

# 4

# AGRICULTURAL RESOURCES

## 4.1 INTRODUCTION

The purpose of the Agricultural Resources chapter of the EIR is to examine the proposed project's effects on agricultural resources located on existing medium and large parcel size wineries and farm breweries throughout unincorporated Placer County that would be subject to the proposed Zoning Text Amendment. The chapter identifies Prime/Unique Farmland or Farmland of Statewide Importance that could be indirectly disturbed as a result of the project. In addition, the chapter analyzes potential conflicts with ongoing agricultural operations on adjacent, agriculturally-zoned properties. Documents referenced to prepare this chapter include the Placer County General Plan,<sup>1</sup> the Placer County General Plan EIR,<sup>2</sup> the *Placer Legacy Open Space and Agricultural Conservation Program, Implementation Report*,<sup>3</sup> the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey,<sup>4</sup> and the Department of Conservation's California Important Farmland Finder.<sup>5</sup>

This chapter focuses on the ten existing medium (10- to 20-acre) and large (>20 acre) parcel-sized wineries and farm breweries that would be subject to the proposed Zoning Text Amendment, which are shown in Figure 3-1 of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential cumulative effects on agricultural resources associated with future wineries and farm breweries that would be subject to the proposed Zoning Text Amendment are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

## 4.2 EXISTING ENVIRONMENTAL SETTING

The following section describes current farmland and soil productivity classification systems, as well as the extent and quality of any agricultural and forest resources present on the existing study facility sites.

### Existing Agricultural Operations

Currently, each of the existing study facilities supports agricultural operations in the form of either grape crops or agricultural products used in the production of craft beer, such as hops,

<sup>1</sup> Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

<sup>2</sup> Placer County. *Countywide General Plan EIR*. July 1994.

<sup>3</sup> Placer County. *Placer Legacy Open Space and Agricultural Conservation Program, Implementation Report*. June 2000.

<sup>4</sup> United States Department of Agriculture, National Resources Conservation Service. *Web Soil Survey*. Available at: <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>. Accessed November 2017.

<sup>5</sup> California Department of Conservation. *Placer County Important Farmland 2014*. Published April 2016.

barley, and other adjuncts. The County's existing Winery Ordinance requires that within the Residential, Resource, and Agricultural zoning districts where wineries are allowed (including all of the existing study facilities), at least one acre of on-site planted vineyard is required, unless the Agricultural Commissioner makes a determination that a functional equivalent occurs (i.e., winery is contracted to receive a substantial portion of the winery production capacity from locally-produced vineyards).

### **Existing Agricultural Resources**

State farmland categories that apply to the existing study facility sites, as well as Williamson Act contracts identified for such areas, are discussed below.

#### California Department of Conservation Important 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 present within any given 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, in which 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 utilize 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 agriculture-related 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 four types listed above are collectively designated by the State as Important Farmlands. 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 farmland types are summarized below, based on California DOC's *A Guide to the Farmland Mapping and Monitoring Program*.<sup>6</sup>

#### *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.

#### *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. Placer County farmland of local importance includes lands which do not qualify as Prime, Statewide, or Unique designation, but are currently irrigated crops or 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.

#### *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.

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<sup>6</sup> California Department of Conservation, Division of Land Resource Protection, *FMMP: A Guide to the Farmland Mapping and Monitoring Program*. Available at: [http://www.consrv.ca.gov/DLRP/fmmp/pubs/fmmp\\_guide\\_2004.pdf](http://www.consrv.ca.gov/DLRP/fmmp/pubs/fmmp_guide_2004.pdf). Accessed April 2017.

### *Urban 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.

### Farmland Classification and Zoning of Existing Study Facilities

Table 4-1 provides a summary of the existing FMMP classifications and zoning designations for each of the existing study facilities within the County.<sup>7</sup> It should be noted that each of the zoning designations is defined in Chapter 8, Land Use and Planning, of this EIR.

Public Resources Code 21060.1 defines “Agricultural land” as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. As shown in the table, three of the existing study facilities (Dona dal Cielo, Wise Villa Winery & Bistro, and Casque at Flower Farm) are located on sites that contain Farmland of Statewide Importance and two of the existing study facilities (Vina Castellano Winery and Wise Villa Winery & Bistro) contain Unique Farmland. None of the sites contain Prime Farmland.

### 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 no 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.

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<sup>7</sup> California Department of Conservation. *California Important Farmland Finder*. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed February 2018.

<b>Table 4-1 FMMP Classification and Zoning Designation of Existing Study Facilities</b>				
<b>Existing Study Facilities</b>	<b>Parcel Size (acres)</b>	<b>Winery/Farm Brewery Sub-Region</b>	<b>FMMP Classifications</b>	<b>Zoning Designations</b>
Dono dal Cielo Vineyard and Winery	30.1	South Wise Road	Farmland of Statewide Importance Farmland of Local Importance Other Land	F-B-X 10 AC. MIN.
Lone Buffalo Vineyards	12.3	Newcastle-Ophir	Farmland of Local Importance	AE
Rancho Roble Vineyards	19.0	North Wise Road	Farmland of Local Importance	F 4.6 AC. MIN.
Vina Castellano Winery	19.9	Northwest Auburn	Unique Farmland Farmland of Local Importance	F-AO 4.6 AC. MIN.
Wise Villa Winery & Bistro	10.0	South Wise Road	Farmland of Statewide Importance Unique Farmland Farmland of Local Importance	F-B-X 10 AC. MIN.
Ciotti Cellars	9.4	North Wise Road	Farmland of Local Importance	F-B-X 10 AC. MIN.
Mt. Vernon Winery	31.2	Northwest Auburn	Farmland of Local Importance	F 4.6 AC. MIN.
Casque at Flower Farm	10.0	Horseshoe Bar-Penryn	Farmland of Statewide Importance	F-B-100
Goathouse Brewery	11.3	South Wise Road	Other Land	F 4.6 AC. MIN.
Hillenbrand Farmhaus Brewery	12.9	South Wise Road	Farmland of Local Importance	F-B-X 10 AC. MIN.
Notes: F = Farm; -B = Building Site combining; AE = Agricultural Exclusive; and -AO = Aircraft Overflight combining. The -B zoning designation is followed by a number, which refers to the minimum building site established by Section 17.52.040 of the Placer County Code. For -B zoning designations followed by '-X', the required setbacks and minimum lot area are specified on the County's Zoning Map				
<i>Source: Department of Conservation, 2018.</i>				

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 no 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 4-3.

<b>Table 4-2 Land Capability Classification</b>	
<b>Class</b>	<b>Definition</b>
<b>I</b>	Soils have slight limitations that restrict their use.
<b>II</b>	Soils have moderate limitations that restrict the choice of plants or that require moderate conservation practices.
<b>III</b>	Soils have severe limitations that restrict the choice of plants or that require special conservation practices, or both.
<b>IV</b>	Soils have very severe limitations that restrict the choice of plants or that require very careful management, or both.
<b>V</b>	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.
<b>VI</b>	Soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture or range, woodland, or wildlife habitat.
<b>VII</b>	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.
<b>VIII</b>	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.
<i>Source: United States Department of Agriculture Natural Resources Conservation Service. Available at: <a href="http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/survey/tools/?cid=nrcs142p2_054226">http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/survey/tools/?cid=nrcs142p2_054226</a>. Accessed October 7, 2016.</i>	

<b>Table 4-3 Storie Index Rating System</b>		
<b>Grade</b>	<b>Index Rating</b>	<b>Definition</b>
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 to special crops and require special management
4 – Poor	21 through 40	If used for crops, are severely limited and require special management
5 – Very Poor	11 through 20	Not suited for cultivated crops, but can be used for pasture and range
6 – Non-Agriculture	Less and 10	Soil and land types generally not suited to farming
<i>Source: USDA, Web Soil Survey, 2017.</i>		

According to the USDA NRCS Web Soil Survey conducted for the existing study facility sites, soils within each of the sites have Land Capability Classifications ranking from Class II to VI.<sup>8</sup> Class II soils have moderate limitations that restrict the choice of plants or that require moderate conservation practices, while Class VI soils have severe limitations that make them generally

<sup>8</sup> United States Department of Agriculture Natural Resources Conservation Service. *Web Soil Survey*. Available at: <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>. Accessed November 2017.

unsuited for cultivation and limit their use largely to pasture or range, woodland, or wildlife habitat. Storie Index ratings of the existing study facility soils range from Grade 3 – Fair to Grade 4 – Poor. Thus, cultivation of crops is generally limited and requires special management. As discussed in Chapter 3, Project Description, of this EIR, the shallow, low-nutrient soils found in the foothill regions of Placer County, including within the study facility sites, cause moderate plant stress. Such stress is beneficial in the development of grapes for wine production.

### Williamson Act Contracts

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. Per the Placer County Land Information Search tool, only two of the existing study facilities (Lone Buffalo Vineyards and Rancho Robles) are located on land currently under a Williamson Act Contract.<sup>9</sup>

### Forest Resources

As shown in Table 4-1, none of the existing study facility sites within the County are currently zoned for forest land or timberland uses. In addition, none of the sites contain forest land (as defined in Public Resources Code Section 12220(g)), or timberland (as defined by Public Resources Code Section 4526).

## **4.3 REGULATORY CONTEXT**

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The following is a description of State and local environmental laws and policies that are relevant to the review of agricultural resources under CEQA.

### **State Regulations**

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 contract with counties and cities to voluntarily restrict land to agricultural and open space uses. The vehicle for these 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. As noted previously, only two of the existing study facilities (Lone Buffalo Vineyards and Rancho Robles) are located on land currently under a Williamson Act Contract.

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<sup>9</sup> Placer County. *Land Information Search*. Available at: <https://www.placer.ca.gov/departments/communitydevelopment/gis/online%20maps>. Accessed February 2018.

## Local Regulations

The following are the local government environmental goals and policies relevant to the CEQA review process with respect to agricultural resources.

### Placer Legacy Open Space and Conservation Program

The Placer Legacy Open Space and Agricultural Conservation Program (Placer Legacy Program) was adopted in June 1998 to protect and conserve open space and agricultural lands in Placer County.<sup>10</sup> The Placer Legacy Program implements the goals, policies, and programs of the 1994 Placer County General Plan and supplements existing open space and conservation programs. The Placer Legacy Program also provides important resource information to guide and direct decisions on the preparation of environmental documents for compliance with CEQA and for discretionary land use entitlements being examined by County staff. The objectives of the Placer Legacy Program include the following:

- Maintain a viable agricultural segment of the economy;
- Conserve natural features necessary for access to a variety of outdoor recreation opportunities;
- Retain important scenic and historic areas;
- Preserve the diversity of plant and animal communities;
- Protect endangered and other special status plant and animal species;
- Separate urban areas into distinct communities; and
- Ensure public safety.

For implementation purposes, the County was divided into ten study areas based on common geographic and political boundaries. The development of the implementation measures was based on an assessment of each area's existing open space resources, development trends, stressors and conflicts, and opportunities for Placer Legacy Program involvement.

### Placer County Right-to-Farm Ordinance

Placer County has adopted a Right-to-Farm Ordinance (Section 5.24.040 of the Placer County Code) to minimize loss of the County's commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. The provisions of the Right-to-Farm Ordinance are as follows:

- A. It is the declared policy of the county of Placer to preserve, protect and encourage the development and improvement of its agricultural land for the production of food and other agricultural products. When nonagricultural land uses extend into the agricultural areas, agricultural operations often become the subject of nuisance suits. As a result, agricultural operations are sometimes

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<sup>10</sup> Placer County. *Placer Legacy Open Space and Agricultural Conservation Program, Implementation Report*. June 2000.

forced to cease or are substantially curtailed. Others may be discouraged from making investments in agricultural improvements. It is the purpose of this section to reduce the loss to the county of its commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance.

- B. No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than one year if it was not a nuisance at the time it began.
- C. For purpose of this section, the term “agricultural activity, operation, or facility, or appurtenances thereof” shall include, but not be limited to, the cultivation and tillage of soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity including timber, Christmas trees, viticulture, apiculture, nursery stock, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and game birds, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market, or to carriers for transportation to market.
- D. For the purpose of this section, commercial “agriculture” means those agricultural lands in designated areas, or those lands that are within the California Land Conservation Act, or within a timber preserve zone or those lands that produce a gross annual income of four thousand five hundred dollars (\$4,500.00) from the sale of agricultural products.
- E. Each prospective buyer of property in unincorporated Placer County shall be informed by the seller or his/her authorized agent of the right-to-farm ordinance. The seller or his/her authorized agent will keep on file a disclosure statement signed by the buyer with the escrow process.
- F. Whenever a building designated for residential occupancy is to be located on property in the unincorporated area of Placer County, the owners of the property, or their authorized agent, shall acknowledge receipt of the right-to-farm ordinance. (Ord. 4983-B, 1999: prior code § 5.715)

### Winery Ordinance

Section 17.56.330 of the Placer County Code contains the County’s Winery Ordinance, as approved in 2008. The purpose of the Winery Ordinance is to preserve and protect farmland while also enhancing the economic viability of Placer County’s agricultural operations and supporting the tenants of agri-tourism, a type of tourism that brings visitors directly to a farm or ranch. In the Residential, Resource and Agricultural zoning districts where wineries are allowed, at least one acre of planted vineyard on site is required, unless the Agricultural Commissioner makes a determination that a functional equivalent occurs (i.e., winery is contracted to receive a substantial portion of the winery production capacity from locally produced vineyards). Chapter 3, Project Description, of this EIR provides a detailed overview of the proposed changes to the Winery Ordinance.

Placer County General Plan

The following goals and policies from the Placer County General Plan are applicable to the proposed project:

Goal 1.H: To designate adequate agricultural land and promote development of agricultural uses to support the continued viability of Placer County's agricultural economy.

Policy 1.H.4 The County shall allow the conversion of existing agricultural land to urban uses only within community plan areas and within city spheres of influence where designated for urban development on the General Plan Land Use Diagram.

Policy 1.H.5 The County shall require development within or adjacent to designated agricultural areas to incorporate design, construction, and maintenance techniques that protect agriculture and minimize conflicts with adjacent agricultural uses.

Policy 1.H.6 The County shall require new non-agricultural development immediately adjacent to agricultural lands to be designed to provide a buffer in the form of a setback of sufficient distance to avoid land use conflicts between the agricultural uses and the nonagricultural uses, except as it may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval. Such setback or buffer areas shall be established by recorded easement or other instrument, subject to the approval of County Counsel. A method and mechanism (e.g., a homeowners association or easement dedication to a non-profit organization or public entity) for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval.

Goal 7.A: To provide for the long-term conservation and use of agriculturally-designated lands.

Policy 7.A.1 The County shall protect agriculturally-designated areas from conversion to non-agricultural uses.

Policy 7.A.3 The County shall encourage continued and, where possible, increased agricultural activities on lands suited to agricultural uses.

Policy 7.A.10      The County shall facilitate agricultural production by allowing agricultural service uses (i.e., commercial and industrial uses) to locate in agriculturally-designated areas if they relate to the primary agricultural activity in the area. The County shall use the following guidelines to analyze the suitability of a proposed agricultural service use:

- a. The use will not adversely affect agricultural production in the area;
- b. The use supports local agricultural production;
- c. It is compatible with existing agricultural activities and residential uses in the area;
- d. The use will not require the extension of sewer or water lines; and
- e. It will not result in a concentration of commercial or industrial uses in the immediate area.

Policy 7.A.13      The County shall encourage multi-seasonal use of agricultural lands such as for private recreational development, in order to enhance the economic viability of agricultural operations.

Goal 7.B:            To minimize existing and future conflicts between agricultural and non-agricultural uses in agriculturally-designated areas.

Policy 7.B.1        The County shall identify and maintain clear boundaries between urban/suburban and agricultural areas and require land use buffers between such uses where feasible. These buffers shall occur on the parcel for which the development permit is sought and shall favor protection of the maximum amount of farmland.

Policy 7.B.3        The County shall consider fencing subdivided lands adjoining agricultural uses as a potential mitigation measure to reduce conflicts between residential and agricultural uses. Factors to be considered in implementing such a measure include:

- a. The type of agricultural operation (i.e., livestock, orchard, timber, row crops);
- b. The size of the lots to be created;
- c. The presence or lack of fences in the area;
- d. Existing natural barriers that prevent trespass; and
- e. Passage of wildlife.

Policy 7.B.4        The County shall continue to enforce the provisions of its Right-to-Farm Ordinance and of the existing state nuisance law.

- Goal 7.C: To protect and enhance the economic viability Placer County's agricultural operations.
- Policy 7.C.3 The County shall support opportunities to promote and market agricultural products grown or processed within Placer County (such as Farmers' Markets) as a part of the economic development activities of local agencies.
- Policy 7.C.4 The County shall permit a wide variety of promotional and marketing activities for County-grown products in all zone districts where agricultural uses are authorized.
- Policy 7.C.5 The County shall permit on-farm product handling and selling. The County shall permit stands for the sale of agricultural products in any agricultural land use designation to promote and market those agricultural products grown or processed in Placer County. Secondary and incidental sales of agricultural products grown elsewhere may be permitted subject to appropriate approvals.
- Policy 7.C.6 The County shall ensure that land use regulations do not arbitrarily restrict potential agricultural-related enterprises which could provide supplemental sources of income for farm operators.

#### **4.4 IMPACTS AND MITIGATION MEASURES**

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The following section describes the standards of significance and methodology utilized to analyze and determine the proposed project's potential impacts related to agricultural resources. In addition, a discussion of the project's impacts is also presented.

##### **Standards of Significance**

Consistent with Appendix G of the CEQA Guidelines and the County's Initial Study Checklist, the effects of a project are evaluated to determine if they would result in a significant adverse impact on the environment. For the purposes of this EIR, an impact is considered significant if the proposed project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance ("Farmland"), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
- Conflict with General Plan or other policies regarding land use buffers for agricultural operations;

- Conflict with existing zoning for agricultural use, a Williamson Act contract, or a Right-to-Farm policy;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g));
- Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses); and/or
- Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use.

### Method of Analysis

Evaluation of potential impacts of the proposed project on agricultural resources is based on the following: The Placer County General Plan, the associated EIR, the Department of Conservation’s California Important Farmland Finder, and the NRCS Web Soil Survey. The standards of significance listed above are used to delineate the significance of any potential impacts.

### Project Impacts and Mitigation Measures

The following discussion of impacts is based on implementation of the proposed project in comparison with the standards of significance identified above.

- 4-1 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 involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use. Based on the analysis below, the impact is *less than significant*.**

Public Resources Code 21060.1 defines “Agricultural land” as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. As shown in Table 4-1, three of the existing study facilities (Dona dal Cielo, Wise Villa Winery & Bistro, and Casque at Flower Farm) are located on sites that contain Farmland of Statewide Importance and two of the study facility sites (Vina Castellano Winery and Wise Villa Winery & Bistro) contain Unique Farmland. None of the sites contain Prime Farmland.

The existing Winery Ordinance restricts the number of promotional events at each facility to six per year, subject to first securing an Administrative Review Permit. The proposed project would redefine “event” to distinguish between Agricultural Promotional Events and Special Events. Agricultural Promotional Events would include events with 50 attendees or less at one time and would be directly related to the education and marketing of wine and craft beer to consumers. Special Events would include events with greater than 50

attendees (excluding staff) at one time where the agricultural-related component is subordinate to the primary purpose of the event. The proposed Zoning Text Amendment would allow the existing study facilities to hold an unlimited number of Agricultural Promotional Events, whereas the eight existing, medium parcel-sized study facilities could hold up to six Special Events per year, and the two existing, large parcel-sized study facilities could hold up to 12 Special Events per year.

The proposed Zoning Text Amendment would not involve any physical alterations of the existing study facilities and would not result in any direct conversion of Farmland or other impacts to agricultural resources. Rather, the proposed project would simply allow for an increase in the number of promotional events currently allowed under the existing Winery Ordinance.

Public concerns have been raised during the Notice of Preparation (NOP) review period regarding the potential for the proposed increase in the number of allowable events to result in indirect effects to agricultural resources, such as disturbance of Farmland for overflow parking purposes. Specifically, commenters have suggested that an increase in the number of allowable events would increase the number of people driving to the existing study facilities, which could result in event organizers choosing to allow overflow parking on land that could be considered agricultural in order to accommodate the additional vehicles, thereby limiting the potential for such land to be used for agricultural purposes. The existing Winery Ordinance allows for temporary overflow parking to be used in conjunction with Temporary Outdoor Events (TOE), as described in Section 17.56.300(B)(1)(b). The proposed Zoning Text Amendment would continue to allow overflow parking for TOEs but would also allow temporary overflow parking for Special Events. Overflow parking for Agricultural Promotional Events would not be allowed; rather, the Ordinance would continue to require at least one permanent parking space for every 2.5 event attendees, and event size would be limited to the number of available on-site parking spaces (see Table 4, Minimum Parking Requirements, of the proposed Winery and Farm Brewery Zoning Text Amendment included as Attachment A to this EIR). Any attempt to allow overflow parking for Agricultural Promotional Events would be a violation of the Placer County Code and would result in code enforcement.<sup>11</sup>

In summary, the proposed Zoning Text Amendment would give facility owners the ability to use temporary overflow parking for Special Events, which are limited to six per year for medium parcel-sized facilities and 12 per year for large parcel-sized facilities. Thus, on a yearly basis, the demand for overflow parking will be relatively minimal. Nevertheless, facility owners may choose to create temporary overflow parking on their properties for Special Events. Given the general agricultural nature of existing wineries and farm breweries, overflow parking may temporarily result in use of agricultural areas for overflow parking purposes, thus rendering these areas unusable for agricultural purposes. Importantly, overflow parking is temporary, and at the most, would be needed

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<sup>11</sup> Overflow parking could be allowed with a TOE, six of which could be obtained per year; however, this is currently allowed under the existing Winery Ordinance, and, thus, is not required to be addressed in this EIR.

12 times a year, for Special Events on large parcel-sized facilities. Furthermore, per Section E(1)(a) of the proposed Zoning Text Amendment, overflow parking would not be permitted on active agricultural land. Thus, farmland and associated operations would not be permanently affected by temporary overflow parking. In addition, as discussed above, only half of the existing studies' facilities have Farmland considered important by Appendix G of the CEQA Guidelines.

Under the current Winery Ordinance and upon implementation of the proposed Zoning Text Amendment, existing study facilities would have the ability to expand permanent parking spaces within the facilities to accommodate tasting room guests, agricultural activities, and event attendees. Expansion of permanent parking spaces could occur on agricultural land; however, the land may not be in current commercial crop production. Section E(1)(a) of the proposed Zoning Text Amendment states, in part, that "...Parking shall not be proposed in existing agriculturally productive land." However, agricultural land not currently in commercial crop production (i.e., fallow land) could be converted for parking purposes. The County does not consider the expansion of permanent parking spaces on the existing study facility sites to constitute conversion of Farmland to non-agricultural use, as the additional parking would be intended to support agricultural uses. For example, as discussed in Chapter 8, Land Use and Planning, of this EIR, per Section 17.10.010 of the Placer County Code, the 'F' zone district, within which eight of the ten study facilities are located, is intended to "provide areas for the conduct of commercial agricultural operations that can also accommodate necessary services to support agricultural uses...". Per Section 17.08.010 of the Placer County Code, wineries are considered 'agricultural/resource/open space uses'. Events at winery/farm brewery facilities are considered 'necessary services' by the owners/operators in terms of their importance in financially supporting on-site agricultural uses. It follows that adequate parking for these events is also necessary and intended to support the viability of on-site agricultural operations.

Based on the above, the proposed project would not convert Farmland, as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural use, or involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use. Therefore, a *less-than-significant* impact would occur.

Mitigation Measure(s)

*None required.*

**4-2 Conflict with General Plan or other policies regarding land use buffers for agricultural operations. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.**

Policy 7.B.1 of the Placer County General Plan provides requirements related to land use buffers between urban/suburban areas and agricultural areas. In addition, Section 5.24.040 of the Placer County Code includes the County's Right-to-Farm Ordinance,

which is intended to minimize loss of the County’s commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. The Right-to-Farm Ordinance acknowledges that when non-agricultural uses extend into agricultural areas, agricultural operations often become the subject of nuisance suits. As a result, agricultural operations are sometimes forced to cease or are substantially curtailed. The proposed Zoning Text Amendment would not result in the introduction of non-agricultural land uses adjacent to lands currently used for commercial agricultural operations, as winery uses and support services, such as events, are considered agricultural uses by the County Code, per the above discussion. Thus, the Zoning Text Amendment would not conflict with the County’s Right-to-Farm Ordinance.

In addition, the County’s buffer requirements, as established by General Plan Policy 1.H.6, are specific to new development occurring within the County. As noted above, the proposed project does not include a proposal for new development and would not lead to the direct physical alteration of the existing wineries and farm breweries. In addition, the buffer requirements are focused on areas with urban/suburban interfaces and agricultural/non-agricultural interfaces. The existing study facilities are all located within rural agricultural areas. Furthermore, the proposed amendments to the existing Winery Ordinance would not alter the General Plan land use or zoning designations of existing wineries and farm breweries within the County or expand the number of zones where by-right development could occur. As such, policies related to land use buffers would not apply to the proposed project.

Based on the above, the proposed project would not conflict with General Plan or other policies regarding land use buffers for agricultural operations. Therefore, a *less-than-significant* impact would occur.

Mitigation Measure(s)

*None required.*

**4-3 Conflict with existing zoning for agricultural use, a Williamson Act contract, or a Right-to-Farm Policy. Based on the analysis below, the impact is *less than significant*.**

As shown in Table 4-1, all ten of the existing study facilities within the County are located on land zoned for agricultural use. Two of the existing wineries (Lone Buffalo Vineyards and Rancho Robles) are located on land currently under a Williamson Act Contract.<sup>12</sup> With implementation of the proposed project, the zoning designations and Williamson Act status of the existing winery/farm brewery properties would remain unchanged.

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<sup>12</sup> Placer County. *Land Information Search*. Available at: <https://www.placer.ca.gov/departments/communitydevelopment/gis/online%20maps>. Accessed February 2018.

As discussed in Chapter 8, Land Use and Planning, of this EIR, promotional events are currently permitted to occur at all of the existing wineries and farm breweries within the County. While the proposed Zoning Text Amendment would increase the allowable frequency of such events, the events are considered support services for the wineries/farm breweries, which are considered agricultural uses under the County's Code. Thus, increasing the frequency of events at the study facilities would not conflict with existing agricultural zoning. As noted previously, given that the proposed project would not introduce non-agricultural land uses adjacent to lands currently used for commercial agricultural operations, the proposed project would not conflict with the County's Right-to-Farm Ordinance.

Based on the above, the proposed project would not conflict with zoning for agricultural use, a Williamson Act Contract, or the County's Right-to-Farm ordinance, and a *less-than-significant* impact would occur.

Mitigation Measure(s)

*None required.*

- 4-4 Conflict with forest land or timberland zoning, affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses), or result in the loss of forest land or conversion of forest land to non-forest use. Based on the analysis below, *no impact* would occur.**

As noted previously, none of the existing study facility sites within unincorporated Placer County are zoned for forest land or timberland uses. Furthermore, none of the existing study facility sites are used for, or planned for, timber harvest operations. Based on the analysis presented under Impacts 4-1 through 4-3 above, the proposed project would not have a substantial adverse effect on existing agricultural operations within the County. Therefore, the proposed project would not conflict with forest land or timberland zoning, affect agricultural and timber resources or operations, or result in the loss of forest land or conversion of forest land to non-forest use, and *no impact* would occur.

Mitigation Measure(s)

*None required.*