

The CALFED Bay-Delta Program is the most ambitious and comprehensive undertaking of its kind in the United States. It embodies several program components when integrated together form a strategy to ensure a healthy ecosystem, reliable water supplies, good water quality, and stable levees in California's Bay-Delta. These components include an Ecosystem Restoration Program, a Water Use Efficiency Program, a Water Quality Program, a Levee System Integrity Program, a Watershed Management Program, a Water Transfers Policy, a Storage and Conveyance component, and an Assurances and Financing Package. When taken as a whole the CALFED Bay-Delta Program will meet the above-stated objectives while adhering to a set of six Solution Principles. According to these principles the solution must: 1) reduce conflicts among beneficial uses of water; 2) be equitable; 3) be affordable; 4) be durable; 5) be implementable; and 6) have no significant redirected impacts.

While the CALFED Program may offer many potential benefits to agriculture, it is apparent that each CALFED program element could result in significant impacts to the California agricultural resource base, particularly agricultural land, agricultural water supply, and agricultural water quality. These impacts may have associated socio-economic impacts to local communities, local jurisdictions, and local economies. It is imperative that these impacts be identified and disclosed in the Programmatic EIR/EIS in order to assure continued collaboration of all stakeholders with the CALFED Program.

Since agricultural land and its associated water are finite resources, the loss of this productive use is considered a significant adverse impact to the existing environment which must be avoided, reduced, or mitigated to a level of insignificance. Programmatic alternatives and measures to avoid, reduce, and mitigate impacts on agriculture are needed at the programmatic level.

It is agriculture's position that to maintain consistency with the CALFED Solution Principles and the Governor's Water Policy, identifying these agricultural resources impacts as unmitigable with an accompanying Statement of Overriding Consideration in the CEQA document is unacceptable. Appropriate mitigation measures at both the programmatic and project specific levels exist, are feasible, and implementable.

There is a long history of State public policy that recognizes the importance of prime and unique farmland and farmland of state-wide importance. These policies establish a solid foundation to support a CALFED action to develop a comprehensive mitigation strategy to address adverse impacts to agricultural resources. General State policies include:

- One of the major principles of the state's agricultural policy shall be to sustain the long-term productivity of the state's farms by conserving and protecting the soil, water, and air which are agriculture's basic resources. In promoting and protecting the agricultural industry, the Legislature will review actions for their effects on 13 factors, including productive agricultural land, and agricultural water supplies. (Thurman Agricultural Policy Act; FAC Sec. 821, 822)

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- The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and nutritious food for future residents of this state and nation. (Williamson Act; GC Sec. 51220 (a))
 - The conservation of soil and water resources is of fundamental importance to the state's prosperity and welfare, including the conservation of farms, range, and other uses. (PRC Sec. 9001)
 - The agricultural lands of the state contribute substantially to the state, national, and world food supply and are a vital part of the state's economy. (PRC Sec. 10201)
 - It is the intent of the Legislature to protect farming and ranching operations in agricultural areas from nonfarm or nonranch land uses that may hinder and curtail farming or ranching operations and encourage long-term conservation of productive agricultural lands in order to protect the agricultural economy of rural communities, as well as that of the state, for future generations of Californians. (PRC Sec. 10202)
 - The legislature recognizes that premature and unnecessary development of agricultural lands to urban uses continues to have adverse effects on the availability of such lands for agricultural uses and on the economy of the state. (Resolution Ch 81, Statutes of 1981)
 - The maximum amount of prime agricultural land in the coastal zone shall be maintained in production to protect the agricultural economy. (CA Coastal Act; PRC Sec. 30241)
- Lands suitable for agricultural use shall not be converted to nonagricultural uses unless continued agricultural use is not feasible or such conversion would preserve prime agricultural land. (PRC Sec. 30242)
- No agricultural activity, operation, or facility conducted for commercial purposes, in a manner consistent with proper and accepted customs shall become a nuisance due to any changed condition in or about the locality, after it has been in operation for more than 3 years. (Civil Code Sec. 3482.5)

There is also extensive Federal policy that supports the protection of agricultural lands. The Federal Farmland Protection Policy Act of 1981 (FPPA) provided for the development and use of the LISA model to assess the impacts of Federal projects on agricultural land. The final assessment methodology was approved in June, 1994. This methodology was used (inaccurately) in the Prospect Island project environmental documentation. There is additional federal intent language in the Farming for the Future Act of 1988, and the Farmland Protection Program included in the Federal Agricultural Improvement and Reform Act of 1996. Congressional intent language includes: the Nation's farmland is "a unique natural resource", and that each year "a large amount of the Nation's farmland" was being "irrevoably converted from actual or potential agricultural use to non agricultural use," in may cases as a result of .

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action taken or assisted by the federal government. The FPPA directs federal agencies to identify and take into account the adverse effects of federal programs on the preservation of farmland; consider alternative actions, as appropriate, that could lessen such adverse effects; and assure that such federal programs, to the extent practicable, are compatible with state government, local government, and private programs and policies to protect farmland. (Fed. Reg., June 17, 1994, p 31110)

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