Land Use, Planning, and Agricultural Resources

This section discusses the existing and proposed land uses in the project area; the relevant and applicable land use plans and policies in Solano County; and the compatibility of the proposed project with these land uses and land use plans and policies, including agricultural land uses.

Environmental Setting

The project area is located in the central portion of Solano County, within the Montezuma Hills. The area is bordered by State Highway 12 to the north, Sacramento River to the south, Suisun Marsh to the west, and Rio Vista to the east. Nearby and adjacent land uses include dryland farming, small urban centers, a military installation, the Suisun Marsh, existing natural gas facilities, and numerous wind plants. The area is sparsely populated and includes two small communities: Birds Landing at the intersection of Shiloh and Birds Landing Roads, and Collinsville at the south end of Collinsville Road.

The Montezuma Hills have been designated by the Solano County General Plan as "Extensive Agricultural Lands." Such lands are generally located on hilly slopes that are not suited for irrigated and therefore support dryland farming. The California Farmland Mapping and Monitoring Program also defines this area as land with lower quality soils that can be used for non-irrigated agricultural production (California Department of Conservation 2002). Most of the land in the project area is not suitable for irrigated agriculture and has been designated as suitable for dryland farming and grazing. Wheat, barley, and oaks are the main crops in the Montezuma Hills; and sheep is the primary livestock.

The Montezuma Hills are designated as an "essential" agricultural area in the Solano County General Plan. However, the project area does not include important farmland, as defined by California's Farmland Mapping and Monitoring Program. Soil types in the project area are primarily Diablo and Altamont Clay Series (NRCS 1977), which are not associated with important farmland. The majority of the project area is under Williamson Act contract.

As required by the CPUC, "a list of the names and mailing addresses of all owners of land over, under or on which the project, or any part of the project, may be located, and owners of land adjacent thereto" is contained in Appendix B of this PEA.

Regulatory Setting

Solano County

The Solano County General Plan sets forth policies to preserve agricultural resources. The following policies are relevant to the proposed project:

- Policy 1: Preserve and maintain essential agricultural lands.

- Policy 2: In essential agricultural areas, the County shall encourage the formation and retention of agricultural parcels of sufficient size to be maintained as a farmable unit.

- Policy 9: Within the Extensive Agricultural designation, the maximum permitted residential density is one dwelling per 160 acres.

Williamson Act

The California Land Conservation Act of 1965 (Williamson Act) enables counties and cities to designate agricultural preserves (Williamson Act lands) and offer preferential taxation to agricultural landowners based on the income-producing value of their property in agricultural use, rather than on its assessed market value. In return for the preferential tax rate, the landowner is required to sign a contract with the county or city agreeing not to develop the land for a minimum period. Contracts are automatically renewed annually unless a party to the contract files for nonrenewal or petitions for cancellation.

Lands under Williamson Act contracts must comply with regulations pertaining to parcel size, allowable development, and compatible uses. Section 9-1810.3 of the Williamson Act, "Terms of Contract," outlines allowable uses for properties under contract, including petroleum and natural gas extraction and utilities services.

Impact Analysis

The following impact analysis addresses construction-period impacts, impacts of operation and maintenance, and impacts associated with potential incompatibility of the proposed project with applicable plans and policies. Construction-period impacts deal with changes that would occur during construction. Impacts of operation and maintenance are categorized by permanent structures or any change from construction that cannot be guaranteed to be returned back to its original state. Impacts associated with incompatibility with applicable plans and policies are determined through examination of the plans and policies of those agencies with jurisdiction over the area encompassing the proposed project.

Significance Criteria

According to Appendix G of the State CEQA Guidelines, a project would result in a significant agricultural or land use impact if it would:

- Physically divide an established community;

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;

- Conflict with any applicable habitat conservation plan or natural community conservation plan;

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared in accordance with 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; or

- Involve other changes in the existing environment that, because of their location or nature, could result in conversion of farmland to nonagricultural use.

Impacts

IMPACT 3.8-1:   TEMPORARY DISRUPTION OF AGRICULTURAL PRODUCTION DURING CONSTRUCTION

Construction of the proposed project facilities could result in temporary conflicts and construction-related nuisances at construction sites, including localized construction noise, dust, and construction equipment traffic, that would temporarily inconvenience residents and agricultural operations near the project facilities. During project construction, temporary construction easements would be necessary to install the proposed project facilities. Disturbances in agricultural activities would be temporary, and crop production would reestablish on the pipeline easement after construction is completed. As a public utility, Lodi Gas Storage would be required to offer appropriate compensation for land held in private ownership as part of the acquisition of utility easements. Lodi Gas Storage would also be required to compensate landowners for removal of any structures, crops, and agriculture-related improvements required to construct the project. In addition, Lodi Gas Storage has committed to implementing measures (see "Site Reclamation Measures" in Chapter 2) to ensure that areas affected by construction are restored. This impact therefore is considered less than significant, and no mitigation is required.

IMPACT 3.8-2: PERMANENT LOSS OF AGRICULTURAL PRODUCTION CAPABILITY

Implementation of the proposed project would result in the permanent loss of up to 11 acres of land currently used for grazing and dryland farming, including approximately 0.75 acre at the metering station site and up to 10 acres at the compressor station site. The amount of acreage removed from agricultural use would not be substantial compared to the amount of similar land uses available in the project area. The pipelines associated with the proposed project would be located subsurface and would not result in the permanent loss of agricultural capabilities. Normal agricultural activities would resume over the easement once construction is complete because there is generally little need for access to maintain the pipeline. Long-term disruptions to agricultural lands resulting from pipeline construction are expected to be minimal. This impact therefore is considered less than significant, and no mitigation is required.

IMPACT 3.8-3: COMPATIBILITY WITH SURROUNDING LAND USES

The proposed project involves construction of a pipeline and related infrastructure in a largely rural agricultural area with some existing industrial structures (i.e., the Calpine facility, existing well pads, and wind turbine farms). The proposed project is designed measures to minimize the visual effects of these facilities through and other visual screening (see "Aesthetics/Visual Resources Measures" in Chapter 2). Although the proposed facilities are more industrial than typical surrounding land uses, the surrounding land uses vary substantially and similar facilities exist in the area. One key criterion for routing the pipeline was to minimize proximity to residential uses in order to minimize construction effects. Other siting criteria included minimizing land use conflicts and safety issues. Because the pipeline is not located on densely developed parcels and would not substantially restrict future agricultural operations, no significant land use conflicts are expected. Therefore, the project is not expected to result in land use conflicts, nor is it substantially incompatible with surrounding land uses. This impact is considered less than significant, and no mitigation is required.

IMPACT 3.8-4: POTENTIAL INCONSISTENCY WITH PLANS AND POLICIES

The project would not conflict with Solano County General Plan policies to reserve and maintain essential agricultural lands, maintain parcel sizes, and restrict development density. Generally, pipeline facilities are considered consistent uses on lands under Williamson Act contracts. Construction and operation of the project facilities are not expected to foster development within the project area and would not accelerate nonrenewal or termination of existing Williamson Act contracts. This impact therefore is considered less than significant, and no mitigation is required.

Mitigation Measures

Lodi Gas Storage will implement BMPs (described in Chapter 2, "Project Description") as part of the proposed project to avoid and minimize potentially significant impacts on land use, planning, and agricultural uses. Therefore, no mitigation is required.