

**A guide to**  
**BDCP AND DELTA AGRICULTURE**  
**IMPACTS AND MITIGATION**  
**As described in the December 2013**  
**DRAFT BDCP EIR/EIS**

**June 2014**

For web version of the paper, see <https://agriculturallandstewardship.water.ca.gov/>

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## **Introduction**

This paper summarizes information relating to effects on agriculture<sup>1</sup> in the Delta from the BDCP. Section I describes the impacts of BDCP on agriculture in the Delta, as described in the Draft BDCP EIR/EIS made available to the public on December 13, 2013.<sup>2</sup> Section II describes the mitigation measures and commitments that are in the Draft BDCP EIR/EIS.

This paper also discusses the Agricultural and Land Stewardship (ALS) Framework and Strategies Paper (ALS Framework and Strategies Paper) (June 2014)<sup>3</sup> which is referenced in the Draft BDCP EIR/EIS. See Attachment 1 for a current list of the potential strategies. The ALS Framework and Strategies Paper provides a menu or toolbox of agricultural and land stewardship strategies which can be considered when projects convert agricultural land to other uses especially for habitat restoration and other non-developmental use. It also includes a Framework for how to consider the strategies. Each ALS Strategies Paper discusses each strategy with a description of the strategy, related programs and policies, issues to be considered, and opportunities and potential partnerships.

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<sup>1</sup> When discussing agriculture, farmland or agricultural land in this paper, the terms can generally be used interchangeably. The term “agriculture” is also intended to include the related effects on Delta farm workers, tenant farmers, and farmland owners and the economic impacts on the companies and individuals who provide productive inputs to Delta farmers, and on those who transport, process, store, and market the output of Delta farms. Farmer is used as a generic term that includes farmers, ranchers, landowners, or tenants if they are currently farming the land (or could farm the land) and want to continue managing the land whether or not it is used for project purposes. The approach suggested in this paper would not prohibit farmers from selling or leasing their land for project purposes if they do not want to continue to farm the land themselves.

<sup>2</sup> The Draft BDCP (2013) and the associated Draft BDCP EIR/EIS (2013) can be found at <http://baydeltaconservationplan.com/PublicReview.aspx><http://baydeltaconservationplan.com/PublicReview.aspx>

<sup>3</sup> <https://agriculturallandstewardship.water.ca.gov/>

## SECTION I

### Impacts of BDCP on Delta Farmland

#### Area of Land Affected

There are over 872,000 acres (Draft EIR/EIS pages 14-2 and 14-11) within the Draft BDCP EIR/EIS study area for agriculture (which consists largely of the Delta, Suisun Marsh, and Yolo Bypass). Of this, more than 585,000 acres (Draft EIR/EIS page 14-2) are used for agricultural or semi-agricultural purposes. The Draft BDCP EIR/EIS (Section 14.3.2 starting on page 14-27) defines Important Farmland to be land identified as Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance<sup>4</sup>. Important Farmland comprises more than 512,000 acres (Draft EIR/EIS page 14-11) in the study area, while nearly 432,000 acres (Draft EIR/EIS page 14-11) are subject to Williamson Act contracts or lie within a Farmland Security Zone<sup>5</sup>. The Draft BDCP EIR/EIS does not include grazing land as Important Farmland and does not identify any impacts as a result of the conversion of grazing land. See figures and tables at the end of this document for more information on agricultural land and how it is affected by BDCP alternatives. See BDCP EIR/EIS Chapter 14, *Agricultural Resources*, Section 14.1.1, for further information regarding the study area, as defined for agricultural resource impact assessment.

Alternative 4<sup>6</sup> in the Draft BDCP EIR/EIS represents the CEQA Proposed Project/Preferred Alternative and is the basis for the discussion that follows. The footprint for the proposed conveyance facilities component (Conservation Measure [CM] 1) of the BDCP would be approximately 6,300 acres (Draft EIR/EIS page 14-109) for temporary, short-term, and permanent features. Modifications to Yolo Bypass operations (CM2) could require a periodic inundation footprint of 17,000 acres (Draft EIR/EIS page 14-129). Habitat restoration components of the BDCP (CM4-CM10) include 83,800 acres (Draft EIR/EIS Table 3-4) of restored habitat. Protection of other habitat lands in the BDCP (CM3) requires an additional total of 70,000 acres (Draft EIR/EIS Table 3-4), of which more than 45,000 acres (Draft EIR/EIS Table 3-4) would be farmland that currently provides habitat for native terrestrial species. Among other

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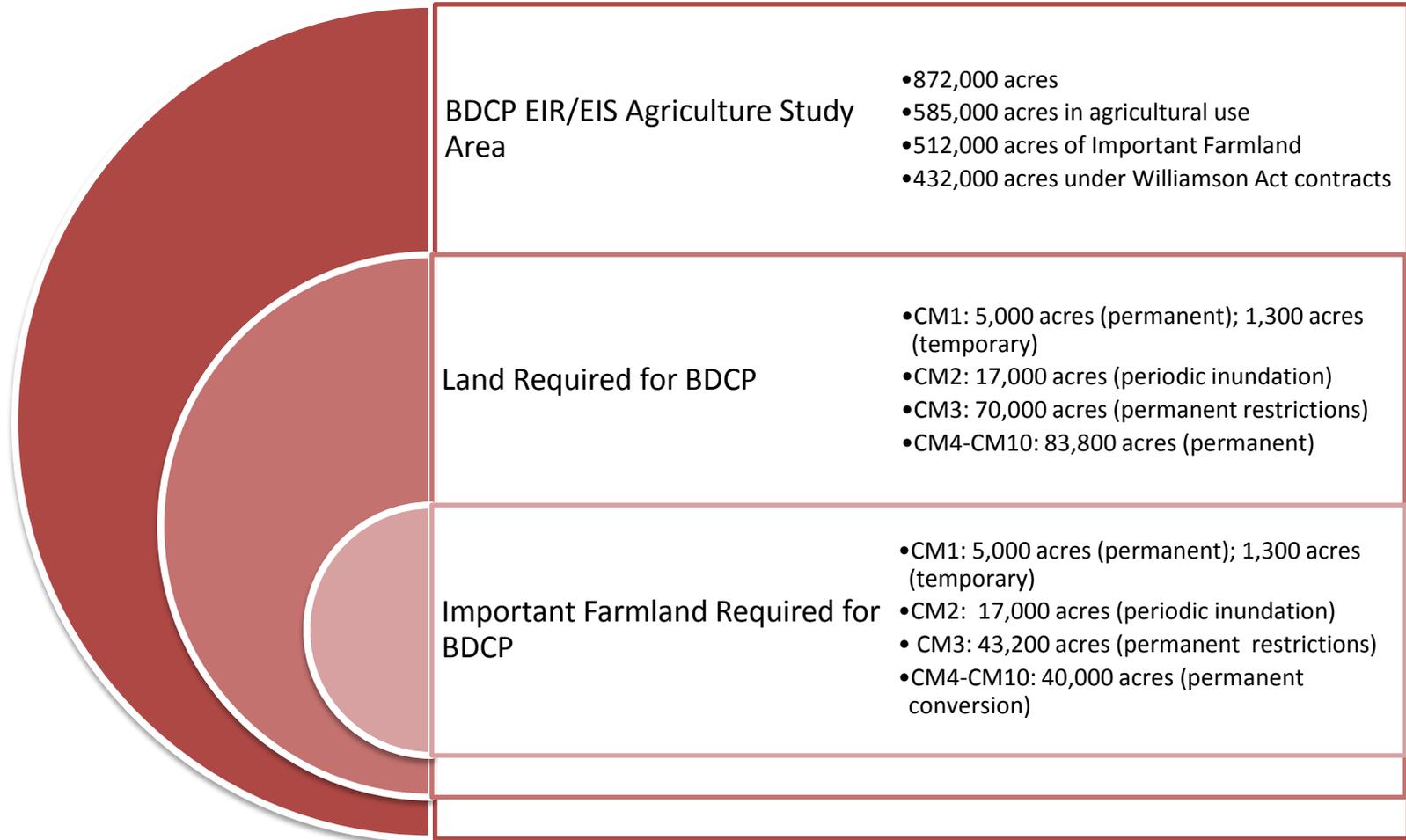
<sup>4</sup>As shown on the most recent California Department of Conservation Important Farmland maps for each of the affected counties. Note that the California Environmental Quality Act (CEQA), California Public Resources Code section 21060.1, subdivision (a), defines Agricultural Land as “prime farmland, farmland of statewide importance, or unique farmland, as defined by the United States Department of Agriculture land inventory and monitoring criteria as modified for California.” Important Farmland in the Draft BDCP EIR/EIS includes Agricultural Land, as defined in CEQA plus Farmland of Local Importance.

<sup>5</sup> There is significant overlap between lands that are Important Farmland and lands that are subject to Williamson Act contracts or that lie within a Farmland Security Zone.

<sup>6</sup> Alternative 4 in the BDCP EIR/EIS represents the BDCP proposed project. In addition to Alternative 4, the EIR/EIS evaluates the effects of 14 other action alternatives. For more information about the effects of each alternative on agricultural resources, see BDCP EIR/EIS Chapter 14, *Agricultural Resources*, Section 14.3.3.

things, CM 3 addresses the effects of changes to habitat for species adversely affected by the conversion of farmland for other BDCP project purposes (restoration and construction of water conveyance facilities). Interests in lands acquired and restored under Conservation Measures 3 through 10 will comprise the BDCP Reserve System. Descriptions of the BDCP Conservation Measures can be found in the Draft BDCP Chapter 3, *Conservation Strategy*, Section 3.4 on *Conservation Measures*.

Some of these BDCP activities would take place on Important Farmland. The water conveyance facilities for the BDCP proposed project would require the permanent conversion of about 5,000 acres (Draft EIR/EIS page 14-109) of Important Farmland, while the temporary and short-term effects of constructing these facilities would require about 1,300 acres (Draft EIR/EIS page 14-109). It is estimated that conservation measures relating to habitat enhancement and restoration (CM2, CM4, and CM5) could together require the permanent conversion of 40,000 acres (Draft BDCP page 8A-169) of Important Farmland, along with periodic effects on 17,000 acres (Draft EIR/EIS page 14-129). The Draft BDCP EIR/EIS does not propose agricultural mitigation measures for temporary and short term effects or for periodic effects. As a separate measure, under CM3, about 43,200 acres (Draft BDCP page 8A-169) are estimated to be protected through continued agricultural use to provide mitigation for terrestrial species displaced because of other conservation measures. CM3 agricultural lands are likely to be subject to some restrictions (described in more detail below). The actual acreage of Important Farmland affected by conservation measures related to habitat restoration could be greater or less than these figures, depending on the locations ultimately selected for these measures over the life of the BDCP permit.



Note: The actual acreage of Important Farmland affected by conservation measures related to habitat restoration could be greater or less than these figures, depending on the locations ultimately selected for these measures over the life of the BDCP permit.

### *Other effects*

In addition to the direct “footprint” effects described above, there could be other effects on agricultural activities in the study area, including disruption of necessary infrastructure, such as irrigation and drainage facilities, as well as access roads and electrical facilities. Other indirect effects include changes in groundwater elevation, changes in water quality, or increased frequency of inundation (for areas affected by Yolo Bypass modifications [CM2] or restoration of seasonally inundated floodplain [CM5]). More detail about BDCP’s effects on agriculture can be found in Chapter 14, *Agricultural Resources*, Section 14.3.3, as well as related chapters of the EIR/EIS, including Chapter 7, *Groundwater*, Chapter 8, *Water Quality*, Chapter 13, *Land Use*, and Chapter 19, *Transportation*.

Additionally, while it is estimated that up to 43,000 acres (Draft BDCP page 8A-169) of Important Farmland would be conserved for continued agricultural uses that would also benefit inherent habitat values for terrestrial species (CM3), the protections would also come with restrictions. For example, maintaining a suitable mosaic of crop types that provides habitat values across the BDCP Reserve System may limit crop selection options. Additionally, owners of cultivated lands that are part of the BDCP Reserve System might be required to maintain small patches of riparian woodland and scrub, wetlands, ponds, hedgerows, tree rows, and isolated native or nonnative trees that support songbirds, raptors, reptiles, amphibians, and small mammals. Agreements resulting in the creation of other, small areas with these features may also be acquired where conditions permit. Additional restrictions could take the form of pesticide abatement, removal of unnecessary fencing or other barriers to species movement, establishment of buffers between cultivated lands and riparian or wetland habitats, and timing of various practices including tilling of corn and grain fields or shallow flooding of corn, grain, and irrigated pastures during fall and winter. Restrictions and compensation would vary based on site-specific factors. These activities are detailed in the description of Conservation Measure 11, Natural Communities Enhancement and Management, in BDCP Chapter 3, *Conservation Strategy*, Section 3.4.11.

Activities proposed under BDCP would also have social and economic effects related to agriculture. The Draft BDCP EIR/EIS estimates that, during construction, there would be a total employment reduction equivalent of 57 full-time positions related to agriculture with a agricultural labor income decline of \$3.5 million, including direct and indirect effects. Effects related to construction of the water conveyance facilities also include an estimated \$5.2 million decrease in total agricultural production value in the Delta. Following construction of the water conveyance facilities, there would be a lasting reduction of 41 full-time equivalent positions related to agriculture. Total agricultural labor income is expected to decline by \$2.4 million and total agricultural production value would decrease \$3.8 million during operation of CM1. Additional changes in employment, labor income, and production value would likely also be associated with other conservation measures requiring conversion of agricultural land. Although activities related to construction and implementation of all land-intensive conservation measures will reduce agricultural positions and income, they will also create substantial

Draft- Subject to Revision

employment in other sectors. See Draft EIR/EIS Chapter 16, *Socioeconomics* for numbers and further discussion of these effects.

## SECTION II

### MITIGATION MEASURES AND COMMITMENTS IN DRAFT BDCP EIR/EIS

The Draft BDCP EIR/EIS proposes a number of mitigation measures designed to reduce the effects of BDCP implementation on agricultural resources in the study area. *Agricultural Resources*, Chapter 14 sets forth the primary Mitigation Measure, AG-1: Develop an Agricultural Lands Stewardship Plan (ALSP) to Maintain Agricultural Productivity and Mitigate for Loss of Important Farmland and Land Subject to Williamson Act Contracts or in Farmland Security Zones. This Mitigation Measure is discussed in more detail below. See Attachment 3 for the full text of this mitigation measure.

Chapter 14 of the Draft BDCP EIR/EIS also provides references to commitments or mitigation measures introduced in other sections of the document that evaluated related impacts, including Chapter 7, *Groundwater*, Chapter 8, *Water Quality*, and Appendix 3B, *Environmental Commitments*. These activities primarily consist of on-site activities that could be undertaken in consultation with landowners, counties, utilities, and other relevant entities to reduce effects on agricultural production in areas affected by BDCP activities. These items are listed in Attachment 2. See Attachment 3 for the full text of these mitigation measures.

#### A. Conventional and Alternative Mitigation Approaches for Loss of Farmland

A three-part mitigation measure is introduced and discussed in the Draft BDCP EIR/EIS Chapter 14, *Agricultural Resources* (Mitigation Measure AG-1: Develop an Agricultural Lands Stewardship Plan (ALSP) to Maintain Agricultural Productivity and Mitigate for Loss of Important Farmland and Land Subject to Williamson Act Contracts or in Farmland Security Zones). This approach is designed to encourage early planning that will result in multiple benefits and long-term partnerships with local interests that result in sustainable projects benefiting both the environmental and socioeconomic communities in the Delta. In addition to early planning activities that take into consideration related activities and avoiding farmland, the first section of this mitigation measure addresses actions that would be taken to maintain agricultural productivity of the sites involved. These include considering including agricultural use as part of the project, siting project footprints to maximize contiguous parcels of agricultural land to support continued production; making displaced topsoil available to less productive agricultural lands; relocation and/or replacement of wells, pipelines, power lines, drainage systems, and other infrastructure adversely affected by project construction or operation. It also includes consulting with landowners and farmers to develop appropriate construction practices to minimize impairment of agricultural activities and to determine what roles, if any, they might want to take with regard to implementing the project. The second section of this mitigation measure provides that the BDCP proponents would comply with applicable provisions of California Government Code Sections 51290-51295 with regard to acquiring land subject to Williamson Act contracts,

including notifying the city or county responsible for administering the agricultural preserve and to work with counties to expand Williamson Act authorized uses to include open spaces/habitat lands. The third, “Consideration of an Optional Agricultural Land Stewardship Approach or Conventional Mitigation Approach”, is outlined below.

Mitigation Measure AG1-c requires that one of two approaches be implemented in order to mitigate impacts that cannot be otherwise mitigated by the first two sections of this mitigation measure. These are the Conventional Mitigation Approach and the Optional Agricultural Land Stewardship Approach, described below.

#### *Conventional Mitigation Approach*

The “Conventional Mitigation Approach,” involves the purchase of interests<sup>7</sup> in agricultural land that would require the preservation and/or enhancement of land of similar agricultural quality to the land being lost to agricultural uses under the BDCP actions. The standard mitigation ratio would be one to one (that is, for each acre converted another acre shall be preserved). Where the mitigation required for the biological resource values requires lands to stay in or be converted to agricultural production (some of the lands covered under CM3), these lands would be considered as meeting requirements for mitigation for impacts to Important Farmland or of land subject to Williamson Act contracts or in Farmland Security Zones, provided that the easements for biological values also incorporate appropriate agricultural preservation. Under the Conventional Mitigation Approach, funding or acquisition of property interests would be expected to occur in the county in which the conversion will take place and would target land at some risk of conversion from agricultural uses. Such purchases would only occur if they do not undermine the overall BDCP conservation strategy and are not identified as necessary for other habitat conservation plans. Where a property identified for purchase of a property interest serves non-agricultural purposes such as providing wildlife habitat or flood control or flood management benefits, the terms of the property interest would require the farmer to use the property in a manner that preserves these.

For the purposes of developing a cost estimate for agricultural mitigation in BDCP Appendix 8.A, *Implementation Costs Supporting Materials*, Section 8.A.7.1, it is assumed that mitigation will be required for permanent effects to approximately 45,000 acres (Draft BDCP page 8A-169) of Important Farmland as a result of all conservation measures. Additionally, it is assumed that approximately 43,200 acres (Draft BDCP page 8A-169) protected in restricted agricultural use in the BDCP Reserve System (CM3) will qualify as full mitigation for impacts to Important Farmland. These numbers are based on the proportion of agricultural land that is Important Farmland throughout the study area. Since these numbers are based on assumptions that may change, it will not be known until implementation if the 43,200 acres can also count toward the EIR/EIS mitigation measure for agricultural resources. It is possible that the amount of

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<sup>7</sup> Property interests in agricultural lands can take a variety of forms and can include agricultural conservation easements, hybrid agricultural and habitat conservation easements, or other compensation arrangements.

land in restricted agriculture may be more or less. However, the cost estimate in the BDCP assumes that the full 43,200 acres can be counted as agricultural mitigation. With an EIR/EIS mitigation requirement for agricultural resources at a 1:1 ratio, the number of acres still requiring mitigation would be just over 1,700 acres (Draft BDCP page 8A-169). For cost estimating purposes in Chapter 8, mitigation through the “Conventional Mitigation Approach” is assumed, and the cost of acquisition of additional conservation easements of cultivated land at a 1:1 ratio is calculated at \$10.6 million, based on a per-acre easement cost of \$6,047 (Draft BDCP page 8A-169).

### *Optional Agricultural Land Stewardship Approach*

The “Optional Agricultural Land Stewardship Approach” described in Mitigation Measure AG-1c focuses on the effect of the projects on landowners, Delta agriculture, and broader Delta resources. As discussed below, it encourages the use of Agricultural Land Stewardship (ALS Strategies)<sup>8</sup>. These strategies and approach are described generally in Appendix 14B of the Draft BDCP EIR/EIS. This approach includes the following:

- The parties should evaluate the extent to which the project can be part of or complement existing or planned land uses in the Delta and prevent or avoid farmland loss.
- To the extent that farmland is part of the project, consideration should be given to developing plans for use of the farmland that recognize other Delta land uses. These include uses resulting in environmental mitigation and enhancement relating to aquatic and terrestrial habitat; agriculture; recreation; agritourism; ecotourism; and flood management.
- A number of Agricultural Land Stewardship Strategies are proposed that could encourage landowners to retain ownership of the property and manage the land for project purposes.
- To the extent that there are still impacts to agriculture that require CEQA or NEPA mitigation, consider other Agricultural Land Stewardship Strategies that may take place in the Delta but outside of the property where the project is located that could provide CEQA/NEPA mitigation for impacts to the Delta.
- To the extent that there are still impacts to agriculture not required to be mitigated under CEQA or NEPA, decision makers can consider funding other Agricultural Land Stewardship Strategies that could address these impacts.

Regardless of whether the Conventional Mitigation Approach or the Optional Land Stewardship Approach is used, the Draft BDCP EIS/EIR concludes that the

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<sup>8</sup> <https://agriculturallandstewardship.water.ca.gov/>

environmental impacts on agricultural resources will remain significant and unavoidable because:

- even after effects from the footprints of project facilities are minimized through design considerations, the BDCP would require the conversion of substantial amounts of Important Farmland and land subject to Williamson Act contracts or in Farmland Security Zones,
- conservation or preservation by means of acquiring agricultural land conservation interests, even at one-to-one ratio, may not avoid a net loss of Important Farmland and land subject to Williamson Act contracts or in Farmland Security Zones and
- the proposed Optional Agricultural Land Stewardship Approach does not focus principally on physical effects, but on maintaining agriculture and economic viability in the Delta, taking into consideration the desire of individual Delta farmers to continue working on their land, the long-term viability of regional agricultural economies, the economic health of local governments and special districts, and the Delta as an evolving place.

## **B. Other Farmland-Related Mitigation Measures and Commitments in Draft BDCP EIR/EIS**

There are a number of other mitigation measures and environmental commitments proposed in the Draft BDCP EIR/EIS that would avoid or lessen effects on agriculture. First, a number of decisions were made early in the project development that avoided or lessened effects on agriculture. These include the decision to use tunnels instead of canals and using gravity instead of electricity to move the water through the tunnels and reducing the number of intakes for Alternative 4. (See other alternatives and discussion of alternatives rejected). As a result of discussions held following the release of the Consultants Administrative Draft ER/EIS in Spring 2013, additional changes were made to the alignment for the conveyance facility that will reduce impacts on agriculture.

Second, a number of measures are proposed in chapters that relate to other resource areas that would reduce effects on agriculture. These include measures to maintain water supplies in areas affected by construction dewatering and minimize seepage as a result of habitat restoration or operation of water conveyance facilities (see BDCP EIR/EIS Chapter 7, *Groundwater*). The document also proposes activities designed to reduce effects on water quality, including a phased approach to avoiding, reducing, or offsetting electrical conductivity effects at Delta compliance locations, as well as implementation of a non-environmental commitment to address the potential increased water treatment costs that could result from electrical conductivity effects on agricultural water purveyor operations (see BDCP EIR/EIS Chapter 8, *Water Quality*, and Appendix 3B, *Environmental Commitments*). Other mitigation measures and commitments would

indirectly reduce effects on agricultural operations, including property tax and assessment revenue replacement for local governmental entities; traffic management and control measures; erosion and sediment control plans; fugitive dust control measures; disposal of spoils, tunnel muck, and dredged material; stockpiling and replacement of topsoil; and compensation for property owners for losses due to implementation of the BDCP, where applicable. These are listed below in Attachment 2. The full text of each mitigation measure or environmental commitment is found in Attachment 3.

## **ATTACHMENT 1**

### **Table of Agriculture and Land Stewardship Framework and Strategies**

#### **I. Framework for Agricultural and Land Stewardship (ALS) Planning**

- A. Incorporate Toolbox of ALS Strategies into planning processes (061014)(Revised)**
- B. Develop ALS Plans for projects (061014)(Revised)**

#### **II. Potential Strategies**

The ALS Strategies can be used by project proponents when their proposed projects will affect agricultural land. Some of the ALS Strategies can be used to work with local government and landowners to avoid or minimize impacts on agriculture and to consider local and regional plans. Some of the ALS Strategies provide options to consider for environmental mitigation required under the California Environmental Policy Act (CEQA). Other ALS Strategies could assist in maintaining the agricultural sustainability of the area where the project is located. Finally, some of the ALS Strategies discuss opportunities to keep local landowners and farmers on the land by participating in project activities, when a project involves conversion from agriculture to other open space uses.

##### **A. Strategies to help maintain agriculture**

- 1. Improve flood management
  - 1.1. Improve flood protection for agriculture (102913)(no change – October 2013 posting was 1a)
  - 1.2. Help landowners comply with FEMA flood insurance regulations (102913)(no change – October 2013 posting was 1b)
  - 1.3. Help with local flood preparedness and response efforts (061014)(under development- October 2013 posting was 1c)
- 2. Improve on-farm agricultural productivity, including soil and water quality (102913) (no change – October 2013 posting was 2)
- 3. Control weeds and other pests
  - 3.1. Reinvigorate County Weed Management Areas (061014)(revised - October 2013 posting was 6a)
  - 3.2. Prioritize weeds and other pests for area-wide control (061014)(revised – October 2013 posting was 6b)
  - 3.3. Encourage use of weed-free construction materials (102913)(no change – October 2013 posting was 6c)

4. Reduce conflict between agriculture and nearby habitat lands
  - 4.1. Establish good neighbor policies (061014) (revised - October 2013 posting was part of 7)
  - 4.2. Provide “take” coverage for neighboring lands (061014)(revised - October 2013 posting was part of 7)
  - 4.3. Support local efforts to reduce nuisance and illegal activities (061014) (new)
5. Provide agricultural conservation easements (102913)(no change – October 2013 posting was 11)

**B. Strategies that provide incentives for conservation on agricultural land**

1. Partner with others to maintain and enhance environmental quality on agricultural land (102913)(no change – October 2013 posting was 12)
2. Provide incentives for farmers and landowners to take part in market-based conservation programs (061014)(revised – October 2013 posting was 14)

**C. Strategies to manage land to reverse subsidence and sequester carbon**

1. Provide incentives to stabilize or reverse land subsidence (102913)(no change – October 2013 posting was 15)
2. Assist farmers and landowners to produce and sell greenhouse gas offset credits (102913)(no change – October 2013 posting was 16)
3. Investigate options to designate subsidence reduction and carbon sequestration crops as agricultural production for regulatory and incentive purposes (061014)(new – October 2013 posting was 18)

**D. Strategies that support an agricultural economy**

1. Develop area-wide economic and land use studies
  - 1.1. Develop an historic and current land use study (102913)(no change – October 2013 posting was 19a)
  - 1.2. Develop an economic study of agricultural activity and related infrastructure\_(102913)(no change – October 2013 posting was 19b)
  - 1.3. Develop a plan for protection and restoration of habitat areas that takes into consideration the vitality of the agricultural economy (under development – October 2013 posting was 19c)
2. Promote economic development (102913)(no change – October 2013 posting was 20)
3. Improve transportation infrastructure (10291)(no change – October 2013 posting was 21)
4. Help farmers and landowners earn new revenue from recreation and tourism (102913)(no change – October 2013 posting was 22)
5. Assist farmers and landowners in working with governmental agencies
  - 5.1. Public advisor for government projects (061014)(new – October 2013 posting was 23a)
  - 5.2. Farmbudsman – Help farmers and landowners navigate regulatory requirements for agricultural activities.(102913)(no change – October 2013 posting was 23b)
  - 5.3. Work with others to better align regulatory processes to expedite wildlife friendly agriculture(102913)(no change – October 2013 posting was 23c)

## **E. Strategies for successful planning by project proponents**

1. Project planning
  - 1.1. Early project planning (061014)(new – October 2013 posting was 3a)
  - 1.2. Work with farmers and landowners
    - 1.2.1. Involve farmers and landowners in project planning (061014)(new – October 2013 posting was 3b)
    - 1.2.2. Compensate farmers and landowners to manage agricultural land for project purposes (102913)(no change – October 2013 posting was 13)
    - 1.2.3. Compensate farmers and landowners to manage project habitat lands (102913)(no change – October 2013 posting was 17)
  - 1.3. Avoid, minimize and mitigate for impacts to agricultural land from project
    - 1.3.1. Reduce impacts on land (061014)(new)
    - 1.3.2. Reduce impacts on ground water levels (061014)(new)
    - 1.3.3. Mitigate for conversion of agricultural land (061014) (new – October 2013 posting was 3c)
  - 1.4. Implementation and funding (061014)(new – October 2013 posting was 24 and 25)
2. Work with local government
  - 2.1. Coordinate with local planning efforts (061014)(new – October 2013 posting was 9a)
  - 2.2. Implement actions required by the Williamson Act (061014)(new)
  - 2.3. Work with counties to expand Williamson Act authorized uses (102913)(no change - October 2013 posting was 9b)
  - 2.4. Investigate options for in lieu tax revenue for local government (102913)(no change - October 2013 posting was 9c)
  - 2.5. Work with others to explore the value of reinstating state funding of Williamson Act subventions (102913)(no change – October 2013 posting was 8)

## ATTACHMENT 2

### **Mitigation Measures Included as part of Mitigation Measure AG-1a in draft EIR/EIS Chapter 14, Agricultural Resources**

1. Design projects so as to optimize contiguous parcels of agricultural land of a size sufficient to support their efficient use for continued agricultural production.
2. Where the construction or operation of a facility could limit access to ongoing agricultural operations, maintain a means of convenient access to these agricultural properties as part of project design, construction, and implementation (see Mitigation Measure TRANS-1a in draft EIR/EIS Chapter 19, Transportation).
3. At borrow sites to be returned to agricultural production, remove and stockpile, at a minimum, the upper 2 feet of topsoil and replace the topsoil after project completion as part of borrow site reclamation (see Mitigation Measure SOILS-2b in draft EIR/EIS Chapter 10, Soils; Mitigation Measure AES-1c in draft EIR/EIS Chapter 17, Aesthetics and Visual Resources; and “Disposal and Reuse of Spoils, Reusable Tunnel Material [RTM], and Dredged Material” in draft EIR/EIS Appendix 3B, Environmental Commitments).
4. In areas permanently disturbed by project activities, and where topsoil is removed as part of project construction (e.g., stripping topsoil under a levee foundation) and not reused as part of the project, make the topsoil available to less productive agricultural lands that could benefit from the introduction of good-quality soil (see Mitigation Measure SOILS-2b in draft EIR/EIS Chapter 10, Soils; Mitigation Measure AES-1c in draft EIR/EIS Chapter 17, Aesthetics and Visual Resources; and “Disposal and Reuse of Spoils, Reusable Tunnel Material [RTM], and Dredged Material” in draft EIR/EIS Appendix 3B, Environmental Commitments).
5. Relocate and/or replace wells, pipelines, power lines, drainage systems, and other infrastructure that are needed for ongoing agricultural uses and would be adversely affected by project construction or operation (see Mitigation Measure UT-6b in draft EIR/EIS Chapter 20, Public Services and Utilities; Mitigation Measures GW-1 and GW-5 in draft EIR/EIS Chapter 7, Groundwater; and “Partner with Delta Municipal, Industrial, and Agricultural Water Purveyors in Developing Methods to Reduce Potential Water Quality Effects” in draft EIR/EIS Appendix 3B, Environmental Commitments).
6. Minimize disturbance of Important Farmland and continuing agricultural operations during construction by (1) locating construction laydown and staging areas on sites that are fallow, already developed or disturbed, or are to be discontinued for use as agricultural land and (2) using existing roads to access construction area.
7. Consult with landowners and agricultural operators to develop appropriate construction practices to minimize construction-related impairment of agricultural productivity. Practices may include coordinating the movement of heavy equipment and implementing traffic control measures (see Mitigation Measure TRANS-1a in draft EIR/EIS Chapter 19, Transportation).
8. Consult with landowners and agricultural operators with the goal of sustaining existing agricultural operations, at the landowners’ discretion, until the individual agricultural parcels are needed for project construction.

**Mitigation Measures and Environmental Commitments Referenced in BDCP EIR/EIS Chapter 14, Agricultural Resources**

9. Mitigation Measure GW-1: Maintain water supplies in areas affected by construction dewatering, in EIR/EIS Chapter 7, Groundwater
10. Mitigation Measure GW-5: Agricultural lands seepage minimization, in EIR/EIS Chapter 7, Groundwater
11. Mitigation Measure WQ-11: Avoid, minimize, or offset, as feasible, reduced water quality conditions, in EIR/EIS Chapter 8, Water Quality.
12. Mitigation Measure WQ-11a: Conduct additional evaluation and modeling of increased EC levels following initial operations of CM1, in EIR/EIS Chapter 8, Water Quality.
13. Mitigation Measure WQ-11b: Consult with CDFW/USFWS, and Suisun Marsh stakeholders, to identify potential actions to avoid or minimize EC level increases in the marsh, in EIR/EIS Chapter 8, Water Quality.
14. Partner with Delta Municipal, Industrial, and Agricultural Water Purveyors in Developing Methods to Reduce Potential Water Quality Effects, in EIR/EIS Appendix 3B.
15. Dispose of Spoils, Tunnel Muck, and Dredged Material, in EIR/EIS Appendix 3B, Environmental Commitments

**Other Commitments and Mitigation Measures**

16. Property Tax and Assessment Revenue Replacement, described in BDCP Chapter 8, Implementation Costs and Funding, and discussed in EIR/EIS Chapter 16, Socioeconomics.
17. Perform Geotechnical Studies, in EIR/EIS Appendix 3B, Environmental Commitments.
18. Transmission Line Pole Placement, in EIR/EIS Appendix 3B, Environmental Commitments.
19. Develop and Implement Erosion and Sediment Control Plans, in EIR/EIS Appendix 3B, Environmental Commitments.
20. Develop and Implement a Fire Prevention and Control Plan, in EIR/EIS Appendix 3B, Environmental Commitments.
21. Fugitive Dust Control, in EIR/EIS Appendix 3B, Environmental Commitments.
22. Mitigation Measure SOILS-2a: Minimize extent of excavation and soil disturbance, in EIR/EIS Chapter 10, Soils.
23. Mitigation Measure SOILS-2b: Salvage, stockpile, and replace topsoil and prepare a topsoil stockpiling and handling plan, in EIR/EIS Chapter 10, Soils.
24. Where applicable, BDCP proponents will provide compensation to property owners for losses due to implementation of the BDCP. This compensation would not constitute mitigation for any related physical impact; however, it would reduce the severity of economic effects. This is a commitment that is referenced in EIR/EIS Chapter 13, Land Use, and in EIR/EIS Chapter 16, Socioeconomics.

25. Mitigation Measure AES-1a: Locate new transmission lines and access routes to minimize the removal of trees and shrubs and pruning needed to accommodate new transmission lines and underground transmission lines where feasible, in EIR/EIS Chapter 17, Aesthetics and Visual Resources.
26. Mitigation Measure AES-1c: Develop and implement a spoil/borrow and tunnel muck area management plan, in EIR/EIS Chapter 17, Aesthetics and Visual Resources.
27. Mitigation Measure AES-1f: Locate concrete batch plants and fuel stations away from sensitive visual resources and receptors and restore sites upon removal of facilities, in EIR/EIS Chapter 17, Aesthetics and Visual Resources.
28. Mitigation Measure AES-6a: Underground new or relocated utility lines where feasible, in EIR/EIS Chapter 17, Aesthetics and Visual Resources.
29. Mitigation Measure CUL-6: Conduct a survey of inaccessible properties to assess eligibility, determine if these properties will be adversely impacted by the project, and develop treatment to resolve or mitigate adverse impacts, in EIR/EIS Chapter 18, Cultural and Historic Resources.
30. Mitigation Measure TRANS-1a: Implement site-specific construction traffic management plan, in EIR/EIS Chapter 19, Transportation.
31. Mitigation Measure TRANS-1b: Limit hours or amount of construction activity on congested roadway segments, in EIR/EIS Chapter 19, Transportation.
32. Mitigation Measure TRANS-1c: Make good faith efforts to enter into mitigation agreements to enhance capacity of congested roadway segments, in EIR/EIS Chapter 19, Transportation.
33. Mitigation Measure TRANS-2a: Prohibit construction activity on physically deficient roadway segments, in EIR/EIS Chapter 19, Transportation.
34. Mitigation Measure TRANS-2b: Limit construction activity on physically deficient roadway segments, in EIR/EIS Chapter 19, Transportation.
35. Mitigation Measure TRANS-2c: Improve physical condition of affected roadway segments as stipulated in mitigation agreements or encroachment permits, in EIR/EIS Chapter 19, Transportation.
36. Mitigation Measure UT-6a: Verify locations of utility infrastructure, in EIR/EIS Chapter 20, Public Services and Utilities.
37. Mitigation Measure UT-6b: Relocate utility infrastructure in a way that avoids or minimizes any effect on operational reliability, in EIR/EIS Chapter 20, Public Services and Utilities.
38. Mitigation Measure UT-6c: Relocate utility infrastructure in a way that avoids or minimizes any effect on worker and public health and safety, in EIR/EIS Chapter 20, Public Services and Utilities.
39. Mitigation Measure AQ-15: Develop and Implement a GHG Mitigation Program to Reduce Construction Related GHG Emissions to Net Zero (0), in EIR/EIS Chapter 22, Air Quality and Greenhouse Gases.

40. Mitigation Measure HAZ-6: Test dewatered solids from solids lagoons and dredged sediment prior to reuse and/or disposal, in EIR/EIS Chapter 24, Hazards and Hazardous Materials.