



DECEMBER 7, 2020

2020110211

VIA EMAIL: ALISA.GOULART@SJGOV.ORG

Alisa Goulart, Project Planner
San Joaquin County
1810 E. Hazelton Avenue
Stockton, CA 95205

Governor's Office of Planning & Research

DEC 09 2020

STATE CLEARINGHOUSE

Dear Ms. Goulart:

INITIAL STUDY/NEGATIVE DECLARATION, ZONING RECLASSIFICATION AND MINOR SUBDIVISION, PA-2000107(ZR) AND PA-2000109(MS)

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Initial Study/Negative Declaration for the proposed Zone Reclassification and Minor Subdivision (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 proposed project's potential impacts on agricultural land and resources.

Project Description

The proposed project consists of two applications being processed concurrently; a Zone Reclassification to rezone a ten-acre parcel from AG-40 (General Agriculture, 40-acre minimum) to AL-5 (Limited Agriculture, 5 acre minimum) and a Minor Subdivision to subdivide the same ten-acre parcel into two five-acre parcels. The resulting five-acre parcels will utilize on-site wells and wastewater systems, and natural storm drainage.

According to the latest Williamson Act data submitted by San Joaquin County, the parcel is under a Non-prime Williamson Act contract. A Notice of Nonrenewal for the contract has been filed concurrently with these applications and the applicant will enter into a Joint Management Agreement with the County.

Department Comments

The Department has previously commented, via Early Consultation, on the proposed project. The project description and/or scope of the project has not changed since such time; however, the Department feels it necessary to restate its comments regarding the proposed project.

Subdivision of Williamson Act contracted land is allowable under certain situations and in accordance with Williamson Act related Government Code. The Department recommends that the County review the projects compliance with [Government Code Section 66474.4 \(Subdivision Map Act\)](#), specially 66474.1(c)(1), which states that the jointly managed parcels total at least 10-acres in the case of Prime agricultural land or at least 40-acres in the case of Non-prime agricultural land.

In the Agricultural and Forestry Resources section of the projects Initial Study/Negative Declaration, under the Impact Discussion section a), the County states:

The subject property is not identified or designated as Prime or Unique Farmland or as Farmland of Statewide Importance on maps provided by the California Department of Conservation's Farmland Mapping and Monitoring Program. The subject property is designated as Farmland of Local Importance. San Joaquin County defines Farmland of Local Importance as "all farmable land within San Joaquin County not meeting the definitions of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland.""

In order to comply with GC 66474.4 (c)(1), the proposed 10-acre parcel must be categorized as "Prime Farmland"; however, the County has stated the parcel is not categorized as "Prime Farmland". The Department is concerned that project approval would not be in compliance with GC 66474.4 (c)(1).

Conclusion

Thank you for giving us the opportunity to comment on the Initial Study/Negative Declaration for the proposed Zone Reclassification and Minor Subdivision 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 at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor

¹ Initial Study/Negative Declaration, PA-2000107(ZR) and PA-2000109(MS), II. Agriculture and Forestry Resources, Impact Discussion a), page 6, <https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/APD%20Documents/PA-2000109/Initial%20Study.pdf>