

5. Environmental Analysis

5.1 AGRICULTURE AND FORESTRY RESOURCES

This section of the draft environmental impact report (DEIR) evaluates the potential for implementation of the proposed Ontario Ranch Business Park Specific Plan (proposed project) to impact agriculture and forestry resources in the City of Ontario. This section of the EIR discusses the existing agricultural resources and agricultural operations on the site and surrounding properties and analyzes the potential impacts associated with the development of the Specific Plan.

Data used in preparation of this section were taken from various sources including the California Department of Conservation Farmland Mapping and Monitoring Program, the TOP Final EIR (July 2009), other environmental analyses prepared by the City and the City of Chino, and information in the Specific Plan. Please refer to Section 5.1.1.1, *Regulatory Background*, for a discussion of agricultural classifications and the Williamson Act.

The analysis is based, in part, on the California Department of Conservation Farmland Mapping and Monitoring Program, the City of Ontario General Plan and General Plan EIR.

5.1.1 Environmental Setting

5.1.1.1 REGULATORY BACKGROUND

Federal

Farmland Protection and Policy Act

The Farmland Protection and Policy Act (FPPA), United States Code Title 7 Section 4201, was enacted in 1981 to minimize the loss of prime farmland and unique farmlands because of federal actions by converting these lands to nonagricultural uses. It ensures that federal programs are compatible with state and local governments, and private programs and policies to protect farmland (HRSA 2011).

State

Farmland Mapping and Monitoring Program

Pursuant to Government Code Section 65570, the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) compiles important farmland maps for the state. These maps combine soil survey and current land use information from the United States Department of Agriculture and Natural Resource Conservation Service to provide an inventory of agricultural resources in each county. The maps show urbanized lands and a qualitative sequence of agricultural designations. County, state, and federal agencies have established several classifications of important agricultural land based on factors such as soil characteristics, climate, and water supply.

- **Prime Farmland.** This land has the best combination of physical and chemical features and is able to sustain long-term agricultural production. It has the soil quality, growing season, and moisture supply

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needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

- **Farmland of Statewide Importance.** Similar to Prime Farmland but with minor shortcomings, such as steeper slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Unique Farmland.** Lesser-quality soils used for the production of the state’s leading agricultural crops. This land is usually irrigated but may include unirrigated orchards or vineyards. Land must have been cultivated at some time during the four years prior to the mapping date.
- **Farmland of Local Importance.** Land of importance to the local economy, as defined by each county’s local advisory committee and adopted by its board of supervisors. This refers to all farmable lands in the county that do not meet the definitions of Prime, Statewide, or Unique. This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture, and grazing land.
- **Grazing Land.** This has existing vegetation that is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen’s Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
- **Urban and Built-Up Land.** This land is 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.
- **Other Land.** This land is 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 or borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

Note that CEQA analysis focuses on impacts to three categories of mapped farmland—Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. In this section, the term “mapped important farmland” refers to these three categories of farmland combined.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act, or Williamson Act, was adopted in 1965 (California Government Code §§ 51200 et. seq.). The act was established to encourage the preservation of agricultural lands in view of the increasing trend toward their “premature and unnecessary” urbanization. The act enables counties and cities to designate agricultural preserves (Williamson Act lands) and offer preferential taxation to agricultural

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landowners based on the land's income-producing value. In return for the preferential tax rate, the landowner is required to sign a contract (Williamson contract) with the county or city agreeing not to develop the land for a minimum of 10 years. The contract is renewed automatically on its anniversary date unless a notice of nonrenewal or petition for cancellation is filed.

Local

City of Ontario General Plan

The City of Ontario General Plan Biological Mineral and Agricultural Resources Element contain policies which pertain to existing farms and improving the transition of farms to urban uses:

- **Policy ER5-3, Right to Farm.** We support the right of existing farms to continue their operations within the New Model Colony.
- **Policy ER5-4, Transition of Farms.** We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.

City of Ontario Municipal Code

The City of Ontario Municipal Code contains regulations pertaining to agricultural resources in the City, including:

- **Ontario Development Code, Chapter 6, Development and Subdivision Regulations, Division 6.01, District Standards and Guidelines, Division 6.01, Section 6.01.035, Overlay Zoning Districts.** The purpose of the AG Overlay District is to accommodate the continuation of agricultural uses within the City, on an interim basis, and to allow for the establishment of general agricultural uses, such as dairies, within certain areas of concentrated agricultural use. This section regulates development in the New Model Colony (NMC) to create compatibility between agricultural and nonagricultural uses. It recognizes that specific plans will guide the development of the NMC. The overall goal of the ordinance is to prevent unnecessary urban development in the area unless the development has been planned. New construction, except for agricultural uses or agricultural-related activities, and single-family homes and building ancillary thereto, shall first require the adoption of a Specific Plan, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

5.1.1.2 EXISTING CONDITIONS

State

Statewide, agricultural lands have experienced a general, though fluctuating decline. According to the California Department of Conservation, agricultural lands and dairies can be compromised and pressured as a result of increasing urbanization and cost of produce production. For example, for the period 2010–2012, land use conversions were affected by the recession and persistent drought conditions. An overview of statewide agricultural land use conversions and contributing factors is described in the California Department of Conservation, California Farmland Conversion Report 2015 (the latest report of record):

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California's agricultural landscape continues to evolve in conjunction with economic and resource-related factors. Between 2010 and 2012, urban development impacted 29,342 acres, 34 percent fewer than the 44,504 acres urbanized between 2008 and 2010. This was the lowest urbanization amount in a biennial mapping cycle since the [California Department of Conservation Farmland Mapping and Monitoring Program] FMMP began in 1984. Approximately 21 percent of urban conversions were derived from irrigated farmland, and 29 percent from dryland farming and grazing land.

A total of 58,587 acres were removed from irrigated land uses during the 2012 update; a 65 percent decrease compared with the 168,039-acre irrigated land loss posted in 2010. These totals include the impact of all factors—urbanization, land idling, habitat conversion, and low-density rural development. As was the case during the past two update cycles, conversions from irrigated land to Grazing Land and Farmland of Local Importance exceeded urban land conversions by a wide margin. Land idling in some locations was partially offset by development of new irrigated lands . . . (DOC 2015).

The effects of urbanization on agricultural land within the Southern California region are noted within the 2015 Farmland Conversion Report, as excerpted below:

Southern California, San Joaquin Valley, and Sacramento area counties comprised much of the top ten urbanizing list during the 2012 Important Farmland update. The top ten counties hosted 70 percent of statewide urban growth during the period, similar to the proportion they claimed during the 2010 update. . . . San Bernardino County was also among the top ten this update (DOC 2015).

Regional

The County of San Bernardino ranked 9th in the state in new urban and built-up land in 2015 (the latest data is available). The County experienced a net loss of 734-acres of Important Farmland and an increase in 1,036-acres of new Urban and Built-Up land. In general, agricultural land is in decline in the San Bernardino County region because dairy businesses are more profitable in the Central Valley and because urban development has pushed agricultural development from the County (The Planning Center 2009). Land uses surrounding the City mostly support industrial and residential uses with some agricultural land parcels dispersed between, especially to the south in the City of Chino.

The CDC regularly reviews and reports on the status of Farmland by county jurisdiction. Table 5.1-1 presents information from the 2015 California Farmland Conversion Report summarizing farmland conversion within San Bernardino County.

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Table 5.1-1 San Bernardino County 2010 – 2012 Land Use Conversion

Land Use Category	Total Acreage Inventoried		2010 – 2012 Acreage Changes			
	2010	2012	Acres Lost	Acres Gained	Total Acreage Changed	Net Acreage Changed
Prime Farmland	12,848	12,482	730	364	1,094	-366
Farmland of Statewide Importance	6,242	5,860	492	110	602	-382
Unique Farmland	2,511	2,623	13	125	138	112
Farmland of Local Importance	1,160	956	205	1	206	-204
Important Farmland Subtotal	22,761	21,921	1,440	600	2,040	-840
Grazing Land	902,588	902,869	920	1,201	2,121	281
Agricultural Land Subtotal	925,349	924,790	2,360	1,801	4,161	-559
Urban and Built-up Land	277,874	278,910	212	1,248	1,460	1,036
Other Land	245,813	245,336	876	399	1,275	-477
Water Area	510	510	0	0	0	0
Total Area Inventoried	1,449,546	1,449,546	3,448	3,448	6,896	0

Source: California Farmland Conversion Report 2015 (California Department of Conservation Division of Land Resources Protection). Table A-28.

Additionally, the San Bernardino County Department of Agriculture (SBCDA) provides an overview of agricultural production in the County. Table 5.1-2 presents information from the SBCDA 2017 Crop Report summarizing primary sources of County agricultural production, by dollar value.

Countywide, the gross valuation of agricultural production increased by approximately 1.8 percent for the period 2016–2017, due primarily to a higher value received for milk, an increase in the sales of Nursery Stock and an increase in both the price and the number of eggs produced in the County. Acreage for vegetable and fruit tree crops continues to decline as producers sell the land for other uses. Citrus acreage in specific has been shrinking as producers have been removing minimally producing or non-productive groves in an effort to combat citrus tree diseases. The ongoing drought continues to reduce the overall production and total value of many of the field crops in the High Desert areas (SBC 2017).

The City of Ontario lies in the SBCDA “Central” and “West End North” portions of the County. These areas of the County are responsible for approximately 4.15 percent (by dollar value) of the County’s total agricultural production (SBC 2017).

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Table 5.1-2 San Bernardino County Top Ten Agricultural Products (by dollar value)

2017 Rank	Product	Value	% of Total	2016 Rank
1	Milk	\$ 161,462,000	34.7%	1
2	Cattle & Calves (Meat)	\$ 102,871,000	22.1%	2
3	Eggs	\$ 35,942,000	7.7%	4
4	Replacement Heifers	\$ 35,318,000	7.6%	3
5	Trees & Shrubs	\$ 20,516,000	4.4%	7
6	Indoor Decoratives	\$ 16,568,000	3.6%	6
7	Alfalfa (All types)	\$ 13,389,000	2.9%	5
8	Oriental Vegetables	\$ 12,807,000	2.8%	9
9	Citrus Fruit	\$ 8,332,000	1.8%	8
10	Groundcover/Bedding Plants	\$ 7,774,000	1.7%	10
Total Top Ten		\$ 414,979,000	89.3%	---

Source: *Annual Crop Report 2017* (San Bernardino County, Agriculture/Weights & Measures) 2017, p.1.
Notes: Valuations are estimated gross average returns received by growers and producers.

Southern California Agricultural Land Foundation Preserves

The San Bernardino County Agricultural Land Preserves within the City were managed by the Southern California Agricultural Land Foundation (SoCALF) until 2006, when the County of San Bernardino took over management of these parcels. Hence these areas are still referred to as SoCALF Preserves in the City. The SoCALF Preserves were established and maintained with funds from the 1988 Park Bond Act regulations. Much of the original 15,000-acre area of SoCALF Preserves is being developed by both cities. An amount of \$20 million was paid to the County of San Bernardino from the State of California to establish and fund these lands as long as they remained in agricultural use within the San Bernardino County Agriculture Land Preserve (California Public Resources Code Sections 5905–5907). When the SoCALF Preserves are no longer being used for agricultural purposes, these funds must be returned to the state or used to purchase property of equal size and similar use within the San Bernardino County Agriculture Land Preserve. Approximately 200 acres are designated as SoCALF Preserves in the NMC. According to TOP Proposed Land Use Plan, the project site is not identified within a SoCALF Preserve.

Local

Ontario Ranch (New Model Colony)

The Ontario Ranch area covers 8,200 acres of the former 14,000-acre San Bernardino Agricultural Preserve, which was historically used for dairy or cattle farming. The Agricultural Preserve was divided and incorporated into the Cities of Chino, Chino Hills, and Ontario in 1999, where the City of Ontario named its portion the “New Model Colony.” According to The Ontario Plan (TOP) Final EIR, the majority of the agricultural land

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in the New Model Colony revised the prior agricultural land use designations to public land, open space, industrial, residential, or commercial uses.

City of Ontario General Plan

The Ontario Plan Environmental Impact Report analyzed the proposed land uses of TOP compared to the existing conditions in Ontario during the time of report preparation for their impacts to agricultural land uses. The Ontario Plan projected that with full buildout of the proposed land use plan, that there would be no agricultural land use designations in the City except for the 200 acres of SoCALF preserves. The Environmental Impact Report for TOP proposed mitigation measures to reduce impacts to agricultural lands which included the following: retention of on-site agricultural uses; replacement of agricultural resources off-site; relocation of prime farmland topsoil; establishment of conservation easement or preserves; and payment in lieu or transfer or development rights. It was determined that the mitigation proposed and considered would not prevent significant impacts from occurring and were rejected, and City Council adopted a Statement of Overriding Considerations for impacts to agricultural uses as a result of TOP implementation.

Project Site

The project site has historically been occupied by agricultural uses, including a dairy farm, row crops, and vacant land since the 1930's or earlier. As shown on Figure 3-3, *Aerial Photograph*, the project site is currently occupied by various agricultural and dairy farming uses. The agricultural uses of the site use a water well near the northern portion of the site.

Approximately 60 acres in the southwestern portion of the site are identified as "Prime Farmland" and the remainder of the site (approximately 28 acres) is identified as "Other Land" under the FMMP (DOC 2016). FMMP Farmland categories are described above.

There are no active Williamson Act contracts located within the Specific Plan area.

Zoning Designation

The project site is zoned as Specific Plan (SP) District with an Agriculture (AG) Overlay. In January 2001, the City adopted the Agricultural Overlay Zoning District, Section 9-1.2700 of the Ontario Municipal Code, which allows for the continuation of agricultural uses on an interim basis until development is approved for the Ontario Ranch subareas. The Agricultural Overlay Zone (or the Right to Farm Ordinance) requires that each Specific Plan address the appropriate transition of the area from agricultural uses to urban uses, and include provisions for buffering between the proposed uses to protect agricultural and urban uses.

Surrounding Uses

Land uses surrounding the project site include agricultural uses to the north and east, public uses for the Chino Airport to the south, and residential and agricultural uses to the west. Surrounding land uses and designations are described below and shown on Figure 4-1, *Surrounding Land Use Map*.

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- **North:** Eucalyptus Avenue and agricultural uses designated for future mixed use (New Model Colony West). The Ontario General Plan designates the area as Mixed Use (under the New Model Colony West). Areas to the north are zoned Specific Plan with Agricultural (AG) Overlay.
- **West:** Euclid Avenue and residential and recreational uses within the City of Chino. The City of Chino General Plan designates the land as High Density Residential (HDR) and Urban Reverse (UR). The City of Chino zones the area as High Density Residential (HDR), under the College Park Specific Plan; and Open Space Recreational (OS-1)
- **South:** Merrill Avenue and agricultural and public uses as well as the Chino Airport. The City of Chino General Plan designates the area as Public and zones it as Airport Development (AD).
- **East:** Sultana Avenue followed by agricultural uses including dairy farms. The City of Ontario General Plan designates the land as Business Park (0.6 FAR) and Low-Medium Density Residential (5.1-11 du/ac). The zoning is Specific Plan with Agricultural Overlay.

5.1.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if it would:

- AG-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.
- AG-2 Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- AG-3 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)).
- AG-4 Result in the loss of forest land or conversion of forest land to non-forest use.
- AG-5 Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold AG-2
- Threshold AG-3
- Threshold AG-4

Therefore, these impacts will not be addressed in the following analysis.

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5.1.3 Plans, Programs, and Policies

PPP AG-1 Deed disclosure – In order to reduce conflicts issued between sensitive receptors and agricultural uses, all property owners in the Ontario Ranch Business Park Specific Plan shall be provided with a deed disclosure or similar notice approved by the City Attorney regarding the proximity and nature of neighboring agricultural uses. This disclosure shall be applied at the tentative map stage to the affected properties, or otherwise prior to finalizing the sale or rental agreement of any property. The written disclosure shall be supplied to the property purchaser or renter by the vendor or vendor's agent. The content and text of the disclosure shall be approved by the City Attorney, and shall include language to inform new residents that existing agricultural uses may create nuisances such as flies, odors, dust, night-light, and chemical spraying.

5.1.4 Environmental Impacts

5.1.4.1 METHODOLOGY

Agricultural resources were assessed based on the California Department of Conservation's FMMP, which is a biennial report and mapping resource on the conversion of farmland and grazing land. The FMMP identified 60 acres of Prime Farmland on the project site. Williamson Act contract lands were identified by the Department of Conservation and the City of Ontario; the project site contains no lands under a Williamson Act contract.

Development of the project site was analyzed for conversion of Prime Farmland to non-agricultural use and changes in the existing environment that would remove farmland from agricultural production. The evaluation of impacts to agricultural resources is based on the amount of agricultural land on-site and in the surrounding area, and the effect the proposed Specific Plan project would have on the existing resources.

5.1.4.2 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.1-1: The proposed project would convert approximately 60 acres of California Resource Agency designated Prime Farmland to Specific Plan, which would allow for development of business park and industrial land uses. [Threshold AG-1]

The proposed project consists of a General Plan Amendment, Specific Plan, Development Plan Review, Tentative Parcel Maps, and a Development Agreement. The Specific Plan includes Development Standards and Design Guidelines, where all subsequent development within the Specific Plan would be required to conform with these Standards and Guidelines. In accordance with Table 4.1, Allowable Uses, of the Specific Plan, commercial crop production and farming would be conditionally allowed within the Business Park (BP) Zoning District and would be permitted by-right in the Industrial-General (IG) Zoning District. Additionally,

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community gardens, urban farms, and related uses would be administratively allowed within the BP and IG Districts, and kennels and catteries would not be allowed within BP but permitted in the IG District.

The proposed improvements would also include buffering from parking lots, loading and service areas in accordance with the provisions of the Specific Plan. These requirements support the City's planned orderly transition of existing agricultural uses to urban uses and include the following:

- **Section 5.1, *Site Design*:** Screen parking areas and loading docks facing the street using landscape buffers planted with screen trees and drought tolerant vegetation.
- **Section 5.3, *Landscape Design*:** use landscaping to aid in the screening and buffering of mechanical equipment, trash collection areas, loading docks and outside storage from public view.
- **Section 5.5, *Buffering and Screening*:** to alleviate the unsightly appearance of parking lots, loading, and service areas, buffering and screening design features will be used to enhance overall development.

The State of California Department of Conservation's FMMP is charged with producing maps for analyzing impacts on the state's agricultural resources. California's agricultural lands are rated based on soil quality and irrigation status. The classification system is contiguous with US Department of Agriculture soil surveys and current land use. These maps are updated every two years, with the most recent data being from 2016. For CEQA purposes, the following categories are qualified as "agricultural land": Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land (Public Resource Code Section 21060.1; DOC 2019).

The project site has historically been used for agricultural purposes, primarily dairy operations and field crops. Approximately 60 acres in the southwestern portion of the site are identified as Prime Farmland, and the remainder of the site (approximately 28 acres) is identified as Other Land (DOC 2016). The proposed Specific Plan would convert the approximately 60 acres of Prime Farmland from agriculture to urban use, which would be a significant impact in accordance with The Ontario Plan EIR.

As identified in the TOP EIR, build out of the Ontario General Plan would result in conversion of all agricultural-designated land to urban uses; remaining agricultural uses would be retained within 200 acres of the Southern California Land Foundation preserves (IPC 2009). It was determined that the mitigation proposed and considered would not prevent significant impacts from occurring, and impacts would be significant and unavoidable. The City of Ontario adopted a Statement of Overriding Considerations for significant and unavoidable impacts to agricultural lands with full buildout of the General Plan. The Specific Plan would be consistent with the City's General Plan as it would support development of land in an economically productive way that would serve the growing population, but with implementation of the Specific Plan would convert agricultural-designated land to urban uses. Therefore, project implementation would result in potentially significant impacts related to conversion of Prime Farmland to non-agricultural use.

Potential agricultural resources impacts resulting from construction of off-site infrastructure improvements in accordance with the City's master plans were previously evaluated in Initial Study and Mitigated Negative Declaration City of Ontario Infrastructure Master Plans (City of Ontario) July 2012 (Infrastructure Master

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Plans MND). As discussed in the Infrastructure Master Plans MND, potential agricultural resources impacts resulting from the construction of master plan infrastructure improvements would be limited, as the improvements would be constructed within existing improved streets or otherwise disturbed properties. Further, the Infrastructure Master Plans MND concluded that construction of master plan infrastructure improvements would not result in impacts to agricultural resources not already considered and addressed in The Ontario Plan EIR. Therefore, the project's offsite infrastructure improvements would not result in significant impacts to agricultural uses (Ontario 2012).

Level of Significance Before Mitigation: Significant impact.

Impact 5.1-2: The proposed project would involve other changes in the existing environment, which due to the location and nature, would convert Prime Farmland to a non-agricultural use. [Threshold AG-5]

Potentially Significant Impact. Property to the north and east of the site are designated are within the AG Overlay Zone. While these sites currently operate with agricultural production, these lands are designated for future urban development in the City of Ontario General Plan with land use designations of mixed use to the north and low-medium density residential and business park to the east (Ontario 2010). Property to the south and west in the City of Chino are near the City General Plan-designated Euclid Avenue Corridor, which is planned to feature a transition to mixed-use development with a focus on retail uses and some higher-intensity residential development (Chino 2010). Although implementation of the Specific Plan would result in the conversion of the agricultural use on the site, the surrounding area to the north, south, east, and west is proposed to be developed with uses other than for agricultural purposes.

Because of the provisions in the AG Overlay zone for lands within the Specific Plan area, existing nearby agricultural uses would be able to continue via notice in the form of a deed disclosure to future homeowners, business, or property owners that agricultural nuisances such as noise and odor (see Section 5.3, *Air Quality*), are present and can legally exist so long as the land is not developed otherwise. The deed disclosure ensures that property owners and users within the Specific Plan area are aware of nuisances and operations of the nearby agricultural properties to reduce conflicts between existing and proposed uses. Nonetheless, impacts would remain significant and unavoidable.

Level of Significance Before Mitigation: Significant impact.

5.1.5 Cumulative Impacts

The cumulative study area for agriculture includes the County of San Bernardino. Throughout the County of San Bernardino, numerous related projects exist that would result in the additional conversion of agricultural land, including Prime Farmland and Important Farmland, to nonagricultural uses. Important Farmland in San Bernardino County has continually declined and all of the prime agricultural land in the southern area of Ontario is planned for development by the City's General Plan. Continued conversion of agricultural lands to urban uses would substantially reduce overall agricultural productivity in the City and the region. According to the TOP EIR, the only agricultural land within Ontario Ranch that would not be converted from agricultural to non-agricultural uses would be the 200-acres of the Southern California Land Foundation preserve areas.

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This was identified as a significant cumulative impact in General Plan EIR. Implementation of the proposed project would contribute to the reduction of agricultural resources in the regional and cumulatively contribute to the loss of agricultural resources. Although the proposed conversion is consistent with the projected decline in agricultural productivity of the region, the Ontario Ranch area, and the project site, the project would result in a cumulatively considerable impact to agricultural resources.

5.1.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, Impacts 5.1-1 and 5.1-2 would be potentially significant.

5.1.7 Mitigation Measures

The Ontario Ranch area (previously New Model Colony; NMC) is designated for urban development pursuant to the General Plan. Existing agricultural uses are in various stages of converting to urban uses that are consistent with the General Plan. As the agricultural uses diminish, so too are the needed support uses such as feed stores, agricultural equipment sales and rentals, and manure services. In addition, as described previously, dairy farming has become less and less viable in the Ontario region. The dairy industry in the County has consistently and sharply declined since 2000, and incentives to convert to urban uses increase. Existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization of the City. Transition of existing agricultural uses and Farmland to non-agricultural uses is an unavoidable effect of implementing the TOP. The TOP EIR considered various mitigation measures that could reduce impacts to agricultural resources but concluded that there are no feasible measures that would reduce the loss of agriculture to levels that would be less than significant. TOP EIR Mitigation Measures that were considered and rejected are described below.

- **Ontario Plan EIR Mitigation Measure: Retention of On-Site Agricultural Uses.** Retention of agricultural uses within the City of Ontario would create or maintain islands of agricultural uses within an urbanized setting, exacerbating potential land use conflicts and land use incompatibilities. Moreover, The Ontario Plan does not envision long-term use of City properties for agricultural purposes. This is evidenced in the adopted Land Use Plan, which does not establish or maintain any “Agricultural” Land Use designations within the City. Preservation of agricultural land uses would therefore conflict with the adopted Land Use Plan. The “Retention of On-Site Agricultural Uses” mitigation strategy would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action.

Additionally, economic viability of agricultural uses in the City has declined as a result of losing many of the necessary support services. Increasing urbanization, rising land values, and relatively high operational costs have also put City agricultural and dairy farming uses at a competitive disadvantage in regional markets. Ultimately, the long-term viability of agriculture within the City is limited due to the increasing land values, increased water costs, higher labor costs, higher property taxes, competition from other parts of the state, and the growing urbanization of the area. Based on the preceding, retention of on-site agricultural uses is considered infeasible.

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- **Ontario Plan EIR Mitigation Measure: Replacement of Agricultural Resources Off-Site.** Replacement of agricultural resources at an off-site location would require the applicant to purchase off-site replacement acreage not designated as Farmland, and improve or restore it to Farmland status. Creation of additional Farmland in the City is contrary to the Land Use Plan policies and vision as summarized previously, and would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action. The potential to provide offsite mitigation for the loss of agricultural land and agricultural uses was considered but rejected as infeasible in the General Plan EIR. Using another area within Ontario Ranch for mitigation of impacts related to the Project would result in the same issues as previously described in consideration of onsite mitigation. Therefore, similar to the reasons why onsite mitigation is not feasible, offsite mitigation within Ontario Ranch is also infeasible. In addition, offsite mitigation within the region is also considered infeasible due to the decreasing economic vitality of agriculture in Ontario Ranch and Southern California and increased urbanization pressures on existing agricultural lands

Further, creation of new Farmland-status properties outside the City is beyond the Lead Agency and applicant control. The Farmland status at any site would be assigned through the California Department of Conservation Farmland Mapping and Monitoring Program Important Farmland Series mapping protocol. Moreover, creation of new Farmland-status properties at extra-jurisdictional locations could result in land use conflicts at the interface of agricultural uses and urban uses similar to those the City has experienced, and seeks to avoid through implementation of the Land Use Plan.

Additionally, the “Replacement of Agricultural Resources Off-Site” mitigation strategy would likely result in potentially adverse environmental impacts including, but not limited to, impacts to biological resources, hydrology/water quality, air quality, greenhouse gas emissions, and land use and planning. In this regard, the mitigation strategy would likely result in increased, rather than diminished environmental impacts. Based on the preceding, replacement of agricultural resources at off-site locations is considered infeasible.

- **Ontario Plan EIR Mitigation Measure: Relocation of Farmland Topsoil.** Relocation of Farmland topsoil would entail removal of the top 12 to 18 inches of topsoil from Farmland properties and the placement of this soil at sites that have lesser quality soil. This would promote creation of new or additional Farmland status properties in the City, rather than provide for their transition to urban uses. This would be contrary to the Land Use Plan policies and vision as summarized previously, and would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action.

Further, creation of new Farmland-status by means of imported Farmland topsoil is beyond the Lead Agency and applicant control. The Farmland status at any site would be assigned through the California Department of Conservation Farmland Mapping and Monitoring Program Important Farmland Series mapping protocol. Moreover, creation of new Farmland-status properties at extra-jurisdictional locations could result in land use conflicts at the interface of agricultural uses and urban uses similar to those the City has experienced, and seeks to avoid through implementation of the Land Use Plan.

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Additionally, excavation and relocation of topsoil would likely result in potentially adverse environmental impacts affecting biological resources, hydrology/water quality, air quality, greenhouse gas emissions, and land use and planning. Based on the preceding, relocation of Farmland topsoil is considered infeasible.

- **Ontario Plan EIR Mitigation Measure: Establishment of Conservation Easement or Preserves.** Establishment of conservation easements or preserves is contrary to the Land Use Plan policies and vision providing for transition of agricultural uses to urban uses. This mitigation strategy would require comprehensive amendment to the Policy Plan. The City has not indicated that such amendment is warranted or desired, and has initiated no such action. At the project site, establishment of agricultural conservation easements or preserves would negate the project, resulting in a No-Build condition. Based on the preceding, the “Establishment of Conservation Easement or Preserves” mitigation strategy is considered infeasible.
- **Ontario Plan EIR Mitigation Measure: Transfer of Development Rights.** The Southern California Association of Governments (SCAG) provides the following summary of description and application of Transfer of Development Rights (TDR) programs:

Transfer of development rights (TDR) “is a device by which the development potential of a site is severed from its title and made available for transfer to another location. The owner of a site within a transfer area retains property ownership, but not approval to develop. The owner of a site within a receiving area may purchase transferable development rights, allowing a receptor site to be developed at a greater density.”

TDR is most commonly used to preserve agricultural lands but it can also be used for preserving natural, open space. TDR programs can vary depending on the need of the local jurisdiction but in general there are a few common factors that contribute to the success of a TDR program. These include having a donor site with development constraints, appropriate zoning regulations, and infrastructure requirements.”

The project site is not currently entitled for development absent an adopted Specific Plan, and it is unclear what if any development rights would be transferred under a TDR program. Further, there is no designated or contemplated receiving area to accept these development rights. Moreover, a TDR program would preserve agricultural uses at the project site rather than further planned transition of agricultural uses to non-agricultural uses as envisioned under the Policy Plan. This would be contrary to the Land Use Plan policies and vision as summarized previously.

The City of Ontario has not implemented a TDR Program. Implementation of a TDR program would require amending the City Development Code and comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendments are warranted or desired, and neither has initiated such actions. Based on the preceding, implementation of a “Transfer of Development Rights Program” mitigation strategy is considered infeasible.

- The City has considered but rejected the collection of fees for offsite mitigation of agricultural impacts. Neither the City nor the adjoining counties have adopted fee programs. Absent viable programs in the region, the imposition of fees would not serve to mitigate the impacts of the project. Furthermore, an offsite fee mitigation program would not avoid the loss of farmland; would not minimize the effect of the

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project; would not repair, rehabilitate, or restore the affected farmland; and, absent a viable fee program, would not replace affected farmland with substitute farmland. Thus, such a program would not actually mitigate or substantially lessen the significant impact of the project (CEQA Guidelines Section 15370; *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1989) 209 Cal.App.3d 1502, 1519). The same factors that make onsite mitigation infeasible would apply offsite in the region as well. The challenges to continued agricultural production in the Chino Basin area, also challenge agriculture throughout Southern California (*Defend the Bay v. City of Irvine* [2004] 119 Cal. App. 4th 1261, 1270-72).

Offsite mitigation would require the City to purchase replacement acreage for Important Farmland currently not in use elsewhere in California and restore it as viable farmland. However, distant mitigation would not reduce impacts because these mitigation parcels could have no bearing or relationship on the loss of agricultural lands within the City or the County. In addition, experience indicates a program consisting of the required purchase of agricultural easements on other land or through fee programs for the acquisition of agricultural easements would be of limited utility or benefit. Such a program is inherently dependent upon voluntary agreements by farm owners to sell such easements on their property for an agreed price, which, within the City, is largely driven by the City's General Plan land use designations, population growth, urbanization of the surrounding area, and the limited supply of suitable farmland. In remote areas not planned for development in the near-term, owner's may be more willing to sell such an easement at a reasonable price but within the region much of the land is already subject to development pressure. As a result, the most likely result would be a "patchwork" of easements, with some owners more willing than others to sell them, potentially creating a more dispersed development pattern and loss of viability of farmland over time, which would not serve as a feasible measure to mitigate the loss of farmland by the project. Neither the City nor the County have adopted programs for the acquisition of off-site agricultural easements. Consequently, for the reasons previously outlined, it is determined that off-site mitigation of agricultural resources is neither feasible nor effective in mitigating such impacts.

Overall, no feasible mitigation measures have been identified, which would substantially lessen the project's significant impacts related to the loss of Prime Farmland and conversion of farmland to non-agricultural use. This finding is consistent with the finding in General Plan EIR; that there are no feasible mitigation measures to reduce impacts on Important Farmland or the conversion of agricultural land to non-agricultural uses, and thus impacts would be significant and unavoidable.

5.1.8 Level of Significance After Mitigation

Impact 5.1-1

In accordance with the findings of the TOP EIR, conversion of agricultural-designated land to urban land uses is a significant and unavoidable impact. As summarized above, there are no feasible mitigation measures that would reduce the project's significant impacts to agricultural resources to levels that would be less than significant. Further, conversion of agricultural lands and loss of Farmland resulting from the project have already been considered and addressed in the TOP EIR and the Infrastructure Master Plans MND. The project would not result in significant impacts to agricultural resources or loss of Farmland not already considered and addressed in those documents.

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Impact 5.1-2

Although implementation of PPP AG-1 would reduce the potential for pressure to convert nearby agricultural land to other uses, with full buildout of the City in accordance with the General Plan all agricultural lands would be converted to urban land uses, which would be a *significant and unavoidable* impact.

5.1.9 References

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