



May 23, 2019

VIA EMAIL: AGILBERT@CITYOFCHINO.ORG

Ms. Andrea Gilbert, Senior Planner
Community Development Department
13220 Central Avenue
Chino, CA 91710

Governor's Office of Planning & Research
MAY 24 2019
STATE CLEARINGHOUSE

Dear Ms. Gilbert:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE ALTITUDE BUSINESS CENTRE
PROJECT, SCH# 2017051060

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the Altitude Business Centre Project submitted by the City of Chino (City). The Division monitors farmland conversion on a statewide basis and administers the Williamson Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The Project involves the development of approximately 72 acres of property located in the southern portion of the City of Chino, San Bernardino County, California. Implementation of the Project would involve the demolition of the subject property's existing residential and agricultural/dairy land uses and the construction and operation of a business center complex with up to 25 buildings ranging in size from 5,000 sq ft to 200,000 sq ft and totaling up to 1,219,000 sq ft of building space. The Project would include business park, light industrial, mini-warehouse, and warehouse land uses.

The Project site is located in the southern portion of the City of Chino, approximately 5.2 miles west of Interstate 15 (I-15), approximately 1.8 miles east of State Route 71 (SR-71), and approximately 4.3 miles south of State Route 60 (SR-60).

Agricultural Impacts

As stated in the DEIR, the project site contains land designated as Prime and/or Unique Farmland as classified by the Department of Conservation's Farmland Mapping and Monitoring Program.¹ According to Appendix G II(a) of the California Environmental Quality Act (CEQA), conversion of this type of farmland is one of the leading indicators in determining the significance of a project's impact to agricultural resources.

Department Comments and Mitigation Measures

The conversion of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department advises the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State.

Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline § 15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

Although direct conversion of agricultural land is often an unavoidable impact under CEQA analysis, mitigation measures must be considered. 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 under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts. CEQA states that the Lead Agency shall describe the specific reasons for rejecting identified mitigation measures. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements. Because agricultural conservation easements are an available mitigation tool they should always be considered.

Mitigation via 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. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

¹ Altitude Business Centre, CEQA Initial Study, p. 25

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Altitude Business Centre Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Environmental Planner at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Monique Wilber', with a long, sweeping underline.

Monique Wilber
Conservation Program Support Supervisor

