

4.2 AGRICULTURAL RESOURCES

4.2.1 INTRODUCTION

The Agricultural Resources chapter of the EIR describes the status of the existing agricultural resources within the boundaries of the project site/BRPA site, using current State data, including identification of any Prime Farmland, Unique Farmland or Farmland of Statewide Importance. In addition, potential conflicts with existing zoning for agricultural use or right-to-farm ordinances applicable to the Proposed Project are identified, as well as Williamson Act contracts. The chapter also focuses on the agricultural resources present on-site and addresses the potential for development of the Proposed Project or the Biological Resources Preservation Alternative (BRPA) to result in the loss of agricultural land or conversion of agricultural land to non-agricultural uses. Documents referenced to prepare this chapter primarily include the City of Davis General Plan¹ and the City of Davis General Plan EIR.² Further information was obtained from the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey³ and the California Important Farmland Finder.⁴

Information regarding forestry resources is included in Chapter 5, Effects Not Found to be Significant, of this EIR.

4.2.2 EXISTING ENVIRONMENTAL SETTING

The Existing Environmental Setting section describes current farmland and soil productivity classification systems, as well as the extent and quality of the agricultural resources present on the project site/BRPA site.

Existing Agricultural Operations

The project site/BRPA site is currently irrigated farmland and includes agricultural-related uses (i.e., dirt roadways, graded surfaces, and agricultural structures) that provide access to recently planted fields located within the surrounding area. Fields in the western portion of the project site/BRPA site were planted with wheat for the 2024 growing season and the eastern on-site fields were planted with tomatoes. The project site/BRPA site is bisected by a north-to-south private access road ("L Street"), which also pivots to proceed in an east-to-west direction through a portion of the site. Two agricultural structures are located in the southern portion of the site. In addition, fields to the northeast are actively farmed with orchard crops, while lands to the north and northwest are considered agricultural fields.

¹ City of Davis. *City of Davis General Plan*. Adopted May 2001, Amended January 2007.

² City of Davis. *Final Program EIR for the City of Davis General Plan Update and Final Project EIR for Establishment of a New Junior High School*. Certified May 2001.

³ U.S. Department of Agriculture, National Resources Conservation Service. *Web Soil Survey*. Available at: <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed February 2024.

⁴ California Department of Conservation. *California Important Farmland Finder*. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed February 2024.



Farmland Classifications

The Farmland Mapping and Monitoring Program (FMMP), part of the Division of Land Resource Protection, California Department of Conservation (DOC), uses soil agricultural productivity information from the NRCS to create maps illustrating the types of farmland in a particular area.

The FMMP was established in 1982 to continue the Important Farmland mapping efforts begun in 1975 by the USDA. The intent of the USDA was to produce agriculture maps based on soil quality and land use across the nation. As part of the nationwide agricultural land use mapping effort, the USDA developed a series of definitions known as Land Inventory and Monitoring (LIM) criteria. The LIM criteria classified the land's suitability for agricultural production; suitability included both the physical and chemical characteristics of soils and the actual land use. Important Farmland maps are derived from the USDA soil survey maps using the LIM criteria.

Since 1980, the State of California has assisted the USDA with completing the mapping in the State. The FMMP was created within the California DOC to carry on the mapping activity on a continuing basis, and with a greater level of detail. The California DOC applied a greater level of detail by modifying the LIM criteria for use in California. The LIM criteria in California use the Land Capability Classification and Storie Index Rating systems, but also consider physical conditions such as dependable water supply for agricultural production, soil temperature range, depth of the groundwater table, flooding potential, rock fragment content, and rooting depth.

The California DOC classifies lands into seven categories: Prime Farmland, Farmland of Statewide Importance (Statewide Farmland), Unique Farmland, Farmland of Local Importance (Local Farmland), Grazing Land, Urban and Built-up Land (Urban Land), and Other Land. The first three types listed above are collectively designated by the State as Agricultural Land for the purposes of CEQA (see Public Resources Code [PRC] Section 21060.1). Important Farmland maps for California are compiled using the modified LIM criteria and current land use information. The minimum mapping unit is 10 acres unless otherwise specified. Units of land smaller than 10 acres are incorporated into surrounding classifications. Each of the seven categories are summarized below, based on California DOC's *A Guide to the Farmland Mapping and Monitoring Program*.⁵

Prime Farmland

Prime Farmland is land with the best combination of physical and chemical features able to sustain the long-term production of agricultural crops. The land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. The land must have been used for the production of irrigated crops at some time during the two update cycles (a cycle is equivalent to two years) prior to the mapping date.

Farmland of Statewide Importance

Farmland of Statewide Importance is land similar to Prime Farmland, but with minor shortcomings, such as greater slopes or with less ability to hold and store moisture. The land must have been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date.

⁵ California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. *A Guide to the Farmland Mapping and Monitoring Program*. 2004.



Unique Farmland

Unique Farmland is land of lesser quality soils used for the production of the State's leading agricultural crops. The land is usually irrigated, but may include non-irrigated orchards or vineyards, as found in some climatic zones in California. The land must have been cultivated at some time during the two update cycles prior to the mapping date.

Farmland of Local Importance

Farmland of Local Importance is land of importance to the local agricultural economy, as determined by each county's Board of Supervisors and a local advisory committee. Farmland of Local Importance includes lands which do not qualify for Prime, Statewide, or Unique designation, but are currently irrigated crops, pasture, or non-irrigated crops; lands that would meet the Prime or Statewide designation and have been improved for irrigation, but are now idle; and lands that currently support confined livestock, poultry operations, and aquaculture.

Farmland of Local Potential

Farmland of Local Potential is a subcategory of Farmland of Local Importance and is usually aggregated within the Farmland of Local Importance acreage in land use conversion tables. Four counties, including Yolo County, maintain definitions of Farmland of Local Potential. For Yolo County, Farmland of Local Potential is defined as Prime or Statewide soils which are not presently irrigated or cultivated.

Grazing Land

Grazing Land is land on which the existing vegetation, whether grown naturally or through management, is suited to the grazing of livestock. The minimum mapping unit for the Grazing Land category is 40 acres.

Urban and Built-up Land

Urban and Built-up Land is occupied with structures with a building density of at least one unit to one-half acre. Uses may include but are not limited to, residential, industrial, commercial, construction, institutional, public administration purposes, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are mapped as part of this unit, if they are part of a surrounding urban area.

Other Land

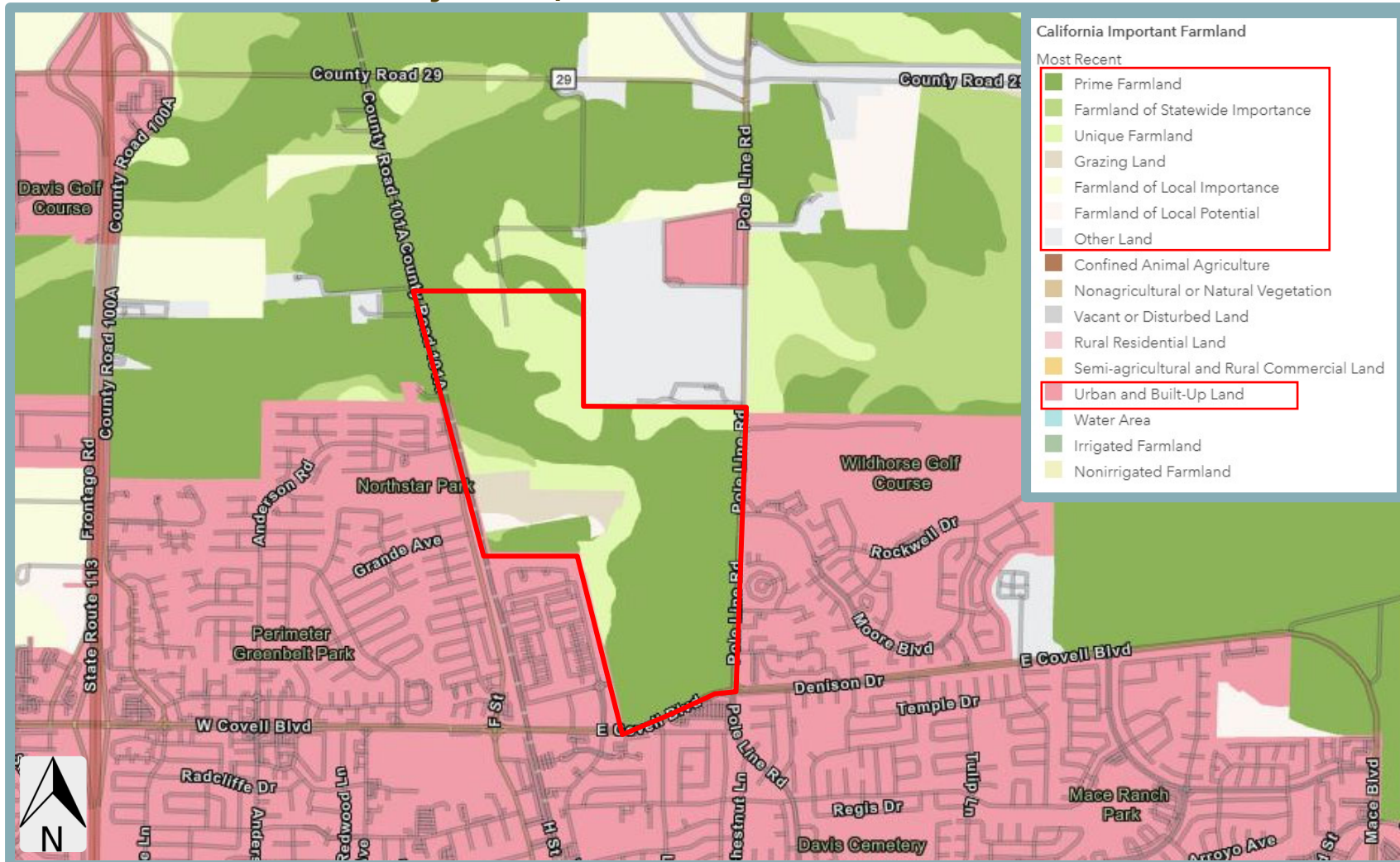
Other Land is land that is not included in any other mapping categories. The following uses are generally included: rural development, brush timber, government land, strip mines, borrow pits, and a variety of other rural land uses.

Project Site Farmland Classifications

According to the FMMP, the project site/BRPA site contains Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Potential, Grazing Land, Other Land throughout the site, as well as Urban and Built-Up Land along the western site boundary (see Figure 4.2-1). In addition, the off-site areas contain Urban and Built-Up Land and Other Land. The specific acreages are summarized in Table 4.2-1 below.



**Figure 4.2-1
Project Site/BRPA Site FMMP Classifications**



Note: Site boundaries are approximate. Note also that the “Urban and Built-Up Land” identified in the Legend is associated with the conceptual footprints for the two grade-separated crossings being considered in this EIR, which are not shown on this exhibit.

Source: California Department of Conservation, Farmland Mapping and Monitoring Program, 2024.



**Table 4.2-1
On- and Off-Site FMMP Classifications**

On-Site	
FMMP Classification	Acreage
Prime Farmland	323
Farmland of Statewide Importance	9
Unique Farmland	121
Farmland of Local Potential	6
Grazing Land	31
Other Land	4
Urban and Built-Up Land	4
Total:	498
Off-Site	
Urban and Built-Up Land	17
Total:	17

Note: Acreages have been rounded to the nearest approximate acre.

Agricultural Productivity of Soils

The USDA NRCS uses two systems to determine a soil's agricultural productivity: the Land Capability Classification System and the Storie Index Rating System. The "prime" soil classification of both systems indicates the presence of few to zero soil limitations, which, if present, would require the application of management techniques (e.g., drainage, leveling, special fertilizing practices) to enhance production.

The Land Capability Classification System takes into consideration soil limitations, the risk of damage when soils are used, and the way in which soils respond to treatment. Capability classes range from Class I soils, which have few limitations for agriculture, to Class VIII soils, which are unsuitable for agriculture. Generally, as the rating of the capability classification system increases, yields and profits are more difficult to obtain. A general description of soil classification, as defined by the NRCS, is provided in Table 4.2-2.

The Storie Index Rating system ranks soil characteristics according to suitability for agriculture from Grade 1 soils (80 to 100 rating), which have few or zero limitations for agricultural production, to Grade 6 soils (less than 10 rating), which are not suitable for agriculture. Under the Storie Index Rating system, soils deemed less than prime can function as prime soils when limitations such as poor drainage, slopes, or soil nutrient deficiencies are partially or entirely removed. Unlike the Land Capability Classification outlined above, the Storie Index Rating System does not distinguish between irrigated and non-irrigated soils.

The six grades, ranges in index rating, and definition of the grades, as defined by the NRCS, are provided below in Table 4.2-3. Table 4.2-4 below summarizes the existing on-site soil types along with the Land Capability Classification and Storie Index Rating for each soil type. The locations of the soil types are shown in Figure 4.2-2.

As shown in Table 4.2-4, according to the USDA NRCS Web Soil Survey conducted for the project site/BRPA site, soils within the site have Land Capability Classifications of Class III, Class IV, and Class VI. Class III soils are defined as having severe limitations that restrict the choice of plants or that require special conservation practices. Similarly, Class IV soils are defined as having very severe limitations that restrict the choice of plants or that require very careful management, or both.



**Table 4.2-2
Land Capability Classification**

Class	Definition
I	Soils have slight limitations that restrict their use.
II	Soils have moderate limitations that restrict the choice of plants or that require moderate conservation practices.
III	Soils have severe limitations that restrict the choice of plants or that require special conservation practices, or both.
IV	Soils have very severe limitations that restrict the choice of plants or that require very careful management, or both.
V	Soils are not likely to erode but have other limitations; impractical to remove that limit their use largely to pasture or range, woodland, or wildlife habitat.
VI	Soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture or range, woodland, or wildlife habitat.
VII	Soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife habitat.
VIII	Soils and landforms have limitations that preclude their use for commercial plants and restrict their use to recreation, wildlife habitat, or water supply or to aesthetic purposes.

Source: U.S. Department of Agriculture, National Resources Conservation Service. Available at: <https://directives.sc.egov.usda.gov/41985.wba#>. Accessed February 2024.

**Table 4.2-3
Storie Index Rating System**

Grade	Index Rating	Definition
1 – Excellent	81 through 100	Few limitations that restrict their use for crops
2 – Good	61 through 80	Suitable for most crops, but have minor limitations that narrow the choice of crops and have a few special management needs
3 – Fair	41 through 60	Suited to a few crops, or special crops, and require special management
4 – Poor	21 through 40	If used for crops, severely limited and require special management
5 – Very Poor	11 through 20	Not suited for cultivated crops, but can be used for pasture/range
6 – Non-Agriculture	Less than 10	Soil and land types generally not suited to farming

Source: USDA, Web Soil Survey, 2024.

**Table 4.2-4
Properties of On-Site Soils**

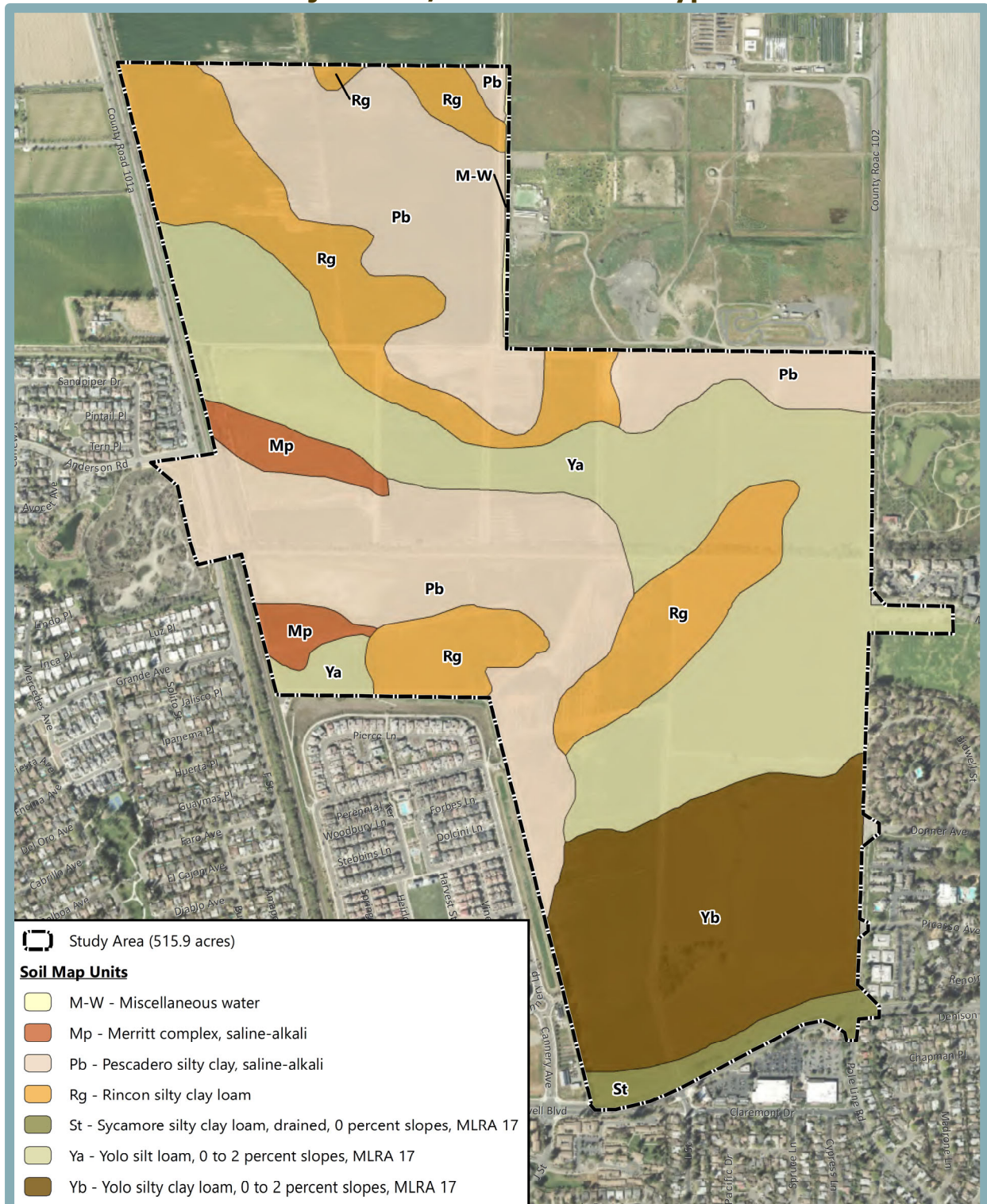
Soil Type	Land Capability Classification	Storie Index Rating
Miscellaneous water ¹	N/A	N/A
Merritt complex, saline-alkali	Class IV	Grade 4 – Poor
Pescadero silty clay, saline-alkali	Class VI	Grade 5 – Very Poor
Rincon silty clay loam	Class III	Grade 1 – Excellent
Sycamore silty clay loam, drained, 0 percent slopes, MLRA 17	Class IV	Grade 2 – Good
Yolo silt loam, 0 to 2 percent slopes, MLRA 17	Class IV	Grade 1 – Excellent
Yolo silty clay loam, 0 to 2 percent slopes, MLRA 17	Class IV	Grade 2 – Good

¹ The area mapped as “Miscellaneous water” was historically a wastewater treatment facility.

Source: U.S. Department of Agriculture, National Resources Conservation Service, Web Soil Survey Database, 2024.



**Figure 4.2-2
Project Site/BRPA Site Soil Types**



Class VI soils are defined as having severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture or range, woodland, or wildlife habitat. It should be noted that the landing areas for potential future grade-separated crossing to the west of the site and the proposed undercrossing on the east side of the site are Class VI and Class IV, respectively.

The Storie Index Ratings of the on-site soils are either Grade 1 – Excellent, Grade 2 – Good, Grade 4 – Poor, or Grade 5 – Very Poor. Grade 1 soils have few limitations to restrict soil use for crops, while Grade 2 soils are suitable for most crops, but have minor limitations that narrow crop choice. Grade 4 soils have severe limitations and require special management if used for crops, and Grade 5 soils are not suited for cultivated crops, but could be suitable for pasture/range uses. The landing areas for potential grade-separated crossing to the west and the proposed undercrossing on the east side of the site are Grade 5 and Grade 1, respectively.

Williamson Act Contracts

According to the Yolo County Geographic Information System (GIS) Viewer, the project site/BRPA site is not under a Williamson Act contract.⁶

4.2.3 REGULATORY CONTEXT

Federal laws or regulations pertaining to agricultural resources are not applicable for this analysis. The existing State and local laws and regulations pertaining to such resources are listed below, as applicable.

State Regulations

The following are applicable State regulations related to agricultural resources.

Williamson Act

The California Land Conservation Act, better known as the Williamson Act, has been the State's premier agricultural land protection program since the Act's enactment in 1965. The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Williamson Act creates an arrangement whereby private landowners enter into contractual agreements with counties and cities to voluntarily restrict land to agricultural and open space uses. The vehicle for such agreements is a rolling-term, 10-year contract (i.e., unless either party files a "notice of non-renewal," the contract is automatically renewed annually for an additional year). In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value.

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 – Prime Agricultural Definition

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) establishes procedures for local government changes of organization, including City incorporations, annexations to a City or special district, and City and special district consolidations. Local Agency Formation Commissions (LAFCo) have numerous powers under the CKH Act, but those of primary concern are the power to act on local agency boundary changes and to adopt spheres of influence for local agencies. According to Section 56064 of the CKH Act,

⁶ Yolo County. *Yolo County GIS Viewer*. Available at: <https://www.yolocounty.org/government/general-government-departments/innovation-and-technology-services/geographical-information-system/use-gis>. Accessed April 2024.



prime agricultural land means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets five specific qualifications discussed further below. The project site/BRPA site is subject to Section 56064 of the CKH Act.

In compliance with Government Code Section 56064, “prime agricultural land” is defined as an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and which meets any of the following qualifications:

- (a) Land that qualifies, if irrigated, for rating as Class I or Class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is currently irrigated, provided that irrigation is feasible.
- (b) Land that qualifies for rating 80 – 100 Storie Index rating.
- (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 Range and Pasture Handbook, Revision 1, December 2003.
- (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 (\$400) per acre for three of the previous five calendar years.

Department of Pesticide Regulation

Certain pesticides can be especially dangerous to human health or the environment if used incorrectly. Therefore, California law allows the Department of Pesticide Regulation (DPR) to put special controls on these pesticides, called “restricted materials.” Restricted materials are limited in their use to trained individuals, and then further restricted to times and places approved by the County Agricultural Commissioners. The commissioners evaluate the potential effects an application might have on people and the environment before the pesticide is used.

The purchase or use of most restricted materials in agriculture requires a permit from the County Agricultural Commissioner. Permits are also required to use pesticides for commodity treatment in fumigation chambers at ports and elsewhere. The major exception to the permit requirement is structural pest control (e.g., pesticide use to get rid of a termite infestation).

California is the only state with such a pesticide permitting system. Similar to other states, users of restricted materials must have certain training, but only California requires users of certain pesticides to get a permit from a local regulatory official. County Agricultural Commissioners, with their extensive knowledge of both pesticides and local conditions, are uniquely positioned to grant such permits. In addition, requiring a permit allows the commissioners to ensure that users of restricted materials prevent harmful effects or use alternatives to the pesticide.

Local Regulations

The following are the local regulations and standards relevant to agricultural resources.

Yolo Local Agency Formation Commission

The Yolo LAFCo is a State-mandated boundary commission responsible for coordinating logical and timely changes in local government boundaries. In consideration of annexation proposals,



Yolo LAFCo observes four basic statutory purposes: 1) the discouragement of urban sprawl; 2) the preservation of open space and agricultural land resources; 3) the efficient provision of government services; and 4) the encouragement of orderly growth boundaries based upon local conditions and circumstances. Yolo LAFCo's powers, procedures, and functions are set forth in the CKH Act.

California Government Code Section 56377 mandates that all LAFCOs consider the following factors during review of projects that could reasonably be expected to convert existing open-space lands to uses other than open-space uses:

- Development of land for other than open-space uses shall be guided away from existing prime agricultural lands toward areas containing non-prime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area; and
- Development of existing vacant or non-prime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the Sphere of Influence of a local agency should be encouraged before any proposal is approved that would allow or lead to the development of existing open-space lands for non-open-space uses outside the existing jurisdiction or sphere of influence of the local agency.

LAFCo Agricultural Conservation Policy

The Yolo LAFCo Agricultural Conservation Policy includes six criteria against which all development proposals are reviewed.⁷ The criteria emphasize that, where feasible, non-prime land should be annexed before prime land, and require that a parcel's current zoning, pre-zoning, or land use designations are considered in determining whether mitigation should be required for the loss of agricultural land. LAFCo policies are a major protection for the County's agricultural lands, and enforce the preservation of agricultural lands to the greatest extent feasible.

Yolo LAFCo has adopted specific standards to ensure that fair and consistent decisions are rendered in accordance with State law. The following are the adopted policies and standards from Yolo LAFCo's Agricultural Conservation Policy that are relevant to the Proposed Project and BRPA.

4.3 Agricultural Policy Statement

Agriculture is a vital and essential part of the Yolo County economy and environment. Agriculture shapes the way Yolo County residents and visitors view themselves and the quality of their lives. Accordingly, boundary changes for urban development should only be proposed, evaluated, and approved in a manner which, to the fullest extent feasible, is consistent with the continuing growth and vitality of agriculture within the county.

4.4 Review Criteria

To promote the policy statement, proposals shall be reviewed based on the following considerations:

- a) Existing developed areas should be maintained and renewed;
- b) Vacant land within developed areas should be developed before agricultural land is annexed for non-agricultural purposes;
- c) Land substantially surrounded by existing agency boundaries should be annexed before other lands;

⁷ Yolo Local Agency Formation Commission. *Yolo LAFCo Policies & Procedures*. Available at: <https://www.yololafco.org/yolo-lafco-policies-procedures>. Accessed February 2024.



- d) Urban development should be restricted in agricultural areas. For example, agricultural land should not be annexed for non-agricultural purposes when feasible alternatives exist;
- e) The continued productivity and viability of agricultural land surrounding existing communities should be promoted, by preventing the premature conversion of agricultural land to other uses and, to the extent feasible, minimizing conflicts between agricultural and other land uses;
- f) Development near agricultural land should not adversely affect the economic viability or constrain the lawful, responsible practices of the agricultural operations;
- g) Where feasible, non-prime land should be annexed before prime land; and
- h) A land's current zoning, pre-zoning, or land use designation is one of the factors the Commission will consider in determining whether mitigation will be required for the loss of agricultural land. A land's zoning, pre-zoning, or land use designation in the city's or County's general plan does not automatically exempt it from mitigation.

4.6 Standards for Annexations Involving Prime Agricultural Land

Annexation of prime agricultural lands shall not be approved unless the following factors have been considered:

- a) There is insufficient marketable, viable, less prime land available in the subject jurisdiction for the proposed land use;
- b) The adoption and implementation of effective measures to mitigate the loss of agricultural lands, and to preserve adjoining lands for agricultural use to prevent their premature conversion to other uses. Such measures may include, but need not be limited to: the acquisition and dedication of farmland, development rights, open space and conservation easements to permanently protect adjacent and other agricultural lands within the county; participation in other development programs (such as transfer or purchase of development rights); payments to responsible, recognized government and non-profit organizations for such purposes; the establishment of open space and similar buffers to shield agricultural operations from the effects of development; and
- c) Less prime agricultural land generally should be annexed and developed before prime land is considered for boundary changes. The relative importance of different parcels of prime agricultural land shall be evaluated based upon the following (in a descending order of importance):
 - i. Soil classification, with Class I or II soil receiving the most significance, followed by the Revised Storie Index Rating.
 - ii. The land's economic viability for continued agricultural use.

4.8 Change of Organization/Reorganization Resulting in Conversion of Prime Agricultural Land

LAFCo will approve a change of organization which will result in the conversion of prime agricultural land or open space use to other uses only if the Commission finds that the proposal will lead to planned, orderly, and efficient development. The following factors shall be considered:

- a) Contiguity of the subject land to developed urban areas;
- b) Receipt of all other discretionary approvals for changes of boundary, such as rezoning, environmental review, and service plans as required by the Executive Officer before action by the Commission. If not feasible before the Commission acts, the proposal can be made contingent upon receipt of such discretionary approvals within not more than one (1) year following LAFCo action;



- c) Consistency with existing planning documents of the affected local agencies, including a service plan of the annexing agency or affected agencies;
- d) Likelihood that all or a substantial portion of the subject land will develop within a reasonable period of time for the project's size and complexity;
- e) The availability of less prime land within the sphere of influence of the annexing agency that can be developed, and is planned and accessible, for the same or a substantially similar use; and
- f) The proposal's effect on the physical and economic viability of other agricultural operations. In making this determination, LAFCo will consider the following factors:
 - i. The agricultural significance of the subject and adjacent areas relative to other agricultural lands in the region;
 - ii. The existing use of the subject and adjacent areas;
 - iii. Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of adjacent or nearby agricultural land, or will be extended through or adjacent to, any other agricultural lands which lie between the project site and existing facilities;
 - iv. Whether natural or man-made barriers serve to buffer adjacent or nearby agricultural land from the effects of the proposed development;
 - v. Provisions of the General Plan's open space and land use elements, applicable growth management policies, or other statutory provisions designed to protect agriculture. Such provisions may include, but not be limited to, designating land for agriculture or other open space uses on that jurisdiction's general plan, adopted growth management plan, or applicable specific plan; adopting an agricultural element to its general plan; and acquiring conservation easements on prime agricultural land to permanently protect the agricultural uses of the property; and
 - vi. The establishment of measures to ensure that the new property owners shall recognize the rights of adjacent property owners conducting agricultural operations and practices in compliance with the agricultural zone in accordance with the Right to Farm Ordinance adopted by the Yolo County Board of Supervisors.

4.9 Agricultural Mitigation

Except as expressly noted in sections 4.13 and 4.14 below, annexation of prime agricultural lands shall not be approved unless one of the following mitigations has been instituted, at not less than a 1:1 replacement ratio:

- a) The acquisition and dedication of farmland, development rights, and agricultural conservation easements to permanently protect adjacent and other agricultural lands within the County.
- b) The payment of fees that is sufficient to fully fund the acquisition and maintenance of such farmland, development rights or easements. The per acre fees shall be specified by a Fee Schedule or Methodology, noted in Section 4.15, which may be periodically updated at the discretion of the Commission.
- c) Any such measures must preserve prime agricultural property of reasonably equivalent quality and character that would otherwise be threatened, in the reasonably foreseeable future, by development and/or other urban uses.

The loss of fewer than twenty (20) acres of prime agricultural land generally shall be mitigated by the payment of in lieu fees as mitigation rather than the dedication of agricultural conservation easements. The loss of twenty (20) acres or more of prime agricultural land generally may be mitigated either with the payment of in lieu fees or the dedication of agricultural conservation easements. In all cases, the Commission reserves the right to review such mitigation on a case-by-case basis.



4.10 Agricultural Easement Requirements

If an applicant provides agricultural easements to satisfy this requirement, the easements must conform to the following characteristics:

- a) The land used to mitigate the loss of prime agricultural land must also be prime agricultural land as defined in this Policy and the CKH Act.
- b) In addition, it must also be of reasonably equivalent quality and character as the mitigated land as measured using both of the following methodologies:
 - i. Average Storie Index – The USDA calculation methodology will be used to calculate the average Storie Index or Revised Storie Index score. The mitigating land's average Index score shall be no more than 10% less than the mitigated land's average Index score. The decision of whether to use the Storie Index or Revised Storie Index is within LAFCo's sole discretion.
 - ii. Land Equivalency and Site Assessment ("LESA") Model – The LESA calculation shall be in accordance with the methodology adopted by this Commission (see appendices). The mitigating land's LESA score shall be no more than 10% below the mitigated land's LESA score.
- c) As a general rule, the Commission will not accept, as mitigation required by this Policy, an agricultural conservation easement or property that is "stacked" or otherwise combined with easements or property acquired for habitat conservation purposes, nor for any other purposes that are incompatible with the maintenance and preservation of economically sound and viable agricultural activities and operations. The Commission retains the discretion to make exceptions on a case-by-case basis, based upon whether the applicant made a good-faith effort to mitigate separately for the loss of habitat in accordance with the Yolo Natural Heritage Program process but such efforts were infeasible, and whether the proposed "stacked" mitigation for the loss of prime agricultural land and habitat involves one of the following, whichever results in the greatest acreage of preserved land:
 - i. Mitigation at a ratio of no less than 2:1 for the loss of prime agricultural soils; or
 - ii. Mitigation at a ratio of no less than 1:1 for the loss of all agricultural lands in the proposal area; or
 - iii. The property subject to the agricultural conservation easement is larger than the proposal area, meets the conditions specified in this Policy, and encompasses a complete field, legal parcel, or farm line.
- d) The presence of a home on land that is subject to an agricultural conservation easement is generally incompatible with the maintenance and preservation of economically sound and viable agricultural activities and operations on that land. The presence or introduction of a home may diminish the value of the agriculture conservation easement as mitigation for the loss of prime agricultural land. Consequently, an agricultural conservation easement will generally not be accepted as mitigation for the loss of prime agricultural land if the easement permits the presence of a home, except an existing home that has been present on the proposed easement for at least twenty-five (25) years, or construction of a comparable replacement for such a home. Exceptions to this section of the Policy may be granted by the Commission on a case-by-case basis if the home site is less than two acres and if the applicant can provide sufficient evidence that a home site on the agriculture conservation easement is necessary to further the goals of maintaining and preserving economically sound and viable agricultural activities and operations on that easement.



4.11 Easement Holder

LAFCo favors the use of a local non-profit agricultural conservation entity or the regional branch of a nationally recognized non-profit agricultural conservation entity as the easement holder. The Commission will use the following criteria when approving the non-profit agricultural conservation entity for these purposes:

- a) Whether the entity is a non-profit organization that is either based locally or is a regional branch of a national non-profit organization whose principal purpose is holding and administering agricultural conservation easements for the purposes of conserving and maintaining lands in agricultural production;
- b) Whether the entity has a long-term proven and established record for holding and administering easements for the purposes of conserving and maintaining lands in agricultural production;
- c) Whether the entity has a history of holding and administering easements in Yolo County for the foregoing purposes;
- d) Whether the entity has adopted the Land Trust Alliance's "Standards and Practices" and is operating in compliance with those Standards; and
- e) Any other information that the Commission finds relevant under the circumstances.

A local public agency may be an easement co-holder if that agency was the lead agency during the environmental review process. LAFCo also favors that applicants transfer the easement rights or in lieu fees directly to the recognized non-profit agricultural conservation entity in accordance with that entity's procedures. The Commission retains the discretion to determine whether the agricultural conservation entity identified by the applicant and the local lead agency has met the criteria delineated above.

4.12 Agricultural Mitigation Imposed by Other Agencies

The Commission prefers that mitigation measures consistent with this Policy be in place at the time that a proposal is filed with the Commission. The loss of prime agricultural land may be mitigated before Commission action by the annexing city, or the County of Yolo in the case of a district annexation, provided that such mitigation is consistent with this Policy. LAFCo will use the following criteria in evaluating such mitigation:

- a) Whether the loss of prime agricultural land was identified during the project's or proposal's review process, including but not necessarily limited to review pursuant to the California Environmental Quality Act;
- b) Whether the approval of the environmental documents included a legally binding and enforceable requirement that the applicant mitigate the loss of prime agricultural land in a manner consistent with this Policy; and
- c) Whether, as part of the LAFCo application, an adopted ordinance or resolution was submitted confirming that mitigation has occurred, or requiring the applicant to have the mitigation measure in place before the issuance of a grading permit, a building permit or final map approval for the site.

4.15 Agricultural Conservation Policy Payment In Lieu Fee Methodology

In lieu of the dedication of agricultural conservation easements that would otherwise be required by the Agricultural Conservation Policy, the Commission may permit the payment of fees as set forth in this Schedule to fully fund the acquisition and maintenance of farmland, development rights or agricultural conservation easements.

No less than 35% of the average per acre price for full and unencumbered fee title price in the last five (5) unimproved land purchases plus a five percent (5%) endowment of the cost of the easement, and the payment of the estimated transaction costs associated with acquiring an easement. The purchases must be within the general vicinity of the annexing



entity and of a size equal to or greater than the total acreage of prime soils within the subject territory.

Payment of the In Lieu Fee is to be made directly to an agricultural conservation entity that meets the criteria set forth in Section 4.10 of this Policy. The agricultural conservation entity receiving these funds must present to the Commission a letter stating its intention to use these funds for the acquisition of farmland, development rights or agricultural conservation easements in Yolo County whose prime soils are reasonably equivalent to the proposal area's soils and that the location of the easements will be within the general vicinity of the annexing entity and in an area within the County of Yolo that would otherwise be threatened, in the reasonably foreseeable future, by development and/or other urban uses.

Yolo LAFCo Land Equivalency and Site Assessment

The Yolo LAFCo LESA Model has been designed as a potential planning tool to assist in making decisions concerning the relative significance of agricultural land resources. The model itself is rooted in concepts originally devised at the federal level, but has been customized to address the unique agricultural resources issues of Yolo County.

The LESA model requires a series of straightforward measurements and calculations to score a given project. Listed below are the materials that are generally needed to make these determinations.

A. Land Evaluation calculations require:

- An accurate map of the project, such as a parcel map. Parcel map books are available for review at the Yolo County Planning Department.
- A Yolo County Important Farmland Map produced biennially by the DOC. These maps are available upon request from DOC, and are also available for review at the Yolo LAFCo and Yolo County Farm Bureau offices.
- The Soil Survey of Yolo County, which is available for review at the NRCS, UC Davis Shields Library, etc.
- A planimeter for making acreage determinations of irregularly shaped units; and
- A Land Evaluation Worksheet.

B. Site Assessment Calculations require:

- A photocopy of the appropriate page from the Yolo County Addressing System.
- Access to current zoning maps. These are available in the Yolo County Planning Department.
- A planimeter, compass and engineer's scale.
- A Site Assessment Worksheet.
- Additionally, the Yolo County Planning Department has developed a County GIS that includes considerable land resource information. The GIS has the capability to calculate many of the specific acreage figures that are needed to operate the Yolo County LESA Model, thereby simplifying the procedure for obtaining a LESA score for a given project.

Yolo LAFCo also favors that applicants transfer the easement rights or in-lieu fees directly to the recognized non-profit agricultural conservation entity in accordance with that entity's procedures. The LAFCo Commission retains the discretion to determine whether the agricultural conservation entity identified by the applicant and the local lead agency has met the criteria delineated above.



Yolo County Code

Title 8, Land Development and Zoning, of the Yolo County Code contains the County's primary land development regulations. Yolo County Code Section 8-2.404, Agricultural Conservation and Mitigation Program, includes definitions, policies, and mitigation standards designed to permanently protect agricultural land located within the unincorporated areas of Yolo County. The following requirements apply to agricultural land.

Section 8-2.404(c) Mitigation requirements.

- (1) Agricultural mitigation shall be required for conversion or change from agricultural use to a predominantly non-agricultural use prior to, or concurrent with, approval of a zone change from agricultural to urban zoning, permit, or other discretionary or ministerial approval by the County.

Except as provided in subsection (d)(2) below, relating to adjustment factors, for projects that convert prime farmland, a minimum of three (3) acres of agricultural land shall be preserved in the locations specified in subsection (d)(1) for each acre of agricultural land changed to a predominantly non-agricultural use or zoning classification (3:1 ratio). For projects that convert non-prime farmland, a minimum of two (2) acres of agricultural land shall be preserved in the locations specified in subsection (d)(1) for each acre of land changed to a predominantly non-agricultural use or zoning classification (2:1) ratio. Projects that convert a mix of prime and non-prime lands shall mitigate at a blended ratio that reflects for the percentage mix of converted prime and non-prime lands within project site boundaries.

- (2) The following uses and activities shall be exempt from, and are not covered by, the Agricultural Conservation and Mitigation Program:
 - (i) Affordable housing projects, where a majority of the units are affordable to very low or low income households, as defined in Title 8, Chapter 8 of the Yolo County Code (Inclusionary Housing Requirements);
 - (ii) Public uses such as parks, schools, cultural institutions, and other public agency facilities and infrastructure that do not generate revenue. The applicability of this exemption to public facilities and infrastructure that generate revenue shall be evaluated by the approving authority on a case-by-case basis. The approving authority may partly or entirely deny the exemption if the approving authority determines the additional cost of complying with this program does not jeopardize project feasibility and no other circumstances warrant application of the exemption;
 - (iii) Gravel mining projects regulated under Title 10, Chapters 3-5 of the Yolo County Code, pending completion of a comprehensive update of the gravel mining program (anticipated in January 2017); and
 - (iv) Projects covered by an approved specific plan which includes an agricultural mitigation program.
- (3) Applications deemed complete prior to the effective date of the ordinance shall provide mitigation at a 1:1 ratio in compliance with all other requirements of this Agricultural Conservation and Mitigation Program.

Section 8-2.404(d) Agricultural Mitigation Implementation.

Agricultural mitigation required by this section shall be implemented as follows:

- (1) Location, Generally. Mitigation lands shall be located within two (2) miles of sphere of influence of a city or within two (2) miles of the General Plan urban growth



boundary of the town of Esparto ("Esparto Urban Growth Boundary"). Mitigation may also occur in any other area designated by the Board of Supervisors based on substantial evidence demonstrating that the parcel at issue consists predominantly of prime farmland and/or is subject to conversion to non-agricultural use in the foreseeable future. Any such designation shall be made by resolution and shall specify whether the designated area is a priority conservation area subject to a 1:1 mitigation ratio. For all other designated areas, the resolution shall specify the mitigation ratio for any mitigation occurring in the covered area, which may exceed the applicable base ratio.

(2) **Adjustment Factors.** The following adjustment factors shall be applied, where relevant, to modify the base ratio:

(i) **Priority Conservation Areas.** Mitigation occurring within a priority conservation area shall occur at a reduced 1:1 ratio unless otherwise specified below. The following areas shall be deemed priority conservation areas for purposes of this section:

(A) Parcels partly or entirely within one-quarter (0.25) mile of the sphere of influence of a city or the Esparto Urban Growth Boundary, or, for projects that convert primarily non-prime farmland, one (1) mile of the sphere of influence of a city or the Esparto Urban Growth Boundary. For the purposes of this subsection, the word "primarily" shall mean greater than fifty (50) percent.

(B) Parcels lying partly or entirely within the area bounded by County Roads 98 and 102 on the west and east, respectively, and by County Roads 29 and 27 on the north and south, respectively. For mitigation of impacts to prime farmland, the ratio shall be 2:1 within this area.

(3) **Other Factors.**

(i) If the area to be converted is twenty (20) acres or more in size, subject to the exception in (iii), below, by granting, in perpetuity, a farmland conservation easement to a qualifying entity with the County as a third party beneficiary, together with the provision of funds sufficient to compensate for all administrative costs incurred by the qualifying entity and the County as well as funds needed to establish an endowment to provide for monitoring, enforcement, and all other services necessary to ensure that the conservation purposes of the easement or other restriction are maintained in perpetuity.

(ii) If the area to be converted is a small project less than twenty (20) acres in size, by granting a farmland conservation easement as described in subsection (i), above, or payment of the in-lieu fee established by the County to purchase a farmland conservation easement consistent with the provisions of this section; and the payment of fees in an amount established by the County to compensate for all administrative costs incurred by the County inclusive of endowment funds for the purposes set forth in subsection (i), above. The in-lieu fee, paid to the County, shall be used for agricultural mitigation purposes only (i.e. purchases of conservation easements and related transaction and administrative costs).

(iii) If Yolo County or a qualifying entity establishes a local farmland mitigation bank and sufficient credits are available at a total cost not exceeding the



in lieu fee (and all related transactional and similar costs), small projects shall satisfy their farmland mitigation requirement by purchasing credits from the mitigation bank in a quantity sufficient to discharge the mitigation obligations of the project under this section. Other local projects converting twenty (20) or more acres of farmland may also purchase credits to discharge their farmland mitigation requirements, in lieu of providing an easement under subsection (i), above.

A farmland mitigation bank must be approved by the Board of Supervisors for local (i.e., within Yolo County) mitigation needs based upon a determination that it satisfies all of the farmland mitigation requirements of this section.

Landowners and project applicants that conserve more farmland than necessary to satisfy their mitigation obligations may seek approval of a farmland mitigation bank through an application process to be developed by the Planning, Public Works, and Environmental Services Department.

- (iv) Agricultural mitigation shall be completed as a condition of approval prior to the acceptance of a final parcel or subdivision map, or prior to the issuance of any building permit or other final approval for development projects that do not involve a map.

Section 8-2.404(e) Eligible lands

Land shall meet all of the following criteria in sections (1) through (6), below, to qualify as agricultural mitigation:

- (1) Agricultural conservation easements resulting from this program shall be acquired from willing sellers only;
- (2) The property is of adequate size, configuration and location to be viable for continued agricultural use;
- (3) The equivalent class of soil, based on the revised Storie index or NRCS soil survey maps, for the agricultural mitigation land shall be comparable to, or better than, the land which is converted;
- (4) The land shall have an adequate water supply to maintain the purposes of the easement, i.e., to irrigate farmland if the converted farmland is irrigated or capable of irrigation. The water supply shall be sufficient to support ongoing agricultural uses;
- (5) The mitigation land shall be located within the County of Yolo in a location identified for mitigation in accordance with this section;
- (6) It is the intent of this program to work in a coordinated fashion with the habitat conservation objectives of the Yolo Habitat Conservancy joint powers agency and the developing Habitat Conservation Plan/Natural Communities Conservation Plan. The mitigation land may not overlap with existing habitat conservation easement areas; the intent is to not allow "stacking" of easements, except for habitat conservation easements protecting riparian corridors, raptor nesting habitat, wildlife-friendly hedgerows, or other restored or enhanced habitat areas so long as such areas do not exceed five percent (5%) of the total area of any particular agricultural conservation easement.

City of Davis General Plan

The following goals and policies from the City of Davis General Plan related to agricultural resources are applicable to the Proposed Project and BRPA.



Land Use and Growth Management Chapter

The following policies are applicable to the Urban Agricultural Transition Area (UATA).

- | | |
|---------------|---|
| Policy LU N.2 | Include the lands in this category within city limits whenever feasible. |
| Policy LU N.3 | Segments can vary in width but to the greatest extent possible, a minimum 150-foot width should be pursued. Wider segments should be pursued when opportunity permits. |
| Policy LU N.4 | Where public access is desired, the width of the buffer must be sufficient to also include a 100-foot wide area where public access is restricted to allow for ground spraying on adjacent agricultural land. |
| Policy LU N.5 | Ideally, wider segments should be located where: <ul style="list-style-type: none">• Willing sellers are available,• Natural resource protection opportunities exist,• Open space recreation opportunities exist. |
| Policy LU N.6 | Prime agricultural land should remain in agricultural production in the wider segments of the Urban Agriculture Transition Area. |

Agriculture, Soils and Minerals Chapter

Goal AG 1 Maintain agriculture as an important industry around Davis.

Policy AG 1.1 Protect agricultural land from urban development except where the general plan land use map has designated the land for urban uses.

Policy AG 1.2 Promote and enhance local agriculture.

Goal AG 3 Conserve soil resources within the planning area.

Policy AG 3.1 Develop programs to help to conserve soil resources.

City of Davis Municipal Code

The applicable sections of the City of Davis Municipal Code related to agricultural resources are presented below.

Davis Municipal Code Article 40A.01

The City of Davis has adopted a Right-to-Farm Ordinance (Chapter 40A of the Davis Municipal Code), the purpose and policies of which are as follows:

- (a) It is a goal of the city general plan to work cooperatively with the counties of Yolo and Solano to preserve agricultural land in the Davis planning area which is not otherwise identified in the general plan as necessary for development. It is the policy of the city to preserve and encourage agricultural land use and operations within the city and Yolo



and Solano counties, and to reduce the occurrence of conflicts between agricultural and nonagricultural land uses and to protect the public health. One purpose of this law is to reduce the loss of agricultural resources by limiting the circumstances under which agricultural operations may be deemed a nuisance.

- (b) It is also the policy of the city to provide purchasers and tenants of nonagricultural land close to agricultural land or operations with notice about the city's support of the preservation of agricultural lands and operations. An additional purpose of the notification requirement is to promote a good neighbor policy by informing prospective purchasers and tenants of nonagricultural land of the effects associated with living close to agricultural land and operations.
- (c) It is further the policy of the city to require all new developments adjacent to agricultural land or operations to provide a buffer to reduce the potential conflicts between agricultural and nonagricultural land uses.
- (d) Implementation of these policies can be strengthened by establishing a dispute resolution procedure designed to amicably resolve any complaints about agricultural operations that is less formal and expensive than court proceedings. (Ord. 1823 § 1).

Davis Municipal Code Article 40A.03

The City of Davis has established Farmland Preservation regulations (Chapter 40A of the Davis Municipal Code), the purpose and findings of which are as follows:

- (a) The purpose of this chapter and this article is to implement the agricultural land conservation policies contained in the Davis general plan with a program designed to permanently protect agricultural land located within the Davis planning area for agricultural uses.
- (b) Since 1995 the city has required agricultural mitigation for development projects that would change the general plan designation or zoning from agricultural land to nonagricultural land and for discretionary land use approvals that would change an agricultural use to a nonagricultural use, and the city council finds that this chapter and this article are necessary for the following reasons: California is losing farmland at a rapid rate; Yolo and Solano County farmland is of exceptional productive quality; loss of agricultural land is consistently a significant impact under CEQA in development projects; the Davis general plan has policies to preserve farmland; the city is surrounded by farmland; the Yolo and Solano County general plans clearly include policies to preserve farmland; the continuation of agricultural operations preserves the landscape and environmental resources; loss of farmland to development is irreparable and agriculture is an important component of the city's economy; and losing agricultural land will have a cumulatively negative impact on the economy of the city and the counties of Yolo and Solano.
- (c) It is the policy of the city to work cooperatively with Yolo and Solano counties to preserve agricultural land within the Davis planning area, as shown in the "planning area" map found in the Davis general plan, beyond that deemed necessary for development. It is further the policy of the city to protect and conserve agricultural land, especially in areas presently farmed or having Class 1, 2, 3, or 4 soils.
- (d) The city council finds that some urban uses when contiguous to farmland can affect how an agricultural use can be operated, which can lead to the conversion of agricultural land to urban use.
- (e) The city council further finds that by requiring adjacent mitigation for land being converted from an agricultural use and by requiring a one hundred fifty foot buffer, the city shall be helping to ensure prime farmland remains in agricultural use. (Ord. 2300 Section 1, 2007).

In addition, Davis Municipal Code Section 40A.03.025 establishes the City's agricultural land mitigation requirements, as follows:



- (a) The city shall require agricultural mitigation as a condition of approval for any development project that would change the general plan designation or zoning from agricultural land to nonagricultural land and for discretionary land use approvals that would change an agricultural use to a nonagricultural use.
- (b) The city has determined that effectively locating mitigation lands provides increased protection of agricultural lands threatened with conversion to non-agricultural uses. Requirements and incentives are established in this article to direct mitigation to areas that are under threat of conversion. In recognizing the importance of the location of mitigation, the city has identified two general categories of agricultural mitigation: (1) adjacent mitigation; and (2) remainder mitigation. For every applicable development project, the determination as to whether a combination of adjacent and remainder mitigation shall be required or whether only remainder mitigation shall be required shall be based on site specific factors, as specified in this article. Adjacent mitigation is addressed in Section 40A.03.030; remainder mitigation is addressed in Section 40A.03.035.
- (c) Total mitigation for a development project shall not be less than a ratio of two acres of protected agricultural land for each acre converted from agricultural land to nonagricultural land. Location based factors (credits) for remainder mitigation contained in Section 40A.03.035 may result in ratios greater than 2:1.

4.2.4 IMPACTS AND MITIGATION MEASURES

The following section describes the standards of significance and methodology used to analyze and determine the potential impacts of the Proposed Project and BRPA related to agricultural resources. A discussion of the project's impacts and mitigation measures where necessary, is presented.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines, a significant impact would occur if the Proposed Project or the BRPA would result in any of the following:

- 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;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g]) (see Chapter 5, Effects Not Found to be Significant);
- Result in the loss of forest land or conversion of forest land to non-forest use (see Chapter 5, Effects Not Found to be Significant);
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use; or
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use (see Chapter 5, Effects Not Found to be Significant).

Issues related to whether the Proposed Project or BRPA would result in any of the following impacts are discussed in Chapter 5, Effects Not Found to be Significant, of this EIR:



- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC 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 non-forest use; and
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use.

Method of Analysis

Evaluation of potential impacts of the Proposed Project and BRPA on agricultural resources is based on the following: the City of Davis General Plan, the associated EIR, the NRCS Web Soil Survey, and the FMMP online mapping system. Soil data from the FMMP was used to determine the approximate amounts of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance within the project site/BRPA site boundaries, as well as the off-site areas. The proposed area of disturbance was overlain on the known on-site agricultural resources to determine the overall impact to agricultural land that would occur during development of the Proposed Project or the BRPA. The standards of significance listed above are used to delineate the significance of any potential impacts.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts is based on implementation of the Proposed Project or the BRPA in comparison to existing conditions and the standards of significance presented above.

4.2-1 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 or agricultural land as defined in the CKH Act (Government Code Section 56064). Based on the analysis below, even with implementation of mitigation, the impact is *significant and unavoidable*.

For environmental review purposes under CEQA, the categories of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland constitute “agricultural land.” The following discussions include an analysis of potential impacts related to the conversion of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland associated with the development of the Proposed Project and the BRPA.

Proposed Project

Pursuant to the California DOC Important Farmland Finder, approximately 323 acres of the project site/BRPA site are mapped as Prime Farmland (see Figure 4.2-1 and Table 4.2-1). In addition, the project site/BRPA site contains approximately 121 acres of Unique Farmland and approximately nine acres of Farmland of Statewide Importance, as well as land that is not Farmland. As such, approximately 453 acres of Farmland are located on-site. In addition, the off-site areas include approximately one acre of Farmland, bringing the total amount of potentially impacted Farmland to 454 acres. However, the 118.4-acre UATA is comprised entirely of Prime and Unique Farmland. As discussed in the Drainage Report for the Proposed Project, the UATA would be excavated approximately nine to 10 feet to an elevation of approximately 28



feet. The soil from the UATA would be used as fill material within the urban development area to raise the building sites above the flood plain.⁸ The existing area is farmed annually; for the Proposed Project, the top layer of organics and 'top soil' would be scraped and set aside prior to excavation for fill soil. Following mass grading and excavation of the area, the organic soil would be replaced and spread across the UATA to aid in vegetative restoration. Thus, the ability to farm the UATA would not be permanently affected and pursuant to City Code, mitigation would not be required for this area. Also consistent with the City's Code, the entire project area that is in agricultural use, less the UATA, is subject to the provision of mitigation.

As such, based on the State's DOC designations, development of the Proposed Project would convert approximately 335.6 acres of Farmland to non-agricultural uses and a significant impact could occur.

Biological Resources Preservation Alternative

The BRPA would be developed within the same overall site boundaries as the Proposed Project. As such, development of the BRPA would convert a significant amount of on-site Farmland to non-agricultural uses. However, the BRPA would include preservation of the 47.1-acre Natural Habitat Area, which contains portions of the on-site Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. Specifically, the Natural Habitat Area contains approximately one acre of Unique Farmland, one acre of Farmland of Statewide Importance, and 16 acres of Prime Farmland for a total of 18 acres of Farmland. Therefore, the BRPA's potential impact to existing Farmland would be 18 acres less, as compared to the Proposed Project. Nonetheless, due to the conversion of approximately 317.6 acres of Farmland within the overall BRPA site boundaries, a significant impact would still occur.

The BRPA would also require excavation of the UATA to generate fill for purposes of raising the urban development area above the flood plain. Similar to the Proposed Project, the top layer of organic and top soil would be set aside prior to excavation and replaced and spread across the UATA. Thus, the ability to farm the UATA would not be permanently affected, and mitigation would not be required for this area.

Farmland Preservation

The City of Davis defines "agricultural land" as "those lands in agricultural use," where "agricultural use" is defined as, "Use of land for the purpose of producing food, fiber, or livestock for commercial purposes." Agricultural lands are also considered throughout Yolo County and/or the City as lands zoned as agricultural preserve (A-P), agricultural exclusive (A-E), or agricultural general (A-I), as well as areas of the City with Class 1, 2, 3, or 4 soils. Davis Municipal Code Section 40A.03.025 states that, "The city shall require agricultural mitigation as a condition of approval for any development project that would change the general plan designation or zoning from agricultural land to nonagricultural land and for discretionary land use approvals that would change an agricultural use to a nonagricultural use."

⁸ It should be noted that the topsoil from the development area would be placed atop the borrowed soils from the UATA.



The following discussions assess the consistency of the Proposed Project and BRPA with the Farmland Preservation requirements as established by the City, Yolo County, and Yolo LAFCo.

Proposed Project

Because the entire project site/BRPA site is in agricultural use, as defined by the Davis Municipal Code, agricultural mitigation would be required for the full site acreage, with the exception of the proposed UATA, given that the City's Municipal Code Section 40A.03.030 states "The land included within the agricultural buffer required by Section 40A.01.050(c) shall not be included in the calculation for the purposes of determining the amount of land that is required for mitigation."

The City's 2:1 agricultural mitigation requirement would satisfy Yolo County's 1:1 (minimum) agricultural land mitigation ratio requirement, which pertains broadly to conversion or change from agricultural use to an urban use prior to, or concurrent with, approval of a zone change from agricultural to urban zoning, permit, or other discretionary or ministerial approval by the County.

Similarly, the City's agricultural mitigation requirement would satisfy Yolo LAFCo's agricultural land mitigation ratio requirement, which are established at a 1:1 minimum mitigation ratio for all agricultural lands and a 2:1 ratio for Prime Agricultural Land, defined by Yolo LAFCo as land which meets any of five different criteria: rated as Class I or Class II in the USDA NRCS land use capability classification, provided that irrigation is feasible; land that qualifies for rating 80 through 100 on the Storie Index; land that supports livestock used for the production of food and fiber with an annual carrying capacity equivalent to at least one animal unit per acre; 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 on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre; and land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred (\$400) per acre for three of the previous five calendar years.

None of the on-site soils are designated Class I or II soils, although a portion of the soils have a Storie Index rating of 80 to 100 (Grade 1 – Excellent) (see Table 4.2-3 and Table 4.2-4). However, because the project site/BRPA site would meet the minimum agricultural value (\$400), the entire site would be considered Prime Farmland by Yolo LAFCo. Because the City of Davis agricultural mitigation regulations require affected on-site agricultural land to be mitigated at a 2:1 ratio with comparable soil quality taken into consideration, compliance with the City's agricultural mitigation requirement through Mitigation Measure 4.2-1 would satisfy Yolo County's and Yolo LAFCo's requirements.

Biological Resources Preservation Alternative

Because the BRPA site is in agricultural use, as defined by the Davis Municipal Code, agricultural mitigation would be required. As discussed above, development of the BRPA would impact a total of 317.6 acres of preserved agricultural land (excluding the acreage associated with the UATA and the Natural Habitat Area). Because the BRPA would include preservation of the 47.1-acre Natural Habitat Area, development of the



BRPA would reduce the amount of existing agricultural use converted to urban uses relative to the amount of converted acreage associated with the Proposed Project.

As discussed above, the City's agricultural mitigation requirement would satisfy the agricultural land mitigation ratio requirement established by Yolo County and Yolo LAFCo. Because the City of Davis agricultural mitigation regulations require affected on-site agricultural land to be mitigated at a 2:1 ratio with comparable soil quality taken into consideration, compliance with the City's agricultural mitigation requirement through Mitigation Measure 4.2-1 would satisfy Yolo County's and Yolo LAFCo's requirements.

Conclusion

Based on the above, the Proposed Project and the BRPA would convert Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, to non-agricultural uses. Thus, a **significant** impact would occur.

Mitigation Measure(s)

While the following mitigation measure would preserve Farmland acreage elsewhere, that preservation would not create new Farmland. As such, the Proposed Project and the BRPA would both lead to an overall loss of Farmland, with the BRPA resulting in 18 acres less conversion of Farmland to non-agricultural uses than the Proposed Project. Therefore, although implementation of the following mitigation measure would reduce the above significant impact, the impact would remain *significant and unavoidable*.

Proposed Project, Biological Resources Preservation Alternative

4.2-1 *Prior to initiation of grading activities for each phase of development, the project applicant shall set aside in perpetuity, active agricultural acreage in an amount consistent with the applicable agricultural mitigation requirements of the appropriate jurisdiction.*

The agricultural land shall be located elsewhere in unincorporated Yolo County, through the purchase of development rights and execution of an irreversible conservation or agricultural easement, consistent with Section 40A.03.025 of the Davis Municipal Code. The location and amount of active agricultural acreage shall be subject to review and approval by the City of Davis Community Development Department. The amount of agricultural acreage set aside shall account for farmland lost due to the conversion of the project site. Pursuant to Davis Municipal Code Section 40A.03.040, the agricultural mitigation land shall be comparable in soil quality with the agricultural land being changed to nonagricultural use. The easement land must conform with the policies and requirements of Yolo Local Agency Formation Commission (LAFCo), including a LESA score that is a maximum of 10 percent below that of the project site. The easement instrument used to satisfy this measure shall conform to the conservation easement template of the Yolo Habitat Conservancy or to another conservation easement template acceptable to the City of Davis.



4.2-2 Conflict with existing zoning for agricultural use, or a Williamson Act contract. Based on the analysis below, the impact is *less than significant*.

The following discussion includes an analysis of potential impacts related to conflicts with existing zoning or Williamson Act contracts associated with the development of the Proposed Project, as well as the BRPA. Because the components of the Proposed Project and the BRPA would be developed within the same overall site boundaries, the following evaluation applies to both the Proposed Project and the BRPA.

Proposed Project, Biological Resources Preservation Alternative

The project site/BRPA site is not subject to any Williamson Act contracts. With respect to existing zoning, the site is currently zoned Specific Plan (S-P) and Agricultural Intensive (A-N) by Yolo County (see Figure 3-5 of this EIR). However, consistent with the CKH Act, Pre-zoning would be applied to the project site/BRPA site as part of annexation into the City of Davis (see Government Code Section 56375). The project site/BRPA site would be pre-zoned to the City's Planned Development (P-D) zone. As part of approval of the Pre-zoning to P-D, the Proposed Project and BRPA would be required to adhere to the development standards set forth by the Preliminary P-D (PPD) and included in the Development Agreement, which would be subject to City approval.

Approval of the Proposed Project or BRPA is a discretionary action of the Davis City Council. Should the City Council deny the Proposed Project or BRPA, the existing conditions on-site would remain and a conflict with the existing zoning for agricultural use on APN 042-110-029 would not occur. Should the City Council approve the Proposed Project or BRPA, the requested Pre-zoning to P-D would be approved concurrently and a conflict with existing zoning for agricultural use would not occur. Potential impacts to farmland are addressed in Impact 4.2-1 above.

Based on the above, neither the Proposed Project, nor the BRPA would conflict with existing zoning for agricultural use or a Williamson Act contract, and a ***less-than-significant*** impact would occur.

Mitigation Measure(s)

None required.

4.2-3 Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. Based on the analysis below, the impact is *less than significant*.

The following discussions include an analysis of other potential impacts related to the conversion of Farmland to non-agricultural uses associated with the development of the Proposed Project and the BRPA, including those related to the City's Right-to-Farm Ordinance and agricultural buffer requirements.



City of Davis Agricultural Buffer Requirements

The following discussion includes an analysis of potential impacts related to inconsistency with the City's Right-to-Farm Ordinance associated with the Proposed Project and the BRPA. Because the Proposed Project and the BRPA would both include components with potential to affect adjacent existing agricultural operations, the following evaluation applies to both development scenarios.

Proposed Project, Biological Resources Preservation Alternative

Agricultural operations exist within the project vicinity, specifically to the north of the project site/BRPA site. The Proposed Project and the BRPA would include a 118.4-acre buffer between the agricultural land to the north and the areas developed as part of the Proposed Project or BRPA through inclusion of the UATA in the northernmost portion of the site. Davis Municipal Code Section 40A.01.050 requires a minimum 150-foot-wide agricultural buffer, comprised of a 50-foot-wide agricultural transition area and a contiguous 100-foot-wide buffer. The proposed UATA would feature a width of 2,150 feet and would not include any uses prohibited by Davis Municipal Code Article 40A.01. Thus, inclusion of the UATA would satisfy the agricultural buffer requirements established by the Davis Municipal Code for existing agricultural operations to the north of the project site/BRPA site.

Because existing agricultural operations to the north, as well as those that occur to the northwest of the project site/BRPA site, would continue in perpetuity, pesticides could be sprayed in the near project vicinity. The Yolo County Agricultural Commissioner has established conditions covering the use of restricted materials, the purposes of which are to minimize undue hazards and risks associated with the application and handling of restricted materials.⁹ Condition #1 addresses the use of restricted materials in the proximity of environmentally sensitive areas. Examples given for environmentally sensitive areas include residential areas (cities, towns, rural neighborhoods), schools, playgrounds, bus stops (when in use), parks, hospitals, shopping centers, occupied labor camps, organic crops, estuaries, reservoirs, lakes, waterways, livestock, state wildlife management areas, and critical habitats of rare, endangered or threatened species.

According to Condition #1, restricted pesticides shall not be applied in close proximity to environmentally sensitive areas unless the minimum distance between the closest operating nozzle and the sensitive area is maintained. Under the most conservative of conditions, which assumes application of pesticides through use of aircraft, a minimum distance between application area and environmentally sensitive areas is 500 feet. Because residential development is not proposed within the UATA, which creates a buffer of approximately 2,150 feet between the proposed residences and the northerly agricultural uses, the Proposed Project and the BRPA would not disrupt the ability of the existing agricultural operations to continue as they currently operate. In addition, the nearest boundary of the proposed North Village to the existing agricultural land to the northwest of the project site/BRPA site is separated by approximately 574 feet. Thus, the Proposed Project and the BRPA would be consistent with the minimum distances between pesticide application and environmentally sensitive areas established by the Yolo County Agricultural Commissioner.

⁹ Yolo County, Yolo County Agricultural Commissioner. *Conditions Covering the Use of Restricted Materials*. January 1, 2014.



Conclusion

Based on the above, the Proposed Project and the BRPA would each satisfy the agricultural buffer requirements established by the Davis Municipal Code and be consistent with the minimum distances between pesticide application and environmentally sensitive areas established by the Yolo County Agricultural Commissioner. Thus, the Proposed Project and the BRPA would not involve changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses, and a ***less-than-significant*** impact would occur.

Mitigation Measure(s)

None required.

Cumulative Impacts and Mitigation Measures

As defined in Section 15355 of the CEQA Guidelines, “cumulative impacts” refers to two or more individual effects which, when considered together, are considerable, compound, or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Additional detail regarding the cumulative setting is included in Chapter 6, Statutorily Required Sections, of this EIR.

4.2-4 *Involve changes in the existing environment which, due to their location or nature, could cumulatively result in loss of Farmland to non-agricultural use. Based on the analysis below, even with implementation of mitigation, the contribution of the Proposed Project and Biological Resources Preservation Alternative to the significant impact would be cumulatively considerable and significant and unavoidable.*

The following discussion includes an analysis of potential impacts related to cumulative changes which could convert farmland to non-agricultural uses associated with the development of the Proposed Project, as well as the BRPA. Because the components of the Proposed Project and the BRPA would be developed within the same overall site boundaries, the following evaluation applies to both the Proposed Project and the BRPA.

Proposed Project, Biological Resources Preservation Alternative

The geographic scope for the cumulative agricultural resources analysis includes development of the Proposed Project or BRPA in conjunction with buildout of the City’s General Plan, as well as a list of present and probable future projects. With respect to buildout of the City’s planning area, as discussed under Impact LU-3 in the City’s General Plan EIR, the City’s requirement that converted agricultural land be mitigated with preservation of existing agricultural land of comparable quality would reduce the severity of effects on existing Farmland. Nonetheless, the General Plan EIR concludes that the impact from converting existing Farmland to urban uses would remain significant and unavoidable.



The following present and probable future projects are located in the project vicinity: Bretton Woods Subdivision, Bretton Woods Activity and Wellness Center, and Bretton Woods Affordable Senior Apartments; Palomino Place; Shriner's Property; and the Davis Innovation and Sustainability Campus (DiSC) 2022. Of the foregoing projects, Shriner's Property and DiSC 2022 would result in the conversion of Farmland, as defined by CEQA, to non-agricultural uses. In addition, the Bretton Woods developments did result in conversion of Farmland of Local Importance to non-agricultural uses. The Bretton Woods developments are currently under construction. Overall, a portion of the foregoing projects would further contribute to the cumulative loss of existing Farmland in and adjacent to the City of Davis.

With respect to the Proposed Project and the BRPA, as discussed under Impact 4.2-1 above, the project site/BRPA site contains Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. Therefore, because both the Proposed Project and the BRPA are located on the same site, both developments would convert the aforementioned Farmland types to non-agricultural uses, with the BRPA, due to its inclusion of a 47.1-acre Natural Habitat Area, resulting in less conversion of existing Farmland than the Proposed Project. Although the Proposed Project and the BRPA would be subject to mitigation measures for the loss of Farmland, each potential development scenario would still lead to an overall loss of Farmland. It should be noted that the present and probable future projects within the City of Davis would also be subject to agricultural land mitigation requirements established by the appropriate jurisdiction.

Based on the above, development facilitated by buildout of the City's General Plan in conjunction with the Proposed Project or the BRPA, as well as other present and/or probable future projects, would result in a significant impact related to the conversion of Farmland to non-agricultural uses. Thus, the contribution of the Proposed Project or BRPA to the significant cumulative impact would be ***cumulatively considerable***.

Mitigation Measure(s)

Implementation of the following mitigation measure would help reduce the incremental contribution towards the cumulative impact related to conversion of important farmland identified above. However, the impact would remain *cumulatively considerable* and *significant and unavoidable* due to the permanent loss of agricultural land attributable to the Proposed Project or the BRPA.

Proposed Project, Biological Resources Preservation Alternative
4.2-4 Implement Mitigation Measure 4.2-1.

