



# DEPARTMENT OF CONSERVATION

## DIVISION OF LAND RESOURCE PROTECTION

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May 5, 2008

Mr. Robert Sellman, Planning Director  
Calaveras County Planning Department  
891 Mountain Ranch Road  
San Andreas, CA 95249

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Calaveras County  
Community Development Agency  
☐ Building ☐ Planning ☐ OSS

RE: Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) –  
The Ridge at Trinitas, SCH# 2005122135, Calaveras County

Dear Mr. Sellman:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the NOP for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

### Project Description

The project is a proposal to subdivide 280± acres of agricultural land into 14 parcels consisting of 13, two-acre single-family residential lots and a parcel of 244 acres containing a golf course, club house, lodge and 20-80 acres of agriculture. The 18-hole golf course is described as constructed and will be analyzed in the EIR. The project site is located on Ospital Road between Warren Road and Southworth Road in Valley Springs, Calaveras County.

### Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's Important Farmland Map (IFM) for the County should be utilized to identify agricultural land within the project site and in the surrounding area that may be impacted. Acreages for each land use designation should be identified for both areas. A map of the Important Farmland should be included in the DEIR.

Exhibit

153

In addition, we recommend including the following items of information to characterize the agricultural land resource setting of the project.

- Current and past agricultural use of the project area. Include data on the types of crops grown, crop yields and farm gate sales values.
- To help describe the full agricultural resource value of the soils of the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the University of California Cooperative Extension Service and the United States Department of Agriculture (USDA) are sources of economic multipliers.

#### Project Impacts on Agricultural Land

The Department recommends that the following be included in the DEIR in the analysis of project impacts.

- Type, amount, and location of farmland lost to project implementation. The conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance is considered a potentially significant adverse impact.
- Indirect impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, population, traffic, water availability, etc.
- Growth-inducing impacts, including whether leapfrog development is involved.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. These impacts would include impacts from the proposed project as well as impacts from past, current and probable future projects. The Division's farmland conversion tables may provide useful historical data.
- Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Environmental Quality Act (CEQA) Guidelines §15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is recommended by CEQA and is available from the Division at the contact listed below.

#### Mitigation Measures

The Department encourages the use of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, we recommend that this ratio be increased. We highlight this measure because of its acceptance and use by lead agencies as mitigation under CEQA. It follows a rationale similar to that of wildlife habitat

mitigation. The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. Agricultural conservation easements will protect a portion of those remaining resources and lessen project impacts in accordance with CEQA Guideline §15370.

Mitigation using agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance, and the search for replacement lands conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Although the direct conversion of agricultural land and other agricultural impacts are often deemed to be unavoidable by an agency's CEQA analysis, mitigation measures must nevertheless be considered. The adoption of a Statement of Overriding Consideration does not absolve the agency of the requirement to implement feasible mitigation that lessens a project's impacts. A principal purpose of an EIR is to present a discussion of mitigation measures in order to fully inform decision-makers and the public about ways to lessen a project's impacts. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline 15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact. For example, mitigation includes *"Minimizing impacts by limiting the degree or magnitude of the action and its implementation (§15370(b))"* or *"Compensating for the impact by replacing or providing substitute resources or environments (§15370(e))."*

All measures ostensibly feasible should be included in the DEIR. Each measure should be discussed, as well as the reasoning for selection or rejection. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible on its face.

Finally, when presenting mitigation measures in the DEIR, it is important to note that mitigation should be specific, measurable actions that allow monitoring to ensure their implementation and evaluation of success. A mitigation consisting only of a statement of intention or an unspecified future action may not be adequate pursuant to CEQA.


Information about agricultural conservation easements, the Williamson Act and provisions noted above is available on the Department's website or by contacting the Division at the address and phone number listed below. The Department's website address is:

<http://www.conservation.ca.gov/dlrp/index.htm>

Mr. Robert Sellman  
May 5, 2008  
Page 4 of 4

Thank you for the opportunity to comment on this NOP. The Department looks forward to receiving your response, including a copy of the DEIR. If you have questions on our comments or require technical assistance or information on agricultural land conservation, please contact Adele Lagomarsino at (916) 445-9411.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Leahy". The signature is fluid and cursive, with the first name "Brian" and last name "Leahy" clearly distinguishable.

Brian Leahy  
Assistant Director