

NATURAL RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, GOVERNOR

**DEPARTMENT OF CONSERVATION****DIVISION OF LAND RESOURCE PROTECTION**

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May 12, 2010

VIA FACSIMILE (553) 730-2653

Mr. David Bryant, Project Planner
Tulare County Resource Management Agency
5961 South Mooney Blvd
Visalia, CA 93277

Subject: DEIR for the Tulare County General Plan 2030 Update
- SCH# 2006041162

Dear Mr. Bryant:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the DEIR for the Tulare County General Plan 2030 Update. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the 2030 Update's potential impacts on agricultural land and resources.

Project Description

The Tulare County General Plan 2030 Update establishes a planning framework and policies for the planning period to 2030 and is considered a comprehensive update of the County of Tulare's current General Plan.

The DEIR used a programmatic evaluation where impacts have been assessed for the overall general plan along with the various planning areas that comprise the County. In keeping with the primary objectives of the General Plan 2030 Update, the majority of impacts to important farmlands are expected to occur within the future growth areas of the County.

Assuming full build-out of the Rural Valley Lands Plan for unincorporated community areas, implementation of the 2030 Update would convert up to 59,435 acres of important farmlands within this portion of the County. Prime farmlands would account for an estimated 42,645 acres, or a majority of the total number of converted acres within the Rural Valley Lands Plan Area. Projected growth within the unincorporated community areas of the Foothill Growth Management Plan Area would convert smaller amounts of important farmland (approximately 210 acres).

Division Comments:

The County already has numerous policies in place to deter development in agricultural areas and to protect existing agricultural lands currently in production. In addition to these policies, the County is proposing an Agricultural Conservation Easement Program. Although direct

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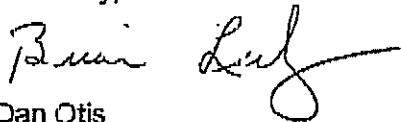
conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, adoption and implementation of this policy would partially offset some of those impacts. The proposed policy is as follows:

AG-1.6 Conversion Easements. *The County may develop an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in the Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conservation of important agricultural land to nonagricultural use. The ACEP shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation.*

The Division supports this strategy and believes that it would be beneficial to the County to adopt AG-1.6 and make it a permanent policy under the updated General Plan.

Thank you for giving us the opportunity to comment on the Tulare County General Plan 2030 Update. Please provide this Department with the date of any hearings for this particular action, and any staff reports pertaining to it. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

Sincerely,



Dan Otis
Program Manager
Williamson Act Program

cc: State Clearinghouse