

5.12 AGRICULTURAL RESOURCES

This section describes the agricultural setting of the Project site and evaluates the potential for changes in agricultural land use due to implementation of the Project.

This EIR tiers from the Previous Environmental Review Documents, as described in Chapter 2.0, *Introduction*. The 2013 SEIR did not address agricultural resources, but relies on the analysis in the 2005 GPU EIR (05-01) and the 1993 Program EIR for the GDP (90-01). Section 3.7, *Agricultural Resources*, of the Otay Ranch GDP Program EIR (90-01) analyzed impacts relating to agricultural resources and concluded that implementation of the Otay Ranch GDP would result in significant cumulative effects on agricultural resources. The Otay Ranch GDP Program EIR includes a mitigation measure that requires the preparation of an Agriculture Plan as a condition of approval for all projects within Otay Ranch GDP. However, even with implementation of this mitigation the permanent loss of agricultural land was determined to be a significant and unmitigable effect of the Otay Ranch GDP. The 2001 SEIR (01-01) did not evaluate impacts on agricultural resources, but relied on the 1989 EastLake III EIR (89-09). The analysis and discussion of agricultural resources contained in the Otay Ranch GDP Program EIR are incorporated by reference. The agricultural resources evaluation in this section also updates information in Section 5.7 of the 2005 GPU EIR pertaining to the UID site and off-site locations. The proposed Project includes an Agriculture Plan (Appendix E to the UID SPA Plan), as required by a mitigation measure from the Otay Ranch GDP Program EIR (see page 3.7-26 of the Otay Ranch GDP Program EIR), and is discussed further below.

5.12.1 Existing Conditions

A. Regulatory Framework

1. Federal

a. Farmland Protection Policy Act of 1981 (FPPA)

FPPA (7 U.S. Code, § 4201, et seq.) is administered by the Natural Resource Conservation Service (NRCS). NRCS maps soils and farmland to provide comprehensive information necessary for understanding, managing, conserving, and sustaining the nation's limited soil resources. NRCS determines impacts to farmland that could occur due to a proposed project. The determination is made through coordination between the federal agency proposing or supporting the project and NRCS. NRCS makes a determination, using set thresholds, as to whether additional project-specific mitigation is required. FPPA is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to non-agricultural uses. It assures that federal programs are administered to be compatible with state, local government, and private programs and policies to protect farmland to the extent possible. Federal agencies are required to develop and review their policies and procedures to implement FPPA every two years. For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forestland, pastureland, cropland, or other land, but not water or urban built-up land.

b. Federal Farm Bill of 1990 – Federal Forest Legacy Program (FLP)

FLP (16 U.S. Code, §2103c) was part of the 1990 Federal Farm Bill. The purpose of the FLP is to protect environmentally-important forestland under private ownership from conversion to non-forest uses, such as residential or commercial development. The FLP promotes the use of voluntary conservation easements on these properties. Landowners who wish to participate may sell or transfer particular rights, such as the right to develop the property or to allow public access, while retaining ownership of the property and the right to use it in any way consistent with the terms of the easement. The agency or organization holding the easement is responsible for managing the rights it acquires and for monitoring compliance by the landowner. Forest management activities, including timber harvesting, hunting, fishing, and hiking are encouraged, provided they are consistent with the program's purpose.

2. State**a. Farmland Mapping and Monitoring Program**

In response to the need for assessing the location, quality, and quantity of agricultural lands and conversion of these lands over time, the California Department of Conservation established the Farmland Mapping and Monitoring Program (FMMP) in 1982. The goal of the FMMP is to provide consistent and impartial data to decision makers for use in assessing present status, reviewing trends, and planning for the future of California's agricultural land resources. A basic purpose of the FMMP is to produce Important Farmland Maps and statistical data for California's agricultural resources. Important Farmland Maps identify the location and quality of agricultural land across the state. The quality of agricultural lands, which is rated on soil quality and irrigation status, is classified into five categories described below: prime farmland, farmland of statewide importance, unique farmland, farmland of local importance, and grazing land. The minimum mapping unit for all categories is 10 acres unless otherwise specified. The project site contains Farmland of Local Importance and Grazing Land according to the FMMP. In addition, the FMMP identifies non-agricultural lands as either urban and built-up land or other land. Important Farmland Maps are updated every two years with the use of aerial photographs, a computer mapping system, public review, and field reconnaissance. The FMMP is a non-regulatory program.

i. Prime Farmland

Prime Farmland is land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management. Prime farmland has been used for the production of irrigated crops at some time during the two updated cycles to the mapping date.

ii. Farmland of Statewide Importance

Farmland of Statewide Importance is similar to Prime Farmland but includes specific limitations to crop production, such as greater slopes or less ability to hold and store moisture. Farmland of Statewide Importance has been used for the production of irrigated crops at some time during the two cycles prior to the mapping date.

iii. Unique Farmland

Unique Farmland includes lesser quality soils used for the production of specific high economic value crops (as listed in *California Agriculture* produced by the California Department of Food and Agriculture) at some time during the two update cycles prior to the mapping date. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. Unique Farmland is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of crops cultivated on Unique Farmland include oranges, olives, avocados, rice, grapes, and cut flowers.

iv. Farmland of Local Importance

Farmland of Local Importance is important to the local agricultural economy, as determined by the County of San Diego Board of Supervisors and a local advisory committee. The County defines Farmland of Local Importance as land with the same characteristics as Prime Farmland and Farmland of Statewide Importance.

v. Grazing Land

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

vi. Urban and Built-Up Land

This classification consists of land occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

vii. Other Land

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

b. Williamson Act

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The goal of the Williamson Act is to encourage the preservation of California's agricultural land and to prevent its premature

conversion to urban uses. Currently, there are no active Williamson Act contracts or properties, which are established agricultural preserves, within Chula Vista (Chula Vista 2005a).

3. Local

a. City of Chula Vista General Plan

According to the Chula Vista General Plan, through the early 1990s, the last of the large-scale agricultural operations were located primarily on large landholdings within the eastern portion of the city, which includes the project site. Agricultural production has been historically constrained due to the limited availability of water for irrigation and the high cost of water where it has been available. Although the city does not contain any lands specifically designated for agricultural uses within its General Plan area, the potential for agricultural uses to occur within certain portions of the City on both an interim and long-term basis still exists.

A limited number of parcels in the City retain agricultural zoning, which is considered a holding zone, pending development proposals in conformance with the applicable land use plans. Agricultural production associated with these areas is not significant in terms of countywide agricultural value. Long-term agricultural use is not planned for the General Plan area, but is allowed where it is consistent with the Chula Vista MSCP Subarea Plan and zoning, including within portions of the Chula Vista Greenbelt open space system.

The Chula Vista General Plan Environmental Element includes Objective E4, which is to maintain the opportunity for limited agricultural and related uses to occur as an interim land use within planned development areas and as a potential permanent land use within appropriate locations.

b. Otay Ranch Grazing Ordinance

The Otay Ranch Grazing Ordinance (CVMC Chapter 17.30) has been prepared as one of several Chula Vista MSCP Subarea Plan implementing ordinances. The purpose of the ordinance is to implement the goals and recommendations of the range management plan for the Otay River Valley Management Area. Ordinance regulations apply to all land designated by the Otay Ranch GDP as Otay Ranch Preserve and as 100 percent conservation area in the Chula Vista MSCP Subarea Plan. Both the Main Campus Property and Lake Property parcels are outside 100 percent conservation areas. Proposed off-site improvements related to off-site drainage infrastructure south of the Main Campus Property are within a 100 percent conservation area and would need to demonstrate compliance with the requirements of the ordinance. Although grazing has historically been conducted within the project areas, grazing no longer occurs within any portions of the Project area, including off-site areas.

c. Otay Ranch General Development Plan

The Otay Ranch GDP establishes goals, objectives and policies related to the protection of agricultural resources. While these are general in nature, they are intended to be applicable to the entire Otay Ranch GDP area, including the project site. The applicable GDP objectives and policies related to agricultural resources are listed below.

- **Objective:** Preserve sensitive and significant biological, cultural, paleontological, flood plain, visual, and agricultural resources.
- **Policies:**
 - Provide opportunities for demonstration agricultural activities within the Preserve. A site, which supports prime or statewide important soils, should be located near proposed composting facilities and Bird Ranch. A plan for the size and operation of the demonstration agricultural activities will be subject to review and approval of the Preserve Owner/Manager and/or the Otay Valley Regional Park management and shall be submitted concurrent with the conveyance for this area or prior to adoption of the last SPA on the Otay Valley parcel, whichever occurs first. In addition to the demonstration agricultural site, sites should be made available for smaller community gardens adjacent to or within individual villages. Some community gardens may be located within open space areas being maintained by an open space maintenance district, with specific design and maintenance issues to be addressed at the SPA Plan review.
 - Existing agricultural uses, including cultivation and grazing, shall be permitted to continue as an interim activity only where they have occurred historically and continually. No increase in irrigation shall be allowed, except for temporary irrigation that may be installed as part of restoration plans. Grazing by sheep and goats shall not be allowed. Cattle grazing shall be phased out in accordance with the conveyance program and range management plan.

d. Otay Ranch Resource Management Plan

Chapter 3 of the Otay Ranch RMP contains several objectives and policies related to agriculture. The single unifying goal of the RMP is the establishment of an open space system that will become a permanent preserve dedicated to the protection and enhancement of environmental resources. In conformance with the RMP, a range management plan for Otay Ranch was subsequently prepared. In general, the range management plan recommendations and implementing actions provide for ongoing managed grazing activities on conveyed lands if the activity is shown not to negatively affect biological resources.

B. Existing Agricultural Operations

The 2005 GPU EIR identifies the entire Otay Ranch area as important potential agricultural land. However, the General Plan EIR also acknowledges that agricultural opportunities in the area are becoming less feasible. The land utilized for agricultural activities in areas surrounding the Otay Ranch has decreased over the years. Factors that have led to the decrease in agricultural use include the conversion of farmland to urban uses as a result of land value. The high cost of importing water for irrigation has also resulted in many agricultural activities becoming cost prohibitive.

The Project site contains Farmland of Local Importance and Grazing Land according to the FMMP. Farmland of Local Importance is important to the local agricultural economy, as determined by the County Board of Supervisors and a local advisory committee. Grazing Land

includes existing vegetation that is suitable for browsing of livestock. The Main Campus Property was used historically for agriculture as evidenced by large areas of furrowed non-native grassland in the western and central portions. The Lake Property has no reported agricultural uses in the past. No cattle or farming activities are currently active on the entire Project site; however, agricultural activity is permitted under existing conditions.

5.12.2 Thresholds of Significance

According to CEQA Guidelines, Appendix G, impacts to agricultural resources would be significant if the project would:

- **Threshold 1:** Convert prime farmland, unique farmland, or farmland of statewide importance, as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural use.
- **Threshold 2:** Conflict with existing zoning for agricultural use or a Williamson Act contract.

5.12.3 Impact Analysis

A. **Threshold 1: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.**

Based on the 1993 Otay Ranch GDP EIR, any conversion of agricultural land to non-agricultural use in Otay Ranch is considered a significant direct impact due to an incremental and irreversible regional loss or impairment of agricultural land. Development of the UID SPA Plan would not convert prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use, based on the maps prepared by the California Department of Conservation pursuant to the FMMP (DOC 2015). However, the Project site includes Farmland of Local Importance and Grazing Land, both of which would be converted to non-agricultural use.

Interim agricultural uses would be allowed on the Project site prior to buildout of the Project; however, such agricultural uses would be subject to the CVMC (specifically Chapter 17.30, *Otay Ranch Grazing Ordinance*, and Chapter 19.20, *Agricultural Zone*) and the Chula Vista MSCP Subarea Plan. Once fully developed, the Project would not allow agricultural uses or cattle grazing activities on site. However, university-related agriculture, including horticulture nurseries, greenhouses, raising/harvesting of crops, aquaculture, agricultural processing, on-site sales, and the keeping of small animals (no meat production) would be permitted.

Agricultural use within the Project site is currently constrained because of the lack of a reliable and affordable source of water and no farming or cattle grazing activities occur on the site. Additionally, the General Plan states that agricultural production in Chula Vista is not important in terms of countywide agricultural value and is not a major factor in the local economy. Long-term agricultural uses are not planned for the City. Nevertheless, the Project would contribute to an incremental loss of grazing land. Consistent with earlier findings in the 1993 Otay Ranch GDP Program EIR, this is considered a potentially significant impact (Impact 5.12-1a).

Additionally, proposed agricultural activities on the site related to educational crop production associated with future university uses could result in land use conflicts between agricultural land uses and proposed urban land uses within the UID. Agricultural incompatibilities were associated with noise, odor, rodents, and chemical applications and identified as a short-term impact in the 1993 Otay Ranch GDP Program EIR. As a result, conflicts could occur upon implementation of UID SPA Plan development because some agricultural activities would be permitted. Accordingly, short-term land use incompatibility issues from proposed agricultural activities associated with the university, which would be located adjacent to urban land uses, would be significant (Impact 5.12-1b).

The 1993 Otay Ranch GDP Program EIR requires the preparation of an agriculture plan concurrent with the processing and approval of an SPA plan where existing or future on-site agricultural uses may affect contemplated development. The 1993 Otay Ranch GDP Program EIR's Findings of Fact require that the agriculture plan includes guidelines designed to minimize land use interface impacts related to noise, odors, dust, insects, rodents, and chemicals that may be produced or used by agricultural activities or operations. Per Mitigation Measure 5.12-1 in this EIR (see Section 5.12.5.A below), an agriculture plan has been prepared as part of the UID SPA Plan in accordance with the mitigation identified in the 1993 Otay Ranch GDP Program EIR and implementation of the agriculture plan would reduce impacts associated with incompatible land uses.

B. Threshold 2: Conflict with existing zoning for agricultural use or a Williamson Act Contract.

The Project would not affect Williamson Act contract lands because there is no land under a Williamson Act Contract within Chula Vista. No impact related to Williamson Act contracts would occur.

Agricultural activities in the City are allowed on lands zoned for Agriculture (A-8, A-X) and Planned Community (P-C) on an interim basis. Although the Project site is zoned as a planned community and interim agricultural land uses are allowed, no agricultural activities currently take place on the site. In addition, interim agricultural activities on the Project site would be permitted subject to the CVMC (specifically Chapter 17.30, *Otay Ranch Grazing Ordinance*, and Chapter 19.20, *Agricultural Zone*) and the Chula Vista MSCP Subarea Plan, and agricultural activities at buildout would be limited to university-related crop production upon buildout per the Agriculture Plan. Development is not required to maintain the potential for agricultural land used in the planned community zone. Therefore, implementation of the Project would not conflict with existing zoning and this impact would be less than significant.

Refer to the analysis under Threshold 1 for a discussion of the potential for the Project to convert farmland to non-agricultural use and the potential for short-term conflicts between agricultural and urban land uses to occur.

5.12.4 Level of Significance Prior to Mitigation

A. Direct Conversion of Agricultural Resources

Impact 5.12-1a: Implementation of the Project would result in a significant impact to agricultural resources, due to the on-site loss of farmland of local importance and grazing land.

Impact 5.12-1b: Short-term land use incompatibility issues from proposed agricultural activities associated with the university, which would be located adjacent to urban land uses, would be significant.

B. Zoning and Williamson Act Conflicts

Impacts related to land use zoning and Williamson Act conflicts would be less than significant.

5.12.5 Mitigation Measures

A. Direct Conversion of Agricultural Resources

Implementation of the Project would result in a significant impact to agricultural resources, due to the on-site loss of farmland of local importance and grazing land (Impact 5.12-1a). In addition, short-term land use incompatibility issues from proposed agricultural activities associated with the university, which would be located adjacent to urban land uses, would be significant (Impact 5.12-1b). Development of the Project site would occur as future applicants apply for various permits. Mitigation Measure 5.12-1 below identifies that a future applicant would be responsible for the implementation of the following mitigation measure, which in this case would be an applicant related to development of agricultural uses associated with the university:

5.12-1 Agriculture Plan. The Agriculture Plan included in the SPA Plan shall be implemented as development proceeds within the UID to ensure compatibility between university-related crop production for research and small-scale production. The following measures shall be implemented to the satisfaction of the Chula Vista Development Services Director (or their designee):

- i. Prior to approval of each building permit, the applicant shall ensure that a 200-foot-wide fenced buffer shall be maintained between development and any university-related agricultural operations on the UID site.
- ii. In those areas where pesticides are to be applied, the university shall utilize vegetation to shield adjacent urban development (within 400 feet) from agricultural activities. Use of pesticides shall comply with federal, state, and local regulations.
- iii. The applicant shall notify adjacent property owners of potential pesticide application through advertisements in newspapers of general circulation.

B. Zoning and Williamson Act Conflicts

No mitigation is required.

5.12.6 Level of Significance After Mitigation

A. Direct Conversion of Agricultural Resources

The incremental loss of agricultural lands (farmland of local importance, grazing land [Impact 5.12-1a]), which was considered a significant impact in the 1993 Otay Ranch GDP Program EIR, remains significant because the agricultural activities allowed at Project buildout would be limited and restricted. Because this incremental loss of agricultural lands is unavoidable, associated impacts would remain significant and unavoidable in the long-term.

Short-term land use incompatibility issues from proposed agricultural activities associated with the university that would be adjacent to urban land uses (Impact 5.12-1b) would be reduced to less than significant levels with implementation of Mitigation Measure 5.12-1 because the Agriculture Plan includes guidelines designed to minimize land use interface impacts related to noise, odors, dust, insects, rodents, and chemicals that may be produced or used by university-related agricultural activities or operations.

B. Zoning and Williamson Act Conflicts

Impacts would be less than significant without mitigation.

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