

4.2 AGRICULTURE AND FORESTRY RESOURCES

This section describes the environmental setting and regulatory framework for agriculture and forestry resources and analyzes the potential impacts on agriculture and forestry resources that would result from implementation of the project. The potential effects on agriculture and forestry resources were evaluated according to Appendix G of the State CEQA Guidelines to determine their level of significance.

4.2.1 Existing Conditions

Agriculture is important to the culture, heritage, and economy of the County. Dating back to the late 1800s and due primarily to the extensive rangelands available for grazing, the primary agriculture activity in the County is livestock production, consisting of raising cattle, pack animals (horses, mules, and burros for transporting people and supplies), poultry, and sheep. A lesser amount of acreage of intensive row and field crop agriculture occurs, and irrigated pasturelands are also present within the County. Apiary operations are another small yet consistent agricultural pursuit within the County (Inyo County 2001, as amended). Crop production includes alfalfa hay, irrigated pasture, potatoes, turf, dates and other fruits, and honey (Agricultural Commissioner 2013).

Approximately 31,652 acres are designated for agricultural land use in the General Plan (Inyo County 2001, as amended), and an additional 679,432 acres are devoted to BLM grazing allotment (BLM 2013). Table 4.2-1 summarizes the total area of agricultural lands and BLM grazing allotment in the County, and by individual SEDAs and the OVSA.

Location	Agricultural Land Use (acres)	BLM Grazing Allotment (acres)
<i>Western Solar Energy Group</i>		
Laws SEDA	1,066	--
Owens Lake SEDA	--	10,818
Rose Valley SEDA	472	17,587
Pearsonville SEDA	--	2,331
Owens Valley Study Area	19,728	--
<i>Eastern Solar Energy Group</i>		
Charleston View SEDA	--	20,086
Sandy Valley SEDA	2,898	--
Total	24,164	50,822
Total in County	31,652	679,432

Sources: Inyo County 2001, as amended; BLM 2013

BLM = US Bureau of Land Management; SEDA = Solar Energy Development Area

Approximately 76 percent of all land designated as agricultural land use in the General Plan falls within the SEDAs and the OVSA. These areas include state, federal, tribal, and privately-owned lands. Approximately 7.5 percent of all BLM land designated as grazing allotment within the County falls within the SEDAs and the OVSA.

Approximately 83 percent (20,062 acres) of land within the SEDAs designated as agricultural land use in the General Plan is owned by LADWP, and 6 percent (1,456 acres) is managed by the BLM. An additional 50,822 acres of lands in the SEDAs are managed by the BLM for grazing allotment. General Plan-designated agricultural lands under jurisdiction of the LADWP include 1,066 acres within the Laws SEDA, and an additional 18,996 acres in the OVSA. A total of 1,456 acres of lands designated for agricultural land use in the General Plan within the OVSA is under the management of the BLM. BLM-grazing allotment includes 10,818 acres in the Owens Lake SEDA, 17,587 acres in the Rose Valley SEDA, 2,331 acres in the Pearsonville SEDA, and 20,086 acres in the Charleston View SEDA.

The remaining 2,646 acres of lands in the SEDAs and OVSA designated for agricultural land use make up approximately 8 percent of the total lands designated as agricultural land uses in the General Plan. The Rose Valley SEDA contains 472 acres of lands designated for agricultural land use in the General Plan. These agricultural lands consist of parcels ranging from 2 to 159 acres in size and are privately owned and owned by local agencies. The 3,097-acre Sandy Valley SEDA is entirely designated as agricultural lands with parcels 40 acres or greater. Solar development in any of the SEDAs would be subject to the policies and regulations of General Plan Goals GOV-6.1 and AG-1. The County will continue to implement these goals and coordinate with developers, landowners, and managing agencies to conserve and promote agricultural land uses in the County.

LADWP owned and BLM-managed lands are not under County jurisdiction; however, the County coordinates with the LADWP and BLM to guide development in the County. Policy GOV 6.1 relates to conservation and expansion of agricultural uses on public lands and lands owned by LADWP. This policy would continue to be implemented in on-going efforts for land planning coordination with the LADWP and public land-holding agencies in the County.

Pursuant to the Agreement between LADWP and the County (refer to Section 4.2.1.4), LADWP is responsible for maintaining irrigated LADWP-owned lands for uses including alfalfa production, pasture, and livestock (Type E classification in the Agreement). Approximately 18,830 acres of lands are classified as Type E in the Owens Valley. Other classifications may be used for grazing, such as Type A classification (which would not be affected by groundwater pumping or by changes in surface water management). Additionally, under the OVLMP, LADWP manages 50 grazing leases on approximately 342 square miles (219,115 acres) of LADWP-owned land in the Owens Valley.

4.2.1.1 Western Solar Energy Group

Laws Solar Energy Development Area

Existing land uses within the Laws SEDA include the unincorporated community of Laws, some minor agricultural land east of US 6, and undeveloped lands. Approximately 1,066 acres of this

SEDA are designated for agricultural land use in the General Plan and are owned by the LADWP. The agricultural land use parcels range from less than an acre in size to 557 acres. LADWP owned lands in the SEDA are classified as Type A, B, C, and E classifications under the Agreement. Some of the area included in the Laws SEDA has previously been disturbed by groundwater pumping, the abandonment of agricultural activities, and water management practices.

Owens Lake Solar Energy Development Area

The Owens Lake SEDA is largely barren. Over 45 square miles are managed for dust control through shallow flooding, vegetation management, and gravel cover. BLM manages lands along the perimeter of the SEDA, with approximately 10,818 acres of BLM lands in the southeastern portion of the SEDA under grazing allotment.

Rose Valley Solar Energy Development Area

This SEDA is largely undeveloped, with the majority of the SEDA (approximately 17,587 acres) designated as BLM grazing allotment. A total of 472 acres of lands designated for agricultural lands are located in the northern portion of the SEDA, east of US 395. These designated agricultural lands consist of parcels ranging from 2 to 159 acres in size and are privately owned and owned by local agencies.

Pearsonville Solar Energy Development Area

The Pearsonville SEDA consists almost entirely of undeveloped land. Approximately half of the SEDA is BLM managed lands under grazing allotment (approximately 2,331 acres).

Owens Valley Study Area

Outside of established communities, the predominant land uses in the Owens Valley are ranching and recreation. A large portion of the valley floor is used as rangeland for cattle and livestock. The OVSA contains 62 percent of the County's agricultural land uses (approximately 19,728 acres). The majority of those lands (96 percent, 18,996 acres) are owned by LADWP and leased for crop production and grazing. The remaining 642 acres designated as agricultural are mostly small, privately or local agency-owned parcels. The County owns parcels ranging from 6 to 18 acres in size. The privately owned parcels are typically less than an acre in size, although one parcel is nearly 600 acres. LADWDP-owned lands in the OVSA are classified as Types A, B, C, D, and E under the Agreement.

4.2.1.2 Southern Solar Energy Group

The Trona SEDA is largely undeveloped and the majority of the SEDA is BLM managed lands. The Trona Airport is a one runway airport located in the southeast portion of the SEDA. Private properties within the SEDA are developed with large-lot residential and commercial land uses. No agricultural land uses or land designated as BLM grazing allotment occur in this SEDA.

4.2.1.3 Eastern Solar Energy Group

Chicago Valley Solar Energy Development Area

The SEDA is largely undeveloped and privately or County-owned. The unincorporated community of Chicago Valley is a small development of residential properties is located east of Chicago Valley Road, near the center of the SEDA. No agricultural land uses or land designated as BLM grazing allotment occur in this SEDA.

Charleston View Solar Energy Development Area

The SEDA is largely undeveloped with the majority of the SEDA being BLM managed lands in grazing allotment (20,086 acres). The unincorporated community of Charleston View is located along Tecopa Road. The area has been developed with a network of roads sparsely developed with residential and commercial land uses.

Sandy Valley Solar Energy Development Area

Existing land uses in the Sandy Valley SEDA consists of undeveloped land and agricultural uses. The entire SEDA (3,097 acres) is designated as agricultural land uses in the General Plan. Approximately 46 percent of the land is privately owned and approximately 54 percent is managed by the BLM. The privately owned land is mostly comprised of parcels approximately 40 acres in size, although some larger (up to 164 acres also occur).

4.2.1.4 Regulatory Framework

Federal Regulations

Farmland Protection Policy Act (Public Law 97-98, 7 USC Section 4201)

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years.

The FPPA does not authorize the federal government to regulate the use of private or non-federal land or, in any way, affect the property rights of owners. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a federal agency, or with assistance from a federal agency.

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 forest land, pastureland, cropland or other land, but not water or developed land. The Natural Resource Conservation Service (NRCS) uses a land evaluation and site assessment system to establish a farmland conversion impact rating score on proposed sites of federally funded and assisted projects. This score is used as an indicator for the

project sponsor to consider alternative sites if the potential adverse impacts on the farmland exceed the recommended allowable level (NRCS 2014).

Federal Land Policy and Management Act

The FLPMA of 1976 was passed to establish policy for managing BLM-administered public lands, including the long-term stability and use of BLM-administered public lands by the livestock industry. The FLPMA authorized 10-year grazing permits and required a 2-year notice of cancellation. The FLPMA also directed grazing advisory boards (formed under the Taylor Grazing Act) to guide the BLM in developing allotment management plans and allocating range betterment funds.

Unlike the Taylor Grazing Act, the FLPMA does not distinguish between grazing permits and leases. In Sections 401 through 403 of the FLPMA, which deals with grazing management on the public lands, the term “permit or lease” appears over 25 times together and never as only “permit” or “lease.” The clear intent of Congress is that BLM’s grazing administration on all public lands be consistent for both permits and leases.

The BLM’s grazing regulations were changed in July 1978 to eliminate separate sections addressing administration of Section 3 permits and Section 15 leases. This made the regulations consistent with the language of the FLPMA in that no distinction is made between permits and leases.

BLM’s Bishop field office manages 20 allotments within the County. Of those allotments, 19 are actively used. Two are split between Inyo and Mono Counties. BLM’s Ridgecrest field office manages 6.5 allotments within the County. All of the allotments are actively being used by cattle leases. One of the allotments is split between Inyo and Mono Counties.

State Regulations

California Department of Conservation, Division of Land Resource Protection

California Public Resources Code Section 21060.1 defines agricultural land for the purposes of assessing environmental impacts using the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP). The Department of Conservation applies the NRCS soil classifications to identify designated agricultural lands. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and monitor the conversion of these lands. Pursuant to the FMMP, designated agricultural lands are included in Important Farmland Maps used in planning for California’s agricultural land resources. No land within Inyo County has been identified as Important Farmland under the FMMP. Because of budget constraints and the lack of published soil surveys, potentially important farmlands in Inyo County have not been identified.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, is promulgated in California Government Code Section 51200-51297.4, and is applicable to specific land parcels within the State of California. 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 uses in return for reduced property tax assessments.

The Williamson Act program is administered by the Department of Conservation in conjunction with local governments, which administer the individual contract arrangements with landowners. The landowner commits the parcel to a 10-year period within which no conversion out of agricultural use is permitted. Each year, the contract automatically renews unless a notice of non-renewal or cancellation is filed. In return, the land is taxed at a rate based on the actual use of the land for agricultural purposes, as opposed to its unrestricted market value. Participation in the Williamson Act program is dependent on County adoption and implementation of the program, and is voluntary for landowners. Inyo County does not currently offer a Williamson Act Program.

California Public Resource Code

The California Public Resources Code governs forestry, forests, and forest resources within the state. “Forest land” is defined by Public Resources Code Section 12220(g) as “land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” Timberland is defined by Public Resources Code Section 4526 as “land, other than land owned by the federal government..., which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.”

California Government Code

Chapter 6.7 of the California Government Code (Sections 51100–51155) regulates timberlands within the state. A timberland production zone is defined in Section 51104(g) as an area that has been zoned pursuant to Government Code Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. In this context, “compatible uses” include any use that “does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber” (Government Code Section 51104(h)).

Local Plans and Policies

Inyo County/Los Angeles Long Term Water Agreement

In 1991, the County and LADWP entered into the Agreement with the overall goal to manage the water resources within Inyo County (LADWP 2010). The Agreement contains vegetation management goals and principles, and identifies those areas by classification. One of the primary goals of the Agreement is to manage Owens Valley groundwater and surface water resources to avoid significant decreases in the live cover of groundwater dependent vegetation (management Types B, C, and D), to avoid a change of a significant amount of such vegetation from one management type to vegetation of another management type which precedes it alphabetically, and to avoid other significant adverse effects in Owens Valley. The vegetation

conditions documented during the 1984 to 1987 vegetation inventory serve as the base for comparison for determining whether decreases and changes have occurred.

The Agreement provides that groundwater pumping and surface water management would be conducted in a manner that would avoid significant decreases and changes in vegetation from conditions that existing during the 1981-1982 runoff year or significant decreases in water-dependent recreational uses and wildlife habitat. Thus, land owned by LADWP that is currently irrigated or supplied with water will continue to be irrigated or supplied with water in the future. Type E classification is comprised of areas where water is provided to City-owned lands for uses including alfalfa production, pasture, recreation uses, wildlife habitats, livestock, and enhancement/mitigation projects. Approximately 18,830 acres are classified as Type E in the Owens Valley. In accordance with the Agreement, LADWP is committed to supplying these lands with water and converting cultivated lands to non-irrigated land uses may be considered a significant impact as outlined in the Agreement and must be reviewed by the Inyo/Los Angeles Technical Group. Although Type A vegetation would not be affected by groundwater pumping or by changes in surface water management practices, it is monitored for such effects.

1997 Memorandum of Understanding

An MOU was established in 1997 between LADWP, Inyo County, CDFW, SLC, the Sierra Club and the Owens Valley Committee to provide for resolution of conflict over the LORP and other provisions of LADWP's 1991 EIR. The MOU emphasizes the need to maintain sustainable levels of agriculture and livestock grazing in the valley.

Owens Valley Land Management Plan

The OVLMP is a resource management guide for LADWP-owned non-urban lands in Inyo County, excluding the LORP area. The Final OVLMP was released in April 2010. The OVLMP provides a framework for implementing management prescriptions through time, monitoring resources, and adaptively managing changed land and water conditions. A primary aspect of the OVLMP is grazing management aimed at implementing sustainable practices, balancing agricultural needs and other resource needs based on the carrying capacity of the land. Grazing management has been implemented through a series of LADWP-administered grazing leases to private parties. The OVLMP planning area falls within the Laws and Owens Lake SEDA, and the OVSA,

Inyo County General Plan

The General Plan (2001, as amended) contains policies intended to protect and promote agricultural pursuits within its jurisdiction. The Land Use Element defines the general distribution and intensity of uses of the land for housing, business, industry, open space, education, public buildings and grounds, and other categories of public and private uses, including agriculture. The Conservation/Open Space Element presents goals, policies, and implementation measures for multiple resources in the County, including agricultural resources. The agricultural goals and policies that are contained within the General Plan are listed below.

Government Element

- Goal GOV-6: Preservation of Agricultural Resources.
- Policy GOV-6.1: Agricultural Policies. It is the policy of the County to protect agricultural land and promote the continuation of agricultural pursuits. The County seeks to ensure all of the following:
 - a. Those opportunities for agriculture on federal and state land shall be continued, or expanded at levels consistent with historical custom and culture and the protection of equitable property rights, and sound management practices.
 - b. Federal and state governments shall not unreasonably obstruct agricultural opportunities on lands managed by them.
 - c. Federal and state land managing agencies coordinate with the County on all matters affecting agriculture on all federal and state managed lands.
 - d. Land leased from Los Angeles for agriculture be expanded.

Conservation/Open Space Element

- Goal S-1: Maintain the productivity of Inyo County’s soils.
- Policy S-1.1: Soil Conservation for Agriculture. Encourage the conservation of agricultural soils to provide a base for agricultural productivity and the County’s economy.
- Goal AG-1: Provide and maintain a viable and diverse agricultural industry in Inyo County.
- Policy AG-1.2: Continue Agricultural Production. Support and encourage continued agricultural production activities in the County.
- Policy AG-1.4: Minimize Land Conflict. Preserve and protect agricultural lands from encroachment by incompatible land uses.
- Policy AG-1.6: Public Lands for Agriculture. Support the continued use and expansion of public lands for agricultural operations.

Inyo County Zoning Ordinance

ICC Title 18 contains the County’s Zoning Ordinance, which provides the regulations and laws that define how properties subject to County jurisdiction can be used. The Open Space zoning allows agricultural and livestock uses. The Rural Residential zoning allows agricultural uses of orchards, and vegetable and field crops. The Commercial Recreation zoning allows agricultural and grazing, and the Light Industrial zoning allows agriculture uses of any kind, excluding feedlots, poultry ranches, or slaughterhouses.

4.2.2 Significance Thresholds

The following significance criteria are derived from Appendix G of the State CEQA Guidelines. In this analysis, the proposed project would result in a significant impact related to agriculture and forestry resources if it 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 nonagricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- Conflict with existing zoning for, or cause rezoning of, forest land (PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).
- Result in the loss of forest land or conversion of forest land to non-forest use.
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or forestland to non-forest use.

4.2.3 Impact Analysis

The REGPA is designed to minimize impacts to agricultural and forestry resources by constraining renewable energy development in the County in conjunction with the General Plan's existing protection for such resources. Indirectly, individual future projects have the potential to impact sensitive agricultural and forestry resources.

The impact analysis primarily focuses on utility scale solar energy facilities because those would result in the greatest change to the visual environment due to the potential size and expanse of such facilities; however, the analysis also applies to the other proposed categories of solar energy facilities, including distributed generation, and community scale, facilities. The proposed REGPA includes provision for development of small scale solar energy facilities; however, due to their small size (e.g., small array of ground- or roof-mounted PV panels), and location (on the building or the property it serves), these developments are currently allowed throughout the County within any zoning district under ICC Title 18, and require only electrical and building permits for development. As a result, these developments are not considered to result in impacts under CEQA, and would not typically require the CEQA analysis or associated mitigation measures described in this document.

The County routinely reviews all development proposals for potential environmental impacts. Therefore, all future solar energy projects would be evaluated on a project-specific level to assess specific impacts to agricultural and forestry resources against the program-level analysis contained in this PEIR. Applicable mitigation measures identified in this PEIR would be implemented for individual projects, as well as any additional mitigation or design measures identified in the project-specific analysis for the project.

Convert Farmland to non-agricultural use.

Due to budget constraints and lack of published soil surveys, no Prime or Unique Farmlands or Farmlands of Statewide Importance pursuant to the FMMP have been identified in Inyo County. As a result, implementation of the REGPA would have no impact on Farmlands as defined by the FMMP. However, as outlined in the General Plan, the County is committed to promoting and conserving agricultural lands (including those used for grazing). Although no FMMP Farmlands are designated in the County, the County plans to coordinate with NRCS to identify Farmlands pursuant to the FMMP and identify Farmlands of Local Importance (typically 40-acre minimum areas identified by the County as important to the local economy) (Inyo County 2001, as amended).

Identifying Farmlands pursuant to the FMMP and developing the Farmlands of Local Importance program as stated in the General Plan would allow the County to establish a criterion for determining a level of significance, and developing a mitigation program can be valuable as a tool for protecting specific farmland properties. If, pursuant to the General Plan, FMMP Farmlands or Farmlands of Local Importance (Farmlands) are identified in the County, impacts to those resources as a result of solar developments under the REGPA would result in a potentially significant impact. Additional investigations are necessary to determine the presence of Farmlands in the County, and the potential for impacts as a result of implementing the REGPA.

The County also considers the use of any agricultural lands used for crop or livestock production, or apiary operations to for solar development to result in a potentially significant impact. These lands may include lands currently identified as agricultural land use in the General Plan, grazing allotments managed by the BLM, and LADWP owned lands maintained for agricultural purposes or grazing leases.

Solar facilities are developed with an established duration for operation, and would be decommissioned pursuant to an approved project-specific decommissioning and reclamation plan. As described in Section 3.3.6.2, excavated top soils would be stockpiled for subsequent use in site reclamation. As a result, in the instances that existing agricultural land uses are substituted for solar developments under the REGPA, the site would be reclaimed and could be used for agricultural uses following decommissioning. Therefore, the implementation of the project design features involving site decommissioning and reclamation would prevent a permanent loss of valuable farmlands through project site restoration. However, due to the long duration of solar projects, the long term substitution of agricultural lands to solar development could result in a significant impact. As previously described, additional investigations are necessary to determine the presence of Farmlands in the County, and the potential for impacts related to the long term substitution of Farmlands to solar development as a result of implementing the REGPA. If present, impacts to Farmlands could result in a significant impact.

The County strives to conserve and promote agricultural land uses within its boundaries. The General Plan contains goals (GOV-6.1 and AG-1) and associated policies related to preserving agricultural resources and providing and maintaining agricultural industry in the County. Future development under the REGPA would be subject to these goals and policies. Additionally, the REGPA includes a modification to an existing agricultural resources policy (Policy AG-1.3)

which encourages avoidance of the use of productive agricultural lands for renewable energy solar facility development. With implementation of these goals and policies, impacts related to use of agricultural lands for solar development would be minimized.

Consistent with the County’s goals and policies to conserve and promote agricultural land uses in the county, the County Agricultural Commissioner routinely reviews development proposals adjacent to agricultural operations to ensure they do not significantly impact agricultural operations. To ensure implementation, this process is included as Mitigation Measure AG-1. Refer to Mitigation Measure AG-1 for the County’s required application review process related to agricultural resources, and Mitigation Measure AG-2 for measures to avoid, minimize, and mitigate for those impacts.

Conflict with existing zoning for agricultural use or a Williamson Act contract.

Inyo County does not support a Williamson Act program; therefore, the proposed project would result in no impact related to a Williamson Act contract. The Inyo County Zoning Code (ICC Title 18) identifies that areas zoned open space (OS), rural residential (RR), commercial recreation (C-5), and light industrial (M-2) are allowed to be used for agricultural uses, but it does not specifically permit renewable energy production. Areas within the SEDAs are largely zoned OS and are in grazing allotment. Other zonings are associated with the City of Bishop and unincorporated communities throughout the SEDAs and the OVSA. As described under impact AG-1, future projects under the REGPA may involve converting existing agricultural lands to solar facilities.

The proposed REGPA includes new land use policies (Policies LU-1.17 and LU-1.18), which indicate that utility scale, distributed generation, and community scale solar energy facilities shall be considered in any zoning district under Title 18 of the Inyo County Code. Therefore, because implementation of the REGPA would allow solar development on all land use designations, a potential land use conflict would occur because lands zoned for potential agricultural use may be used for solar development. This would be considered a potentially significant impact; however, all future development of solar facilities under the REGPA would be implemented consistent with Goal AG-1 of the Conservation/Open Space Element. Although the Zoning Code allows agricultural land uses under certain zoning designations, it does not contain areas specifically zoned for agricultural land uses, and those zoning designations allowing agricultural land uses may not be suitable for agricultural land uses. The REGPA would not result in a significant impact to zoning for agricultural land uses.

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)).

The proposed SEDAs are not zoned for forest land, timberland, or timberland production. Therefore, there would be no conflict with, or cause for, rezoning of forest land or timberland and, as a result, no impact would occur.

Loss of forest land or conversion of forest land to non-forest use.

Lands within the SEDAs and the OVSA do not meet the PRC Section 12220(g) definition of forest land as land that can support ten percent native tree cover of any species under natural conditions. Therefore, the proposed project would not result in the loss or conversion of forest land to non-forest use, and no impact would occur.

Changes in the existing environment which, due to their location or nature, would result in conversion of agricultural lands to non-agricultural use or forest land to non-forest land.

As described above, lands within the SEDAs and the OVSA do not meet the PRC Section 12220(g) definition of forest land as land that can support 10 percent native tree cover of any species under natural conditions. Therefore, the proposed project would not result in changes to the existing environment which would result in conversion of forest lands to non-forest land.

Implementation of the REGPA would not result in the conversion of forest land to non-forest use because neither use exists within the SEDAs or Owens Valley Study Area. However, future development under the REGPA could convert existing agricultural lands to solar facilities. A potentially significant indirect impact to an agricultural resource would occur if future solar developments under the REGPA would result in compatibility conflicts with existing agricultural activities that would result in conversion of Farmland of Statewide or Local Importance to non-agricultural use. Adverse impacts may include but not be limited to: damage to equipment, crops, and livestock; introduction and establishment of non-native invasive plant species, introduction of pollutants entering farm water sources, competition for water, development affecting groundwater recharge, soil erosion and stormwater runoff, honeybee forage reduction, and shading of crops from inappropriate buffering.

The type of agricultural use and the type of solar development being proposed are key considerations in determining agricultural compatibility. All construction, operations, and maintenance activities would be limited to within the right-of-way for the proposed project, and would not result in damaged equipment, crops, or livestock on adjacent properties through trespass. Operations of solar facilities are generally considered to be compatible with adjacent livestock grazing and bee-keeping.

Based on aerial interpretation of the agricultural land use designation, the Laws SEDA, Rose Valley SEDA, Sandy Valley SEDA, and the OVSA contain croplands. Depending on the solar technology being installed, operational water use could be substantial and significantly affect groundwater supplies and/or surface water quality. Refer to Section 4.9 for a discussion of potential impacts to groundwater and surface water resulting from development in the Laws, Rose Valley, and Sandy Valley SEDAs and the OVSA. With implementation of Mitigation Measures HYD-1 through HYD-3, impacts to surface water quality, hydrologic conditions, soil erosion and stormwater runoff, groundwater resources and long-term water quality would be reduced to a less than significant impact.

Crop shading from adjacent structures may affect crop productivity and viability. Utility scale solar developments may have solar fields or other structures up to 30 feet high, depending on the

angle of the panels. Solar thermal power towers may reach hundreds of feet in height. Although there is a possibility for off-site shading, it would occur in any given location for only a small portion of the day and impacts would be less than significant.

The conversion of lands from native plant communities or other types of rangeland to solar facilities can reduce both the forage quantity as well as species diversity of a site. This can reduce the forage value of an area to nearby commercial honeybee staging sites. Additionally, the construction and operation of future solar facilities has the potential to provide conditions conducive to non-native invasive plant species introduction and establishment. Construction sites often bring equipment and materials from outside sources, providing opportunities for the introduction and spread of invasive plants. Many invasive plants establish more effectively in areas that are disturbed. Once established, these invasive plants can be difficult to control, exclude beneficial native plant species, and disperse onto nearby agricultural lands reducing the forage quality of rangelands or affecting crop production. Impacts to forage values of agricultural lands and other operations, and the introduction and spread of invasive species is considered potentially significant. The County Agricultural Commissioner routinely reviews development proposals adjacent to agricultural operations to ensure they do not significantly impact agricultural operations. To ensure implementation, this process is included as Mitigation Measure AG-1. Refer to Mitigation Measures AG-1 and AG-2 to minimize impacts related to land use conflicts. Mitigation Measure AG-3 addresses the introduction and spread of noxious weeds.

4.2.4 Level of Significance before Mitigation

No significant impacts to forestry resources would occur with implementation of the REGPA. Based on the analysis in Section 4.2.3, future utility scale, distributed generation, and community scale solar energy projects under the REGPA could result in potentially significant impacts related to the direct and indirect the conversion of agricultural resources to non-agricultural land uses. These impacts require mitigation to reduce them to the maximum extent feasible.

Due to their smaller size and location, distributed generation and community scale facilities would generally be expected to result in less severe impacts to agricultural resources when compared with utility scale facilities or facilities located on previously undisturbed sites; however, the severity of the impact would ultimately depend on the resources present. Small scale projects are typically considered to result in no impacts under CEQA. Small scale projects are typically considered to result in no impacts under CEQA.

4.2.5 Mitigation Measures

Agricultural resources mitigation measures have been developed for solar energy development projects producing more than 20 MW of electricity for off-site use (utility scale) and would be implemented to mitigate adverse impacts to agricultural resources located within the SEDAs. As previously mentioned, small scale solar energy projects are considered to result in no impacts under CEQA; however, all individual solar energy facility project applications (including small scale, community scale, and distributed generation) shall be reviewed by the County, and the need for implementation of the additional mitigation measures shall be determined based on the professional judgment of a qualified County planner, pursuant to ICC Title 21 and State CEQA

Guidelines. For example, community scale solar developments (i.e., roof-top or ground mounted PV panels for a specific community's use) may be determined by the Agricultural Commissioner to have no potential impact on agricultural resources and would not require implementation of the additional mitigation measures contained in this section. In such cases, the County shall document that no impacts to agricultural resources would occur and no mitigation measures are necessary in lieu of the agricultural resources evaluation required in Mitigation Measure AG-2.

If a proposed distributed generation or community scale solar development project is determined by the County to have the potential to impact agricultural resources, then the following mitigation measures shall be implemented as determined necessary by the qualified county planner. The County will review future solar energy development proposals to determine if they meet the requirements of Section 15162 of the State CEQA Guidelines; projects that do not meet the requirements may require additional CEQA analysis prior to approval. Similar to proposed distributed generation and community scale solar energy projects, small scale solar project applications undergo county review, and implementation of additional CEQA review and/or mitigation measures shall be at the discretion of a qualified County planner.

As described above, implementation of the REGPA could result in conversion of agricultural resources to non-agricultural land uses. In order to ensure minimal impacts resulting from the direct or indirect conversion of agricultural resources in the County, the following mitigation measures will be implemented:

MM AG-1: Review development proposals for potential impacts to agricultural operations.

The County Agricultural Commissioner shall be responsible for reviewing new development proposals adjacent to agricultural operations to ensure they do not significantly impact agricultural operations.

MM AG-2: Conduct site specific investigations for agricultural lands.

Site-specific agricultural resource investigations shall be completed for proposed solar development projects within the individual SEDAs and the OVSA that are located on lands utilized for agricultural operations prior to final project design approval. If agricultural operations are identified within the project area, alternative designs should be implemented to avoid and/or minimize impacts to those resources. This may include mitigating conversion of agricultural lands based on the mitigation ratios identified in consultation with affected agencies at the cost of the project applicant to the satisfaction of the County. Mitigation ratios and impact fees assessed, if any, shall be outlined in the Renewable Energy Development Agreement, Renewable Energy Permit, or Renewable Energy Impact Determination.

4.2.5.1 MM AG-3: Invasive plant species or noxious weeds.

To prevent the introduction and spread of noxious weeds, a project-specific integrated weed management plan shall be developed for approval by the permitting agencies, which would be carried out during all phases of the project. The plan shall include the following measures, at a minimum, to prevent the establishment, spread, and propagation of noxious weeds:

- The area of vegetation and/or ground disturbance shall be limited to the absolute minimum and motorized ingress and egress shall be limited to defined routes.
- Project vehicles shall be stored onsite in designated areas to minimize the need for multiple washings of vehicles that re-enter the project site.
- Vehicle wash and inspection stations shall be maintained onsite and the types of materials brought onto the site shall be closely monitored.
- The tires and undercarriage of vehicles entering or re-entering the project site shall be thoroughly cleaned.
- Native vegetation shall be re-established as quickly as practicable on disturbed sites.
- Weed Monitor and quickly implement control measures to ensure early detection and eradication of weed invasions.
- Use certified weed-free straw, hay bales, or equivalent for sediment barrier installations.

4.2.6 Significant Unavoidable Adverse Impacts

Based on the implementation of the mitigation described in Section 4.2.5, all identified project-related impacts associated with Farmlands would be avoided or reduced below a level of significance with no significant unavoidable adverse impacts.

THIS PAGE INTENTIONALLY LEFT BLANK