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Community Development Department
City of Lemoore
205 West 4th Street W. Cinnamon Drive
Lemoore, CA 93245

Governor's Office of Planning & Research

Feb 28 2022

STATE CLEARING HOUSE

Dear Ms. Baley:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LACEY RANCH AREA MASTER PLAN PROJECT, SCH#2020080314

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the Lacey Ranch Area Master Plan Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

Project Description

Within the Lacey Ranch Area Master Plan, the Project applicant is proposing to subdivide and develop approximately 156 acres of land into a planned residential community with a mix of single-family and multi-family housing units. The exact number of each housing type may vary slightly, depending on final density, however, there will be a maximum of 825 housing units in total. Approximately 75% of the site will be developed with single family housing units on a variety of lot sizes, with the remainder to be developed with multi-family housing and parks/trails.

The Project applicant proposes to annex the site into the City Limits of Lemoore and will require a General Plan Amendment and Zone Change to change the land use designations from agriculture to residential. The Project will also require a modification to the City's Sphere of Influence (SOI). The proposed project site is mapped as containing approximately 154 acres of Prime Farmland and one acre of Unique Farmland as designated by the Department of Conservation's Farmland Mapping and Monitoring Program. The proposed site is also under a Williamson Act contract.

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."])

Mitigation through agricultural easements can take at least two forms: 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 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.

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. The Department suggests the lead agency revisit its consideration of agricultural easements, and/or the donation of mitigation in lieu-of fees to areas outside of its area of concern.

As stated in the DEIR, "Approximately one-third of the site (the southerly one-third) is within the City's SOI while the remaining northern two-thirds are currently outside the SOI and outside the City's Planning Boundary. As the northern two thirds of the proposed Project site was not included in the Planning Area of the 2030 Lemoore General Plan, this same area of the site was not included in the agricultural conversion analysis of the 2030 Lemoore General Plan EIR."¹

¹ Draft Environmental Impact Report, Lacey Ranch Area Master Plan Project, State Clearinghouse #2020080314, Chapter Three, Environmental Evaluation, 3.1 Agriculture and Forestry Resources, P.3.1-11, https://files.ceqanet.opr.ca.gov/264017-4/attachment/qYlvlywldh0RDoWzUibyW5eGi1RYRHLtUVs-IB8E_d1r3izdhtqMYVYFYLugnlqMdsqJMjzkhwY27n0

It appears that the lead agency intends to tier off of the 2030 Lemoore General Plan EIR; although, not officially stated as outlined in the California Code of Regulations, Title 14, Section 15152(g).

If it is the intent of the lead agency to tier off of the 2030 Lemoore General Plan EIR; then the Lacey Ranch Area Master Plan DEIR should discuss, evaluate, and consider potential mitigation measures for those portions of land not evaluated and discussed in the 2030 Lemoore General Plan EIR.

Conclusion

The Department recommends further discussion and evaluation of the following issues:

- Proposed mitigation measures for all impacted agricultural lands within the proposed project area. Specifically, those lands not evaluated in the City of Lemoore 2030 General Plan EIR.
- The Projects compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Draft Environmental Impact Report for the Lacey Ranch Area Master Plan 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, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber

Conservation Program Support Supervisor