

## 3.14 Agriculture

### 3.14.1 ENVIRONMENTAL SETTING

#### Existing Agricultural Activities

##### Regional Activities

##### *Amador County*

The majority of the land area in Amador County is used for agriculture. A total 198,764 acres in 2006 were used for agricultural purposes, which is approximately 52 percent of the land area in Amador County. Nearly 95 percent of that land is considered grazing land. The remaining farmland is composed of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, and Farmland of Local Importance, which are defined below (DOC 2006a).

The 2007 top agricultural products in Amador County by value were (CFBF 2007):

- Winegrapes: \$13,286,000
- Cattle and Calves: \$9,136,000
- Timber: \$4,642,000
- Pasture & Rangeland: \$2,509,000
- Fruits & Nuts: \$698,000

The total value of agricultural production in Amador County in 2007 was \$33,075,000, which ranks 50<sup>th</sup> out of 58 counties in the State (CFBF 2007).

#### **Agricultural Activities in the Vicinity of the Project Area**

The agricultural fields surrounding the existing WWTP are primarily used for grazing. The area east of the existing secondary WWTP is cultivated for unirrigated fodder production.

#### **Important Farmland Categories**

##### **Overview**

CEQA § 21060.1 of defines "agricultural land" as:

- (a) Prime farmland, farmland of statewide importance, or unique farmland, as defined by the United States Department of Agriculture land inventory and monitoring criteria, as modified for California.
- (b) In those areas of the state where lands have not been surveyed for the classifications specified in subdivision (a), "agricultural land" means land that meets the requirements of "prime agricultural land" as defined in paragraph (1), (2), (3), or (4) of subdivision (c) of Section 51201 of the Government Code.

#### **Prime Farmland, Unique Farmland, Farmland of Statewide Importance, and Farmland of Local Importance**

Prime Farmland, Unique Farmland, Farmland of Statewide Importance, and Farmland of Local Importance are defined as follows:

- **Prime Farmland:** Prime Farmland is defined by the California Department of Conservation as: "Land with the best combination of physical and chemical features able to sustain long term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for production of irrigated crops at sometime during the past four years."
- **Unique Farmland:** Unique Farmland is defined by the California Department of Conservation as: "Lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California."
- **Farmland of Statewide Importance:** Farmland of Statewide Importance is defined by the California Department of Conservation as: "Land similar to Prime Farmland that has a good combination of physical and chemical characteristics for the production of agricultural crops. This land has minor shortcomings, such as greater slopes or less ability to store soil moisture than Prime Farmland. Land must have been used for production of irrigated crops at sometime during the past four years."
- **Farmland of Local Importance:** Farmland of Local Importance is defined by the County of Amador as: "Land that is currently in agricultural production and that is providing an economic return equal to that from the prime soil types" (DOC 2008a).

Figure 3.14-1 shows the farmland designations in the project area.

The project involves the expansion of the City of Lone secondary and tertiary wastewater treatment system, and the construction of percolation ponds and pipelines for the disposal of treated wastewater. Construction is included as part of the project, and therefore direct impacts might occur to farmlands or other agricultural uses.

### 3.14.2 REGULATORY SETTING

#### Federal Regulations

There are no relevant federal regulations for assessment of agricultural resources.

#### State Regulations

##### Farmland Mapping and Monitoring Program.

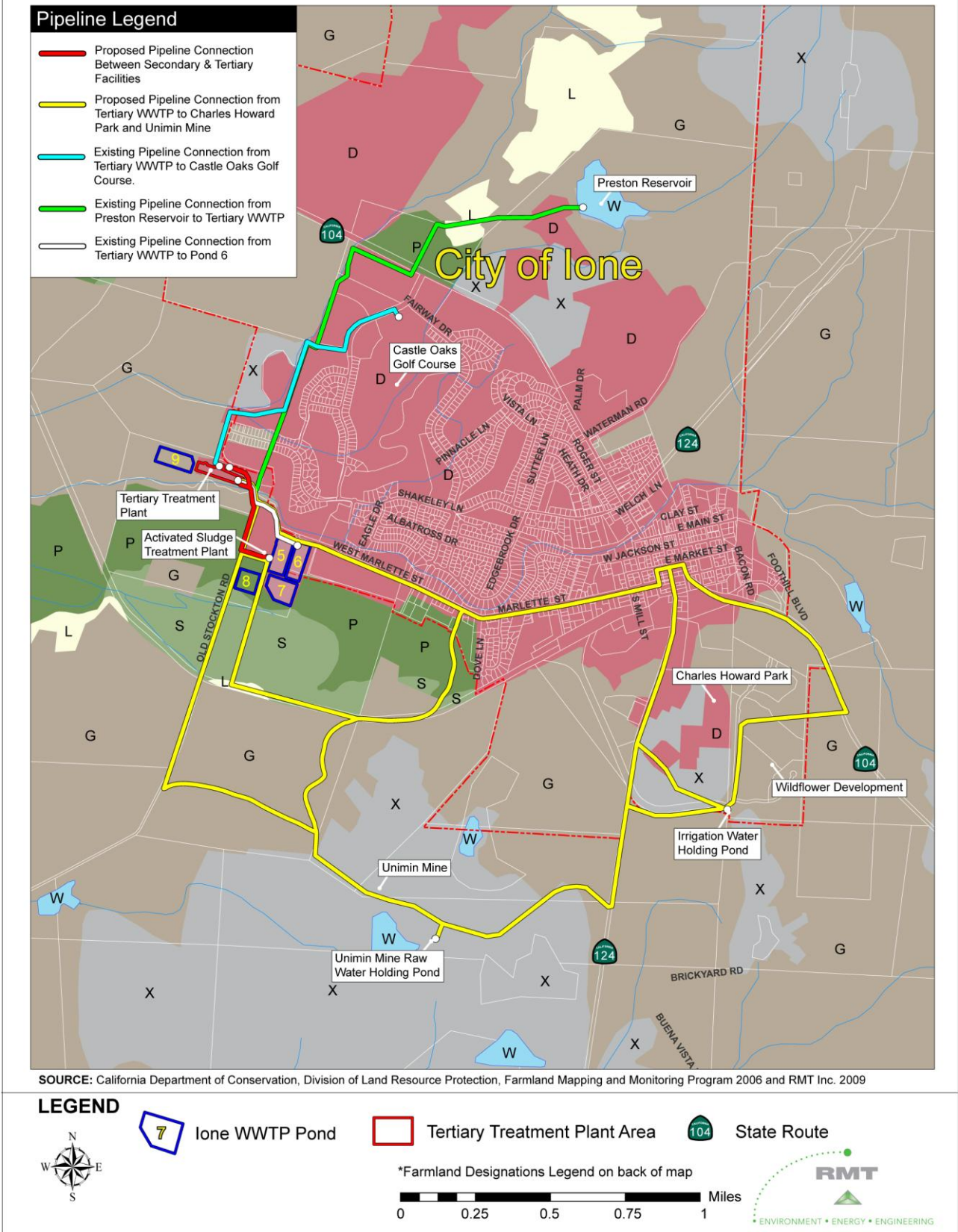
The California Department of Conservation, under the Division of Land Resource Protection, has set up the Farmland Mapping and Monitoring Program (FMMP), which monitors the conversion of the State's farmland to and from agricultural use. The FMMP provides the information needed to assess the value of highly productive and economically important farmland.

##### Williamson Act.

The Williamson Act, formally known as the California Land Conservation Act of 1965 (Government Code Section 51200– 51297.4, as amended), enables local governments to enter into contracts with private landowners that restrict specific parcels of land to agricultural or related open-space use. In return, these landowners receive property tax assessments that are based upon farming and open space uses rather than other potentially higher tax bases (DOC 2009). An agricultural preserve can consist of no less than the following minimum acreage:

- 10 to 40 acres for prime agricultural land if surrounded by or substantially surrounded by or contiguous to other agricultural preserve lands;
- 40 acres or more for prime agricultural land;
- 40 to 160 acres for non-prime agricultural land if surrounded by or substantially surrounded by or contiguous to other agricultural preserve lands; and

**Figure 3.14-1: Farmland Designations in the Project Area**



**Figure 3-14-1 cont.: Farmland Designations Legend**

P	Prime Farmland
S	Farmland of Statewide Importance
U	Unique Farmland
L	Farmland of Local Importance
G	Grazing Land
D	Urban and Built-Up Land
X	Other Land
W	Water
LP	Farmland of Local Potential
I	Irrigated Farmland
N	Nonirrigated Farmland
Z	Not Surveyed

SOURCE: California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program 2006 and RMT Inc. 2009



- 160 acres or more for non-prime agricultural land; provided that in order to meet this requirement, two or more parcels may be combined if they are contiguous and if they are in common ownership or use.

In the case of a breach of a Williamson Contract, the local government may seek a court injunction to enforce the terms of the contract. Structures permitted or built after January 1, 2004, exceeding 2,500 square feet in floor area that are not allowed under the Williamson Act, Williamson Contract, or local uniform rules or ordinances are considered material breaches of a Williamson Contract and may be subject to penalties of 25% of the value of the affected land and 25% of the value of any improvements.

The City of Lone has Williamson Act lands under contract within the incorporated city limits, and Amador County has additional Williamson Act lands in the area surrounding the City of Lone. However, the project area and project-level pipeline routes would not be located on lands that are presently under Williamson Act contracts with the local county (see Figure 3.14-2). The area immediately surrounding the proposed project has eight parcels of land under Williamson Act contracts. Of the eight plots, four of these eight parcels are Williamson Act contracts for prime farmland, while the other four parcels are in non-prime farmland contracts.

## **Local Regulations**

### **Amador County General Plan**

Currently there is no adopted Agricultural Element for the Amador County General Plan. Agriculture-related issues are addressed within the Conservation and the Land Use Elements of the General Plan. There are no established goals or policies in either element that are applicable to agriculture.

All of the current and proposed project elements except for Pond 6 would be located in Amador County. The elements in Amador County would be located in a Public Service (PS) land use designation with the exception of Pond 8, which would be located in a Residential Low Density land use designation, as defined in the Amador County General Plan. The Amador County Zoning Ordinance indicates that the locations for these project-level elements are zoned Single Family Residential and Agriculture (R1A).

### **Amador County Code**

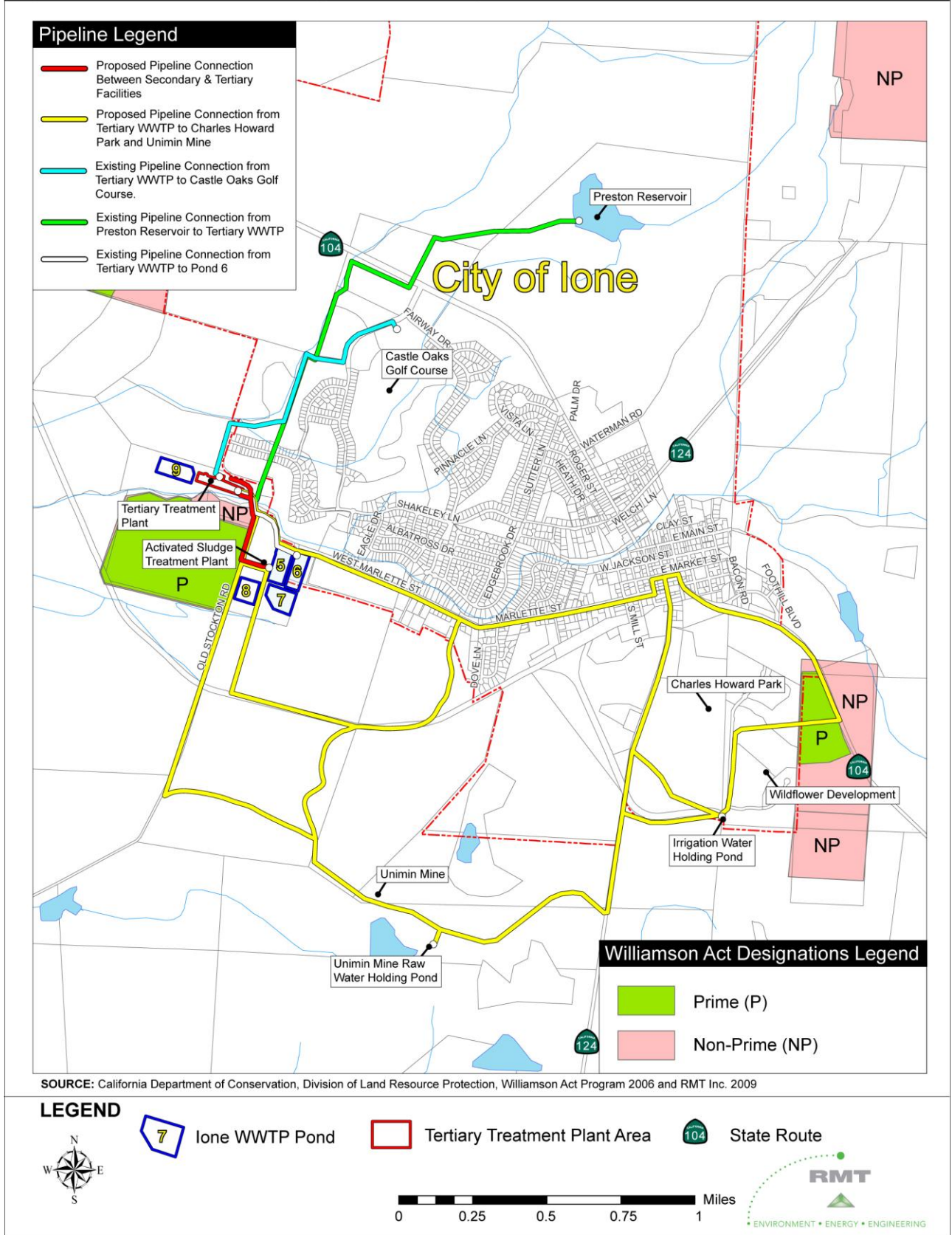
Section 19.28.020 of the Amador County Code allows for the construction and operation of public uses, such as wastewater treatment facilities in any zoning district, provided that a use permit is first obtained from the County (Amador County 2008).

### **City of Lone General Plan**

The City of Lone General Plan (City of Lone 2009) Conservation and Open Space Element goals and policies relevant to hazards and hazardous material are listed below.

- Goal CO-10: Conserve agricultural resources within and around the City and promote development which does not interfere with ongoing agricultural operations.
- Policy CO-10.1: Ensure minimal loss of agricultural lands within the Lone Planning Area through preservation of existing lands and through mitigation measures where necessary.
- Policy CO-10.2: The City shall not approve project resulting in the loss of prime agricultural lands unless it makes findings that the benefits of the project outweigh the impact associated with the loss of such agricultural lands.

**Figure 3-14-2: Williamson Act Designations in the Project Area**



SOURCE: California Department of Conservation, Division of Land Resource Protection, Williamson Act Program 2006 and RMT Inc. 2009

- Policy CO 10.3: Support infill development, wherever possible, in order to minimize the conversion of agricultural lands when there are usable lands within already urbanizing areas.

### 3.14.3 THRESHOLDS OF SIGNIFICANCE

The project would have a significant effect on agricultural resources if it would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses
- 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

### 3.14.4 IMPACTS AND MITIGATION

***Potential Impact 3.14-1: Potential to convert Prime Farmland, Unique Farmland, Farmland of Statewide, or Local Importance as shown on maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural uses.***

#### Overview of Impacts

Direct conversion of potential farmland would result from using farmland as a location for a non-agriculture use. Amador County does contain Prime Farmland, Unique Farmland, and Farmland of Statewide and Local Importance (DOC 2006c). The proposed project would require construction on Prime Farmland, and would result in an estimated permanent removal of less than 0.01 percent of the important farmland in Amador County. This would be considered significant conversion of farmland, and mitigation would be necessary.

#### Existing Infrastructure

##### ***Pond 7***

**Construction.** Construction of Pond 7 was located on disturbed land that was not in agricultural use. No conversion of important farmland to non-agricultural occurred.

**Operation.** Operation of treated wastewater diversion to Pond 7 occurs on non-agricultural lands. There would be no impact to important farmland.

#### **Part I – Treatment (Phases One and Two)**

**Construction and Operations.** Construction and operation of all elements of Part I - Treatment would occur on disturbed lands designated for urban use. Part I would not require the conversion of important farmland to non-agricultural uses. No impacts to important farmland would occur, and no mitigation would be required.

#### **Part II – Disposal**

##### **Phase One**

##### ***Pond 8***

**Construction and Operations.** Pond 8 would be constructed on lands designated as Prime Farmland. The pond would be approximately 470 feet by 380 feet in size, with a maximum depth of

10 feet, including two feet of freeboard. Construction and operation of Pond 8 would permanently remove an approximately 4.1 acres of Prime Farmland from agricultural use. The removal of a total of approximately 4.1 acres of important farmland constitutes less than 0.01 percent of Amador County's 2006 Total Acreage Inventoried of Important Farmland (DOC 2008b). The direct conversion of approximately 4.1 acres of important farmland to non-agricultural use would result in a significant impact. Implementation of mitigation measure Agriculture-1 would reduce these impacts to a less than significant level.

**Agriculture-1:** The City of Lone shall protect a minimum of 4.1 acres of existing farmland of equal or higher quality than the 4.1 acres of prime farmland that would be permanently converted to non-agricultural uses as a result of this project. This protection may consist of the establishment of farmland conservation easements, farmland deed restrictions, or other appropriate farmland conservation in perpetuity, but may also be utilized for compatible wildlife conservation efforts. The farmland to be preserved shall be located within Amador County and must have adequate water supply to support agricultural use. As part of the consideration of land areas proposed to be protected, the City shall consider the benefits of preserving farmlands in proximity to other protected lands.

## **Phase Two**

### ***Disposal Option 1- Disposal to Pond 9***

**Construction and Operations.** Construction and operation of Pond 9 would occur on grazing lands which are not designated as important farmland. Construction and operation of Pond 9 would not require the conversion of important farmland to non-agricultural uses. It is likely that no impact to farmland would occur from the construction and operation of Pond 9, Further CEQA analysis would need to be preformed at the project level to determine the significance of pond construction and operation impacts.

### ***Disposal Option 2- Disposal to Charles Howard Park and Unimin Mine***

**Construction.** Construction of pipelines could occur in areas of important farmland. Segments of the pipeline could require the temporary removal of Prime, State, and Local Important farmland. Impacts would be less than significant as the pipeline would be placed underground and the disturbed lands would be reclaimed and returned to agricultural use. Further CEQA analysis would need to be preformed at the project level to determine the significance of pipeline construction impacts.

**Operation.** Pipeline operation would not cause any impacts to important farmland as the pipeline would be located underground and soils would be available for agriculture. Further CEQA analysis would need to be preformed at the project level to determine the significance of pipeline operation impacts.

### ***Disposal Option 3- Other Potential Disposal Options***

**Construction.** The construction of a pipeline from the tertiary WWTP to other potential disposal locations could occur on important farmland. When available, existing pipelines would be used; however, new pipeline segments may be required. Construction of the pipeline would have short-term impacts on agricultural uses, as the pipeline would be placed underground and the disturbed lands would be reclaimed and returned to agricultural use. Should an alternative route be identified in an area designated as important farmland, further CEQA analysis would be required to determine the significance of the impact.

**Operation.** Operation of a pipeline would require the long-term use of area. Should the alternative route be identified in an area designated as important farmland, further CEQA analysis would be required for the significance of the impact.

One potential end use of tertiary treated wastewater is the irrigation of agricultural lands. The use of tertiary treated wastewater for irrigation purposes could be viewed as a beneficial impact, as it would provide additional irrigation water resources to the area. Further CEQA analysis would be required to determine the significance of the impact of using tertiary treated wastewater for irrigation of important farmland.

### **Part III – Storage**

#### ***Preston Reservoir***

**Construction.** Pipelines would likely need to be constructed to direct treated wastewater to Preston Reservoir, though existing pipelines would be used when available. Construction could cause important farmland to be converted to non-agricultural use, if designated farmland areas are located along the pipeline route. Such farmland impacts would likely be temporary in nature, as any disturbed ground would be recontoured and reclaimed subsequent to construction activities. Further CEQA analysis would be required at the project level to determine the level of significance of construction impacts on important farmland.

**Operation.** Storage of treated wastewater at Preston Reservoir would cause no impacts to important farmland. The reservoir is currently used by ARSA and the Mule Creek State Prison to store secondary treated wastewater, and is not designated as an area of important farmland. The operation of Preston Reservoir for treated wastewater storage would not have an impact on important farmland.

#### ***Lone Water Reservoir***

**Construction.** Pipelines would likely need to be constructed to direct treated wastewater to Lone Water Reservoir, though existing pipelines would be used when available. Construction could cause important farmland to be converted to non-agricultural use, if designated farmland areas are located along the pipeline route. Such farmland impacts would likely be temporary in nature, as any disturbed ground would be recontoured and reclaimed subsequent to construction activities. Further CEQA analysis would be required at the project level to determine the level of significance of construction impacts on important farmland.

**Operation.** Storage of treated wastewater at the Lone Water Reservoir would cause no impacts to important farmland. The reservoir is currently used by AWA to store raw water, and is not designated as an area of important farmland. The operation of the Lone Water Reservoir for treated wastewater storage would not have an impact on important farmland.

#### ***Other Water Reservoir***

**Construction.** Pipelines would likely need to be constructed to direct treated wastewater to a new reservoir, though existing pipelines would be used when available. A new reservoir would also likely need to be constructed. Construction of a new pipeline and reservoir could cause important farmland to be converted to non-agricultural use, depending on the location of the proposed reservoir and pipeline route. Pipeline construction impacts would be temporary in nature, as any ground disturbed during pipeline construction would be recontoured and reclaimed upon pipeline completion. Reservoir construction could have permanent impacts on important farmland if the reservoir construction removed farmland from agricultural use. Further CEQA analysis would be required at the project level to determine the level of significance of construction impacts on important farmland.

**Operation.** Storage of treated wastewater at a new reservoir could cause important farmland to be converted to non-agricultural use, if designated farmland areas are located at the reservoir site. Further CEQA analysis would be required at the project level to determine the level of significance of operation impacts on important farmland.

***Potential Impact 3.14-2: Potential to conflict with existing zoning for agricultural use, or a Williamson Act contract.***

**Overview of Impacts**

All project-level elements in Amador County are located on lands zoned R1A. Pond 6 is located in the City of Lone on lands zoned R-1A. Further information regarding land use in and around the project area is provided in Section 3.6, Land Use, Planning, and Recreation.

Some programmatic proposed project elements could be located on Williamson Act lands. Amador County would determine through the use permit process if these proposed elements are a compatible use on Williamson Act lands.

**Existing Infrastructure – Pond 7**

The construction and operation of the existing elements did not conflict with any past or present Williamson Act contracts. The location of the existing elements was on parcels that are not under a Williamson Act contract, and no impact to agricultural uses or a Williamson contract occurred.

The construction and operation of Pond 7 occurred on Amador County lands that have a zoning designation of R1A. Construction and operation of Pond 7 did not result in any impacts to zoning designations, and no mitigation was required.

**Part I – Treatment (Phases One and Two)**

Construction and operation of the project elements included in the treatment phase would not conflict with any current Williamson Act contracts. The location of these proposed elements is not on parcels that are under a Williamson Act contract, and no impact to agricultural uses or a Williamson contract would occur.

The construction and operation of Part I occurs on Amador County lands that are zoned R1A, except for Pond 6 which is in the City of Lone on lands zoned R-1A. No impact to zoning designations would occur, and no mitigation would be required.

**Part II – Disposal**

**Phase One**

***Pond 8***

Construction and operation of Ponds 8 would not conflict with any current Williamson Act contracts. The location of the proposed element is not on a parcel that is under a Williamson Act contract, and no impacts to agricultural uses or a Williamson contract would occur.

The construction and operation of Pond 8 occurs on Amador County lands that are zoned R1A. No impact to zoning designations would occur, and no mitigation would be required.

## **Phase Two**

### ***Disposal Option 1- Disposal to Pond 9***

Construction and operation of Ponds 9 would not likely conflict with any current Williamson Act contracts. The proposed location of Pond 9 is not on a parcel that is under a Williamson Act contract, and no impact to agricultural uses or a Williamson contract would likely occur.

The construction and operation of Pond 9 would likely occur on Amador County lands zoned R1A. It is likely that no impact to zoning designations would occur. Further CEQA analysis would be required at the project level to determine the level of significance of pond construction and operation on lands zoned for agricultural use or under a Williamson Act contract.

### ***Disposal Option 2- Disposal to Charles Howard Park and Unimin Mine***

Pipeline routes could conflict with lands under existing Williamson Act contracts if the proposed pipeline route is located in an area zoned for agricultural use or under a Williamson Act contract. The local governmental agency with the jurisdiction over the pipeline route would determine through the use permit process whether a pipeline is a compatible use with Williamson Act lands. If the pipeline route avoided such agricultural lands, impacts would be similar to those under Disposal Option 1. Further analysis would be required at the project level to determine the level of significance of pipeline construction and operation on lands zoned for agricultural use or under a Williamson Act contract.

### ***Disposal Option 3- Other Potential Disposal Options***

Construction and operation impacts of the elements under Disposal Option 3 would likely be similar to those impacts under Disposal Option 2 if the pipeline passed through such agricultural lands, while impacts would be similar to those under Disposal Option 1 if the pipeline route avoided such agricultural lands. Further analysis would be required at the project level to determine the level of significance of pipeline construction and operation on lands zoned for agricultural use or under a Williamson Act contract.

## **Part III – Storage**

### ***Preston Reservoir and Lone Water Reservoir***

The City of Lone may have the option of using existing pipelines to access Preston Reservoir and the Lone Water Reservoir, but if no pipeline connections are available to connect the tertiary WWTP to the reservoir, then new pipelines would need to be constructed. Construction and operation of new pipelines could result in impacts to Williamson Act contracts and zoning. Further analysis would be required at the project level to determine the level of significance of the pipeline construction and operation to either Preston Reservoir or the Lone Water Reservoir on lands zoned for agricultural use or under a Williamson Act contract.

### ***Other Water Reservoir***

Construction and operation of a new reservoir and associated pipelines could conflict with lands zoned for agricultural use or under existing Williamson Act contracts if the proposed facilities are located on such areas. Impacts would likely be similar to those of the pipeline routes under Disposal Option 2 if the pipeline passed through such agricultural lands, and could be more significant if the new reservoir is also located in an area of designated agricultural lands. Impacts would be similar to those under Disposal Option 1 if the pipeline route and new reservoir avoided such agricultural lands. Further analysis would be required at the project level to determine the

level of significance of pipeline and reservoir construction and operation on lands zoned for agricultural use or under a Williamson Act contract.

***Potential Impact 3.14-3: Potential to cause other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.***

### **Overview of Impacts**

Indirect conversion of farmland could result from removal of water, electricity, or transportation resources needed to perform agricultural operations. The project would not block any major transportation routes that are used by farmers. The project would not cause any substantial removal of water or electricity resources from agricultural use. Construction and operation of the proposed project would not substantially indirectly impact agricultural uses.

### **Existing Infrastructure – Pond 7**

**Construction.** Construction of Pond 7 did not result in a change to the environment that resulted in the conversion of farmland to non-agricultural uses. Construction impacts were temporary and did not significantly effect nearby agricultural uses or access to agricultural lands. Impacts were less than significant and no mitigation was required.

**Operation.** Operation of Pond 7 has not resulted in an indirect conversion of a significant amount of farmland to non-agricultural uses. The use of Pond 7 does not require a significant amount of electricity relative to the remaining facilities of the WWTPs. Additional truck trip traffic may be generated by an increase in the amount of deliveries to the WWTP sites, and the removal of sludge waste created by the wastewater treatment process. This truck traffic does not interfere with any agricultural uses in the area. Impacts are less than significant and mitigation is not required.

### **Parts I, II and III**

**Construction.** Construction of all project-level elements in Parts I and II would not result in changes in the environment that could result in conversion of farmland to non-agricultural uses. Construction impacts would be temporary and would not affect nearby agricultural uses. Project construction would not block State Routes 104 or 124, or any major transportation routes for agricultural products in the project area. West Marlette Street and Five Mile Road may experience temporary closures during installation of the project pipelines, but no designated farmlands are located along West Marlette Street and Five Mile Road. Construction of all project-level elements in Parts I and II would not indirectly impact or result in the conversion of a significant amount of farmland to non-agricultural uses, and no mitigation would be required.

The indirect impacts to agriculture from the construction of the programmatic-level elements in Parts II and III are likely to be similar as those described in for the project-level elements; however, impacts are speculative at this time, and would need to be evaluated in a subsequent environmental analysis should the City of Lone choose to pursue such elements in the future.

**Operation.** Operation of all project-level elements in Parts I and II would not result in indirect impacts to agricultural use. The project would require the use of more electricity than the existing WWTP facilities; however, the proposed electricity demand would not be significantly higher than what is currently used. The project would also result in a small increase in the number of employees needed to run the facilities, but this small increase in employees would not significantly increase traffic impacts or otherwise interfere with nearby agricultural uses. Additional truck trip traffic could be generated by an increase in the amount of deliveries to the WWTP sites, and the removal of sludge waste created by the wastewater treatment process. This truck traffic is not

anticipated to result in a significant increase in traffic on local roadways, and would not result in interfering with any agricultural uses in the area. Operation impacts of all project-level elements in Parts I and II would be less than significant, and no mitigation would be required.

The indirect impacts to agriculture from the operation of the programmatic-level elements in Parts II and III are likely to be similar as described in for the project-level elements; however, impacts are speculative at this time, and would need to be evaluated in a subsequent environmental analysis should the City of Lone choose to pursue such elements in the future.

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