively significant reduction of agricultural productivity within the region.

Information provided in the NMC Final EIR states that agricultural productivity within the NMC and throughout the Chino Basin, particularly with respect to dairies, would decline over time as a result of competition from other regions in the State and from out of state, and from increased urbanization of agricultural lands. Loss of agricultural productivity within the NMC is attributable not only to conversion of agricultural lands, but also to a continuation of existing trends. The NMC Final EIR reported on a 1995 study (Dairy Farm Operating Trends) that Southern California dairies had the lowest net income based on average amounts per hundredweight of milk and average amounts on a per head basis of the study areas included in the report. The report included the San Joaquin Valley and areas in Arizona, New Mexico, and Idaho. The study also indicated that Southern California dairies had the lowest net income due to increases in operating costs, particularly related to feed, without a corresponding increase in price. In addition, recently adopted requirements from the Santa Ana Regional Water Quality Control Board require stormwater retention and control of drainage, and reductions in the amount of manure that can be stockpiled. This trend is anticipated to continue and accelerate as a result of the combination of this trend and the increase in urbanization. This trend is shown in the Crop and Livestock Reports prepared each year by County of San Bernardino where it is reported that fifteen dairies have closed between January 1, 2003 and January 1, 2004. This trend is identified in the Planning Issues - Agriculture section of the Community Development chapter of the NMC General Plan where it states: “Many dairy operations in the Sphere of Influence (NMC) have difficulty competing with dairies in the California Central Valley and with dairies in other states because of high operating costs, including high feed costs and the cost of manure disposal. Given this, many of the dairies owners/operators will consider relocation.”

Agriculture productivity from cultivated crops, grazing, and poultry on prime and non-prime agricultural lands would be displaced to other regions or lost altogether. This conversion corresponds with the projected decline in long-term agricultural productivity on the project site and within the NMC. According to the NMC Final EIR, the only prime agricultural land in the NMC that will not be converted to non-agricultural use is the SoCALF properties, which total approximately 200 acres. The project site is not one of the SoCALF properties.

Planned urban development in the City of Chino (The Preserve and Annexation Subarea 1) and in Riverside County (Eastvale) is also anticipated to result in the conversion of agricultural lands to urban uses, which would substantially reduce agricultural productivity.

### 5.1.6 - Mitigation Measures

The NMC Final EIR did not include any mitigation measures for the conversion of prime agricultural land to non-agricultural uses or include any mitigation measures that would avoid the impacts related to agricultural productivity.

The NMC Final EIR did discuss the consolidation and preservation of the SoCALF properties to provide permanent retention of agricultural uses. However, due to their limited size (approximately 200 acres), they are not sufficient to provide mitigation for the conversion of agricultural land and uses on the project site or for the regional conversion of agricultural lands.

The City's Agricultural Overlay Zoning District, previously described in this section, would allow for continuation of similar agricultural uses (dairy and row crops) on portions of the property within Phase II of the development. However, continued agricultural production on the project site would be expected to be an interim use and would not provide mitigation for the expected conversion of agricultural land and agricultural uses on the project site or for the regional conversion of agricultural lands.

The potential to provide onsite mitigation for the loss of prime agricultural land and the existing agricultural uses was considered, but rejected as infeasible for several reasons. First, because approximately half of the project site (221 acres) is considered Prime Farmland, which is not evenly distributed across the project site, and because most of the project site is used for agricultural production, the only feasible onsite mitigation would be avoidance (i.e., to not implement the proposed project). However, this is infeasible because of the inconsistency with the NMC General Plan designations for the project site and the effect this would have on the overall implementation of the NMC. Development of the NMC is based upon general plan designations within thirty discrete

planning subareas that are integrated and form a cohesive fabric of development. Should one of these subareas depart significantly from the land uses that would be allowed under the general plan, a domino effect of potential environmental effects could result, such as the balance between jobs and housing. Second, retaining a portion of the project site for similar agricultural uses to those that currently exist on the project site would also be infeasible. Due to the reasons previously described, partial retention would not fully mitigate the impact resulting from project implementation. Another reason this is infeasible would be from the inevitable land use conflicts that would occur, due to the adjacent development, which would include the proposed adjacent dwelling units and existing Colony High School located immediately west of the project site. Third, agricultural in the region continues to decline in economic viability due to escalating land prices, environmental regulations, high water costs, increasing labor costs, competition from other regions in California and from other states. The NMC Final EIR stated that the future loss of agricultural productivity within the NMC is not solely the result of the proposed urbanization of the NMC. Therefore, agricultural uses on small acreages, such as portion of the project site, would likely be, or quickly become, not economically viable.

The potential to provide offsite mitigation for the loss of agricultural land and agricultural uses were considered, but rejected as infeasible. Using one of the other NMC planning subareas as mitigation for impacts related to the project site would result in virtually the same issues as previously described in consideration of onsite mitigation. Therefore, similar to the reasons why onsite mitigation is not feasible, offsite mitigation within the NMC is also infeasible. In addition, offsite mitigation within the region is also considered infeasible due to the decreasing economic vitality of agriculture in the NMC and Southern California and increased urbanization pressures on existing agricultural lands.

The City has considered but rejected the collection of fees for offsite mitigation of agricultural impacts. The Department of Conservation has commented on other EIRs suggesting fees to fund offsite mitigation for agricultural impacts. However, an offsite fee mitigation program would not avoid the loss of farmland, would not minimize the scope of the project, would not repair, rehabilitate or restore the affected farmland, and would not replace affected farmland with substitute farmland. Thus, such a program would not actually mitigate the significant impact of the project (CEQA Guidelines, § 15370). Moreover, such a program is infeasible. The same factors that make onsite mitigation infeasible would apply offsite as well, because the challenges to continued agricultural production in the Chino Basin also challenge agriculture throughout Southern California. (Defend the Bay v. City of Irvine [20204] 119 Cal. App. 4$^{th}$ 1261, 1270-72) At least one study has found that environmental and economic factors may result in greater conversions than urban development (e.g., Kuminoff 2001).

Therefore, no feasible onsite or offsite mitigation measures exist.

### 5.1.7 - Level of Significance After Mitigation

Implementation of the proposed project would accelerate the conversion of agricultural lands and agricultural uses within the NMC and in the region. The loss of agricultural lands is considered significant on the project site and considered cumulatively considerable from a regional perspective.