



**Agricultural Resources Report
Rancho Guejito Wine Tasting Facility
and Event Center
San Diego County, California
Project #PDS2020-MUP-20-001 and
PDS2020-ER-20-09-001**

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- 1: Williamson Act Contract and Notice of Non-Renewal
- 2: California Farm Bureau Federation Response Letter
- 3: LARA Model Instructions

Glossary of Terms and Acronyms

CDC	California Department of Conservation
CEC	California Education Code
CEQA	California Environmental Quality Act
County	County of San Diego
County Guidelines	County of San Diego Guidelines for Determining Significance - Agricultural Resources
FMMP	Farmland Mapping and Monitoring Program
GIS	Geographic Information System
LARA	Local Area Resources Assessment
LCC	Land Compatibility Classification
MHPA	Multiple Habitat Planning Area
MUP	Major Use Permit
NRCS	Natural Resources Conservation Service
SDCWA	San Diego County Water Authority
SR-78	State Route 78
USDA	United States Department of Agriculture
USGS	United States Geological Survey
ZOI	Zone of Influence

Summary

This technical report evaluates the potential for adverse impacts to agricultural resources to result from implementation of the Rancho Guejito Wine Tasting Facility and Event Center (project). Consistent with the County of San Diego Guidelines for Determining Significance - Agricultural Resources (County Guidelines), a Local Agricultural Resources Assessment (LARA) Model was prepared for the approximately 404-acre Major Use Permit (MUP) area. The LARA Model found that the site is an important agricultural resource (refer to subchapter 2.1). However, consistent with the County Guidelines, impacts to an important on-site agricultural resource would only result where the project would substantially impair the ongoing viability of the site for agricultural use as a result of conversion of agricultural resources that meet the soil quality criteria for Prime Farmland or Farmland of Statewide Importance, as defined by the Farmland Mapping and Monitoring Program (FMMP). As discussed throughout this report, the proposed wine tasting facility and event center would be supportive of the continuation of agriculture on the project site by providing an additional source of income potential on the property to support continued agricultural operations on the remainder of the project site. According to the County Guidelines, the determination whether the project would substantially impair the viability of an important agricultural resource that meets the soil quality criteria for Prime or Statewide Importance is primarily based on the extent to which the project avoids the resources and the extent to which the remaining resource would be viable for agricultural use. Projects that substantially avoid impacts to Prime and Statewide Importance soils while maintaining agricultural viability would not typically substantially impair the ongoing viability of the site for agricultural use. Furthermore, the continuation of agricultural uses within the remainder of the project site would be consistent with the proposed use as the agricultural use represents a visual amenity for the wine tasting facility and event center use and the proposed use does not interfere with continued on-site agricultural use. No land use conflicts or indirect impacts were identified related to the proposed wine tasting facility and event center and the existing on-site or surrounding agricultural uses.

The project site is currently subject to a Williamson Act Contract and is within an Agricultural Preserve. A notice of non-renewal of Williamson Act Contract 71-16 was filed in September 2013, with an effective date of January 1, 2014. Williamson Act Contract will be terminated effective January 2024. In order to avoid conflicts with the Williamson Act Contract, the applicant has agreed not to initiate activities associated with the event center until the contract has expired. Consistent with County zoning regulations for Agricultural Preserves, the project would comply with all provisions of the Williamson Act and would not be incompatible with the ongoing agricultural uses on any land within the agricultural preserve. No land use conflicts have been identified. All potential impacts would be less than significant and no mitigation would be required.

1.0 Introduction

1.1 Purpose of the Report

This technical report evaluates the potential for implementation of the Rancho Guejito Wine Tasting Facility and Event Center (project) to result in a potentially significant impact on agricultural resources. The analysis and findings in this report are based on guidance and thresholds presented in the County of San Diego Guidelines for Determining Significance – Agricultural Resources (County Guidelines). The report provides analysis as follows:

- To determine the importance of on-site agricultural resources and assess the potential impacts to those resources
- To determine potential impacts to surrounding active off-site agricultural operations and/or lands under a Williamson Act Contract.
- To address potential land use conflicts related to the proposed wine tasting facility and event center in relation to surrounding agricultural operations.
- To address consistency with General Plan policies pertaining to agriculture.
- To determine the significance of cumulative impacts to agricultural resources.
- To identify project design elements and/or mitigation measures, if needed, that would minimize significant adverse effects.

1.2 Project Location and Description

1.2.1 Project Description

The project is a Major Use Permit (MUP) to expand an existing winery to include a wine tasting facility and an event center. An existing small winery exists on the project site that was approved under an administrative permit. The small winery would remain and the MUP would exclude the area regulated by the administrative permit. The project includes the construction of a wine tasting facility and event center, along with associated parking lots, outdoor areas, fire water storage and storm water infiltration facilities within a 5.6-acre project impact area. The wine tasting facility would include a wine bar and seating area, offices, restrooms, merchandise display areas, wine storage and refrigeration, a commercial kitchen, and food storage area. Outdoor areas would include a 1,500-square-foot covered patio and lawn area for events. The event center would include two buildings that would accommodate bathrooms, changing and lounge rooms, a catering kitchen, and banquet area that would allow amplified music. While the project impact footprint is limited to an approximately 5.6-acre area in the southern portion of the MUP boundary, the MUP would specify allowed activities within the remainder of the MUP area. Allowed activities would include hayrides, picnicking, or future uses associated with the wine tasting operations, subject to any permitting requirements that might be in effect at that time. Such activities

would be secondary to the agricultural use and would not involve permanent structures, new impervious surfaces or impacts.

To accommodate the project, an existing abandoned home and associated farm buildings and an unoccupied modular office would be removed. Additionally, the project includes a fire water storage tank approximately 1,360 feet north of the wine tasting-event center complex adjacent to an existing farm road within a previously disturbed area. Pipes from the fire water storage tank would be installed within existing disturbed farm roads.

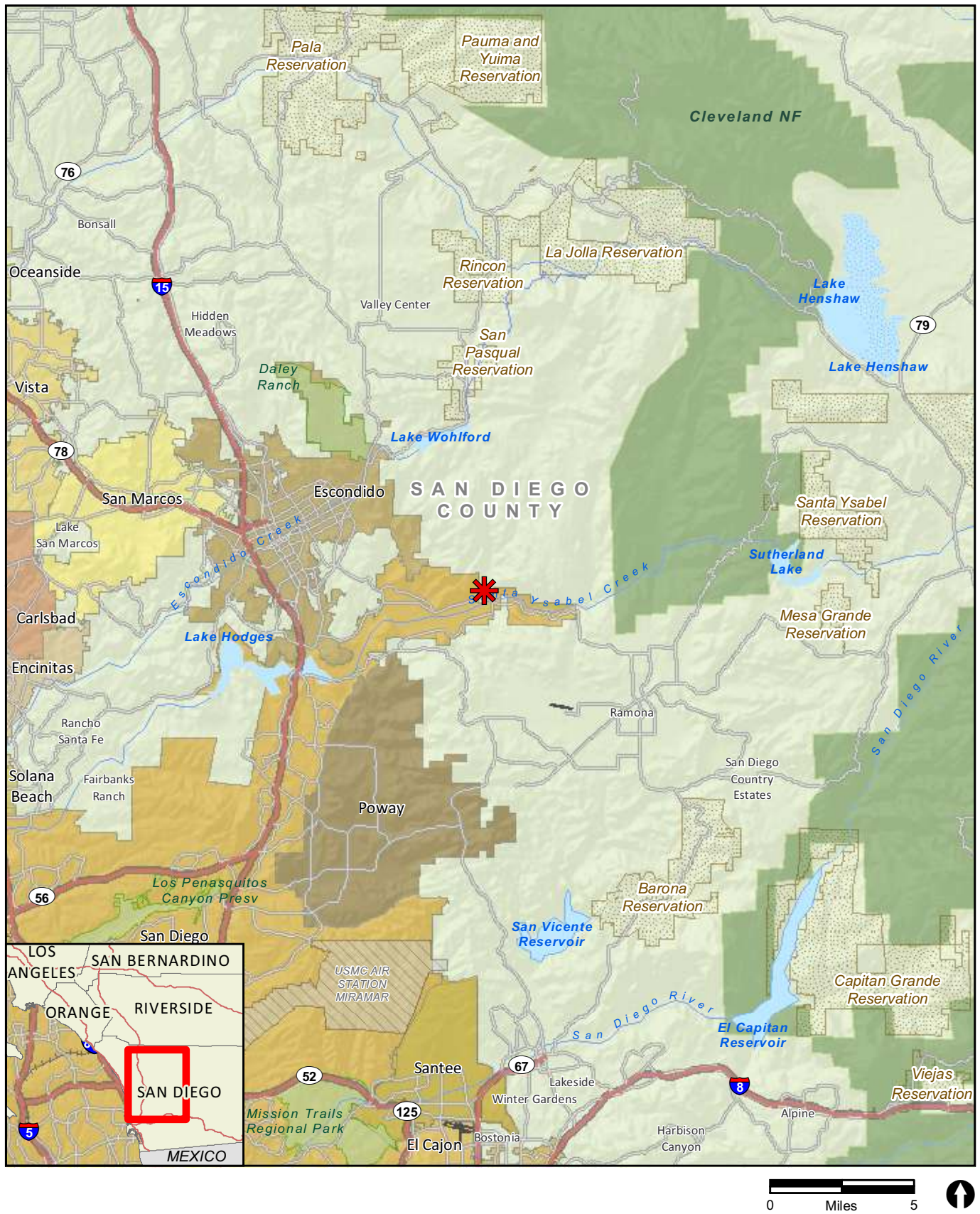
1.2.2 Project Location

The approximately 404-acre MUP area is located just north of San Pasqual Valley Road at 17224 San Pasqual Valley Road, in the North County Metro Subregional Plan area, within unincorporated San Diego County. The MUP is located within Rockwood Canyon, with the proposed 5.6-acre project footprint of the wine tasting facility and event center located at the southern end of the project area near San Pasqual Valley Road. The project site is subject to the General Plan Regional Category Rural Lands, Land Use Designation RL-40 within the North County Metro Subregional Plan area. The Land Use Designation is A70 (Limited Agriculture) and the Use Regulation is A72 (General Agriculture). Figure 1 presents the regional location. Figure 2 presents the project footprint for the wine tasting facility and event center and the larger MUP boundary on a United States Geological Survey (USGS) Map, and Figure 3 presents the same project boundaries on an aerial photograph.

The project footprint for the 5.6-acre wine tasting facility and event center would be located within an area that contains an active agricultural operation in addition to farm roads, an abandoned home, associated farm buildings, and a modular office that would be removed to accommodate the project. The wine tasting facility and event center would be located approximately 320 feet northwest of the existing Rockwood Ranch house and associated farm structures, which are associated with the existing small winery operating under the administrative permit. Grading would occur 240 feet north of State Route 78 (SR-78) and 220 feet east the edge of Guejito Creek (defined as the top of the berm that confines the creek in this area). The fire water storage tank would be located approximately 1,360 feet north of the wine tasting-event center complex.

1.2.3 Project's Component Parts

The project includes construction of a wine tasting facility and event center. Figure 4 presents the proposed site plan. Each project component is discussed in greater detail below.




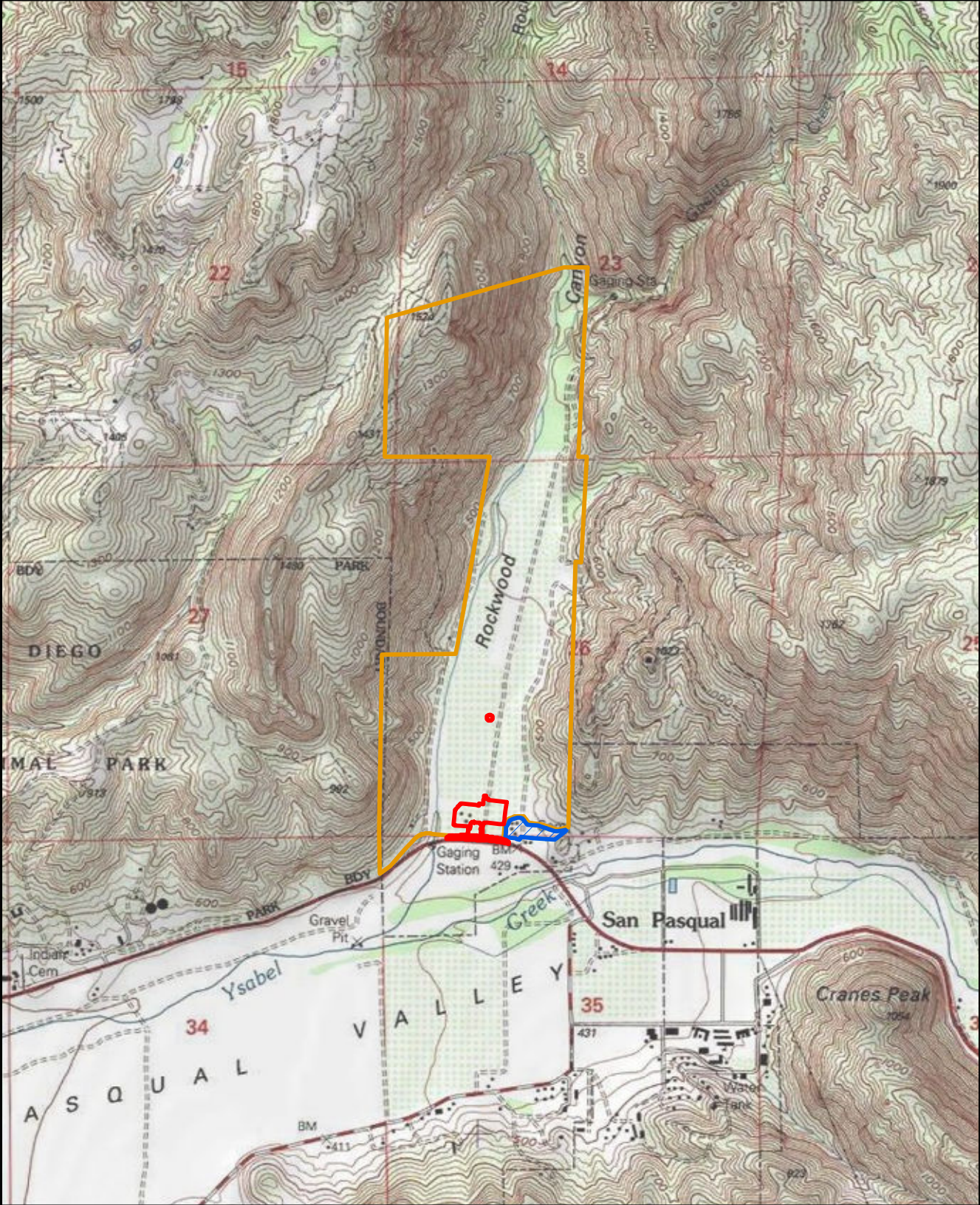



 Project Location

FIGURE 1
Regional Location



-  Project Footprint
-  MUP Boundary
-  Not A Part (Portion of Existing Admin Permit)

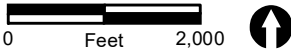
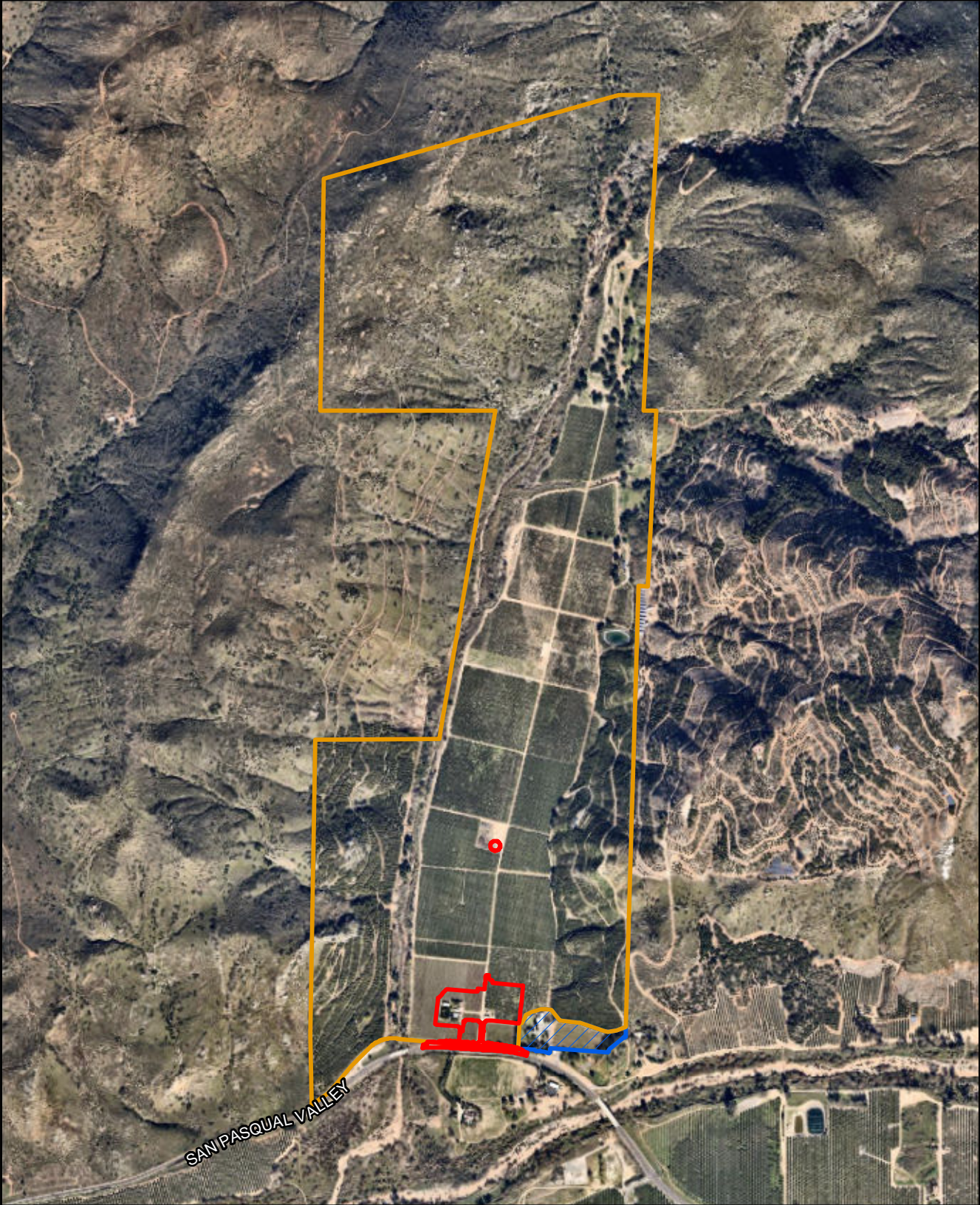





FIGURE 2
Project Location on USGS Map



-  Project Footprint
-  MUP Boundary
-  Not A Part (Portion of Existing Admin Permit)

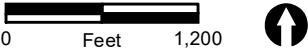
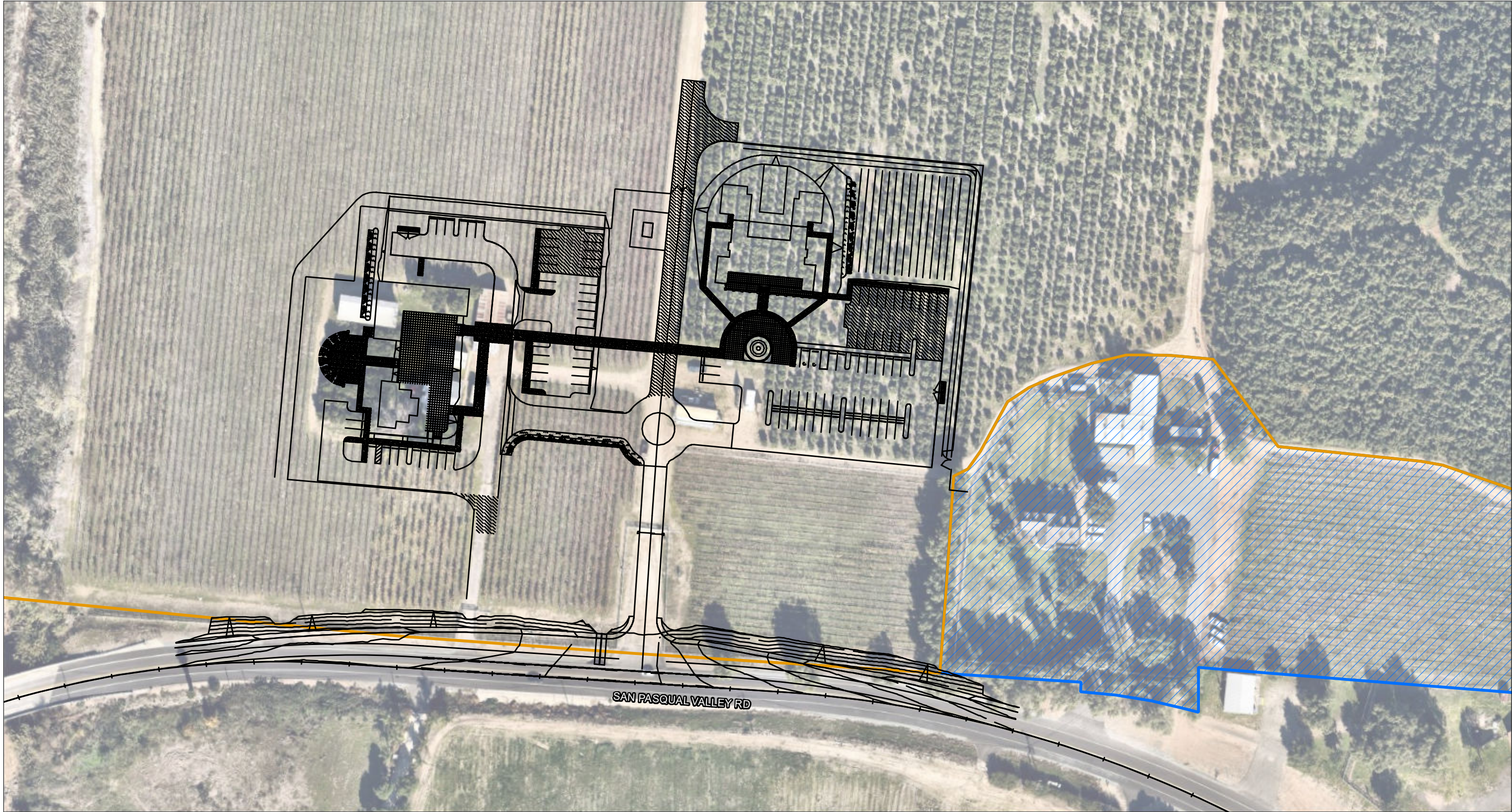


FIGURE 3
Project Location on Aerial Photograph



- Site Plan
- MUP Boundary
- ▨ Not A Part (Portion of Existing Admin Permit)

FIGURE 4
Site Plan

1.2.3.1 Tasting Facility

The proposed tasting facility would be a 4,283-square-foot, single-story building with a commercial kitchen, wine bar, and seating areas for tasting, offices, restrooms, merchandise display areas, wine storage, and refrigerated and non-refrigerated food storage areas. The commercial kitchen would serve food to wine tasting patrons or provide food for the event center. The tasting facility would also include an outdoor covered patio and lawn areas for tasting and private events. The front and rear covered patios would total 1,500 square feet with the majority of the outdoor areas located north of the building. This provides shielding from noise generated by traffic on SR-78.

Forty-one standard sized parking spaces, three handicap-accessible, and twenty overflow spaces would be provided for the tasting facility. The standard sized and handicap accessible spaces would be on an asphalt surface, and the overflow spaces would be located on a semi-pervious surface.

The tasting facility building, patios, parking areas, and improvements to existing ingress and egress roads would cover approximately 2.9 acres of the total 5.6-acre disturbance area. A large fountain in front of the tasting facility would be surrounded by permeable pavers, allowing this area to be used to drop off passengers. Adjacent planted areas and Americans with Disabilities Act (ADA) accessible concrete walkways would provide a transition from the parking areas to the tasting facility. Low voltage lighting would be installed where needed for safety and decorative purposes.

The tasting facility would include a 1,612-square-foot future expansion area consisting of two additional rooms that could be used for merchandise sales, meetings, small events within the parameters of the permit, private wine tasting, or as an expansion of the proposed uses. These additions would require separate building permits. The parking lots, fire storage and pump house, and wastewater treatment system have been sized to include the 1,612-square-foot expansion area. Occupancy of the tasting facility would be 185 people, increasing to 201 people if the expansion areas are constructed.

The tasting facility would serve wine made using grapes from Rancho Guejito and elsewhere in compliance with the Tiered Winery Ordinance. Tasting facility operations would be allowed from 10:00 a.m. until 10:00 p.m.

1.2.3.2 Event Center

The event center would consist of two buildings. The event logistics and lounge suite area would be a 1,500-square-foot building with restrooms, changing and lounging areas, and a small kitchenette that could store snacks and drinks for those using the area. Low voltage lighting would be installed where needed for safety and decorative purposes. There would also be a lounge suite that would allow a guest or guests to spend the night before or after their event. Decks totaling 915 square feet would provide additional seating and lounging areas and would overlook a central plaza area that could be the site of event activities. The 3,700-square-foot banquet barn would be located on the other side of the central plaza. The

banquet barn would include a catering kitchen to allow food to be brought in by an off-site caterer, reheated if necessary and served. Both the plaza and barn could accommodate amplified music, seating, dancing, food serving areas, and other activities that are generally associated with weddings, quinceañeras, anniversary parties, corporate events, and other similar types of functions. A driveway would be extended to this area from the existing central farm road. As with the tasting facility, event center operations would be allowed from 10:00 a.m. until 10:00 p.m.

Thirty-six standard parking spaces, one handicap accessible, and ten overflow parking spaces would be provided for event attendees and service personnel. The standard and handicap spaces would be on asphalt, and the overflow spaces would be a permeable surface.

1.2.3.3 Construction

Approximately 3,450 cubic yards of dirt would be imported for construction of the tasting facility and event center, the road base, parking lot construction, and other associated structures. The area to be disturbed is 5.6 acres (5.5 acres for the tasting facility/event center and associated roads, parking, landscaped areas, fountain, and water line installation, and fire pump house and 0.1 acre for the fire water storage tank). The entire 5.6 acres to be graded has been in various types of agriculture for decades with the exception of areas that have been used as farm roads or with existing structures to be demolished. No natural vegetation would be disturbed. As noted below, approximately 3.57 of the 5.6 acres are currently in agricultural use.

The tasting facility and event center may not be constructed at the same time. Either may be constructed first, with the other facility being constructed as the market dictates. For this reason, the tasting facility and event center each have their own wastewater disposal system and separate parking.

1.3 Analysis Methods

The methodology in this analysis includes the following steps:

- Review or use of the following informational sources or documents: (1) California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (FMMP) data bases; (2) Williamson Act contract records; (3) soil data bases; and (4) San Diego County General Plan, North County Metro Community Plan, and Zoning Ordinance documents.
- Utilize the Local Agricultural Resources Assessment (LARA), to assess the relative value of the agricultural resources within the project site.
- Identify whether impacts to important agricultural resources, as determined by the LARA model, would substantially impair the ongoing viability of the site for agricultural use.

- Evaluate Williamson Act contract, agricultural preserve, or agricultural zoning consistency or conflicts.
- Evaluate indirect impacts on- and off-site, as a result of project implementation, and determine whether agricultural conversion will occur indirectly.
- Discuss potential land use conflicts, between ongoing agriculture and the proposed wine tasting facility and event center.
- Evaluate potential cumulative impacts to agricultural resources.

1.4 Environmental Setting

1.4.1 Regional Context

The approximately 404-acre MUP area is located just north of San Pasqual Valley Road within the North County Metro Subregional Plan area of the unincorporated county. The project site is generally located within Rockwood Canyon which is a canyon perpendicular to the north of San Pasqual Valley. Santa Ysabel Creek and the San Pasqual Valley, which is home to intensive active agricultural operations, are both located south of the project site. The City of San Diego borders the project site to the west and south, and to the east within the southern reaches of the project site (see Figure 1). The San Diego Zoo Safari Park is located just west of the project area.

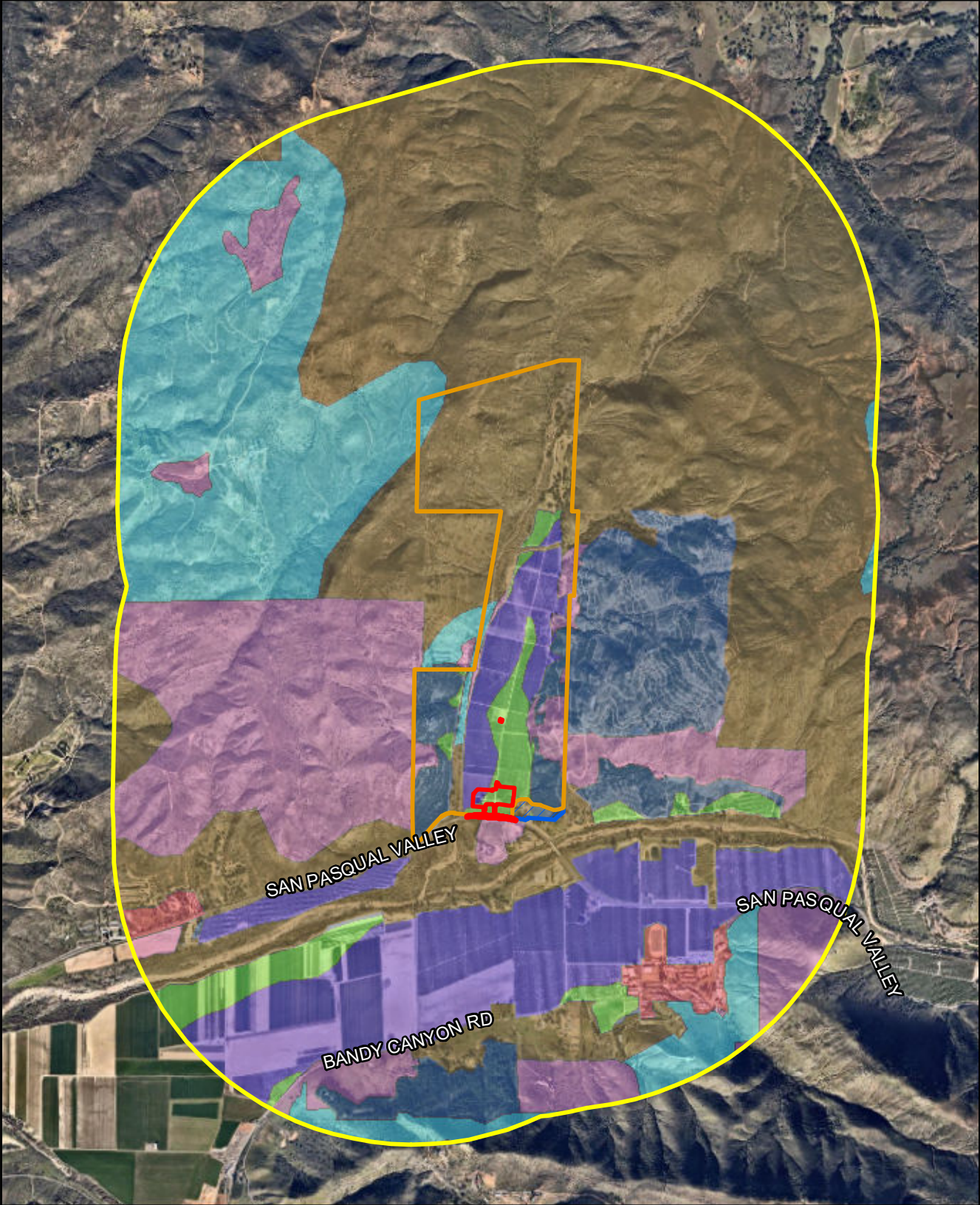
Primary land uses surrounding the project site include active agricultural operations and natural lands/open space. Two single-family residences are located south of the project site, south of San Pasqual Valley Road. Additional land uses surrounding the project site include low-density, scattered residential uses.

1.4.2 On-site Agricultural Resources

Approximately 153.9 acres of the 404-acre project site is in agricultural production. The project site is relatively flat, with the agricultural operations focused along the flatter canyon bottom area of Rockwood Canyon.

Figure 5 presents the distribution of FMMP resources within the MUP boundary and surrounding one-mile buffer. According to the Important Farmlands Inventory Map, the overall MUP boundary and vicinity includes the following farmland classifications: Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Grazing Land, Other Land, and Urban and Built-up Land.

Approximately 3.57 acres of the 5.6-acre project footprint associated with the proposed wine tasting and event center is in agricultural production including wine grapes, avocados, and various types of citrus fruit. Other areas within the project footprint contain existing farm roads, an existing abandoned home and associated farm buildings, and an unoccupied modular office that would be removed.



- Project Footprint

MUP Boundary

Not A Part (Portion of Existing Admin Permit)

One-Mile Buffer

Farmland of Statewide Importance

Grazing Land

Prime Farmland

Unique Farmland

Urban and Built Up Land

Other Land

Farmland of Local Importance



FIGURE 5
Regional FMMP Resources

Rockwood Canyon has a long history of agricultural production. Rockwood built his farmhouse in 1883, now referred to as the Rockwood Ranch house. The Rockwood Ranch house operates as a private residence and as the Rancho Guejito headquarters within the existing administrative permit area. No natural vegetation exists within 330 feet of the tasting facility-event center area.

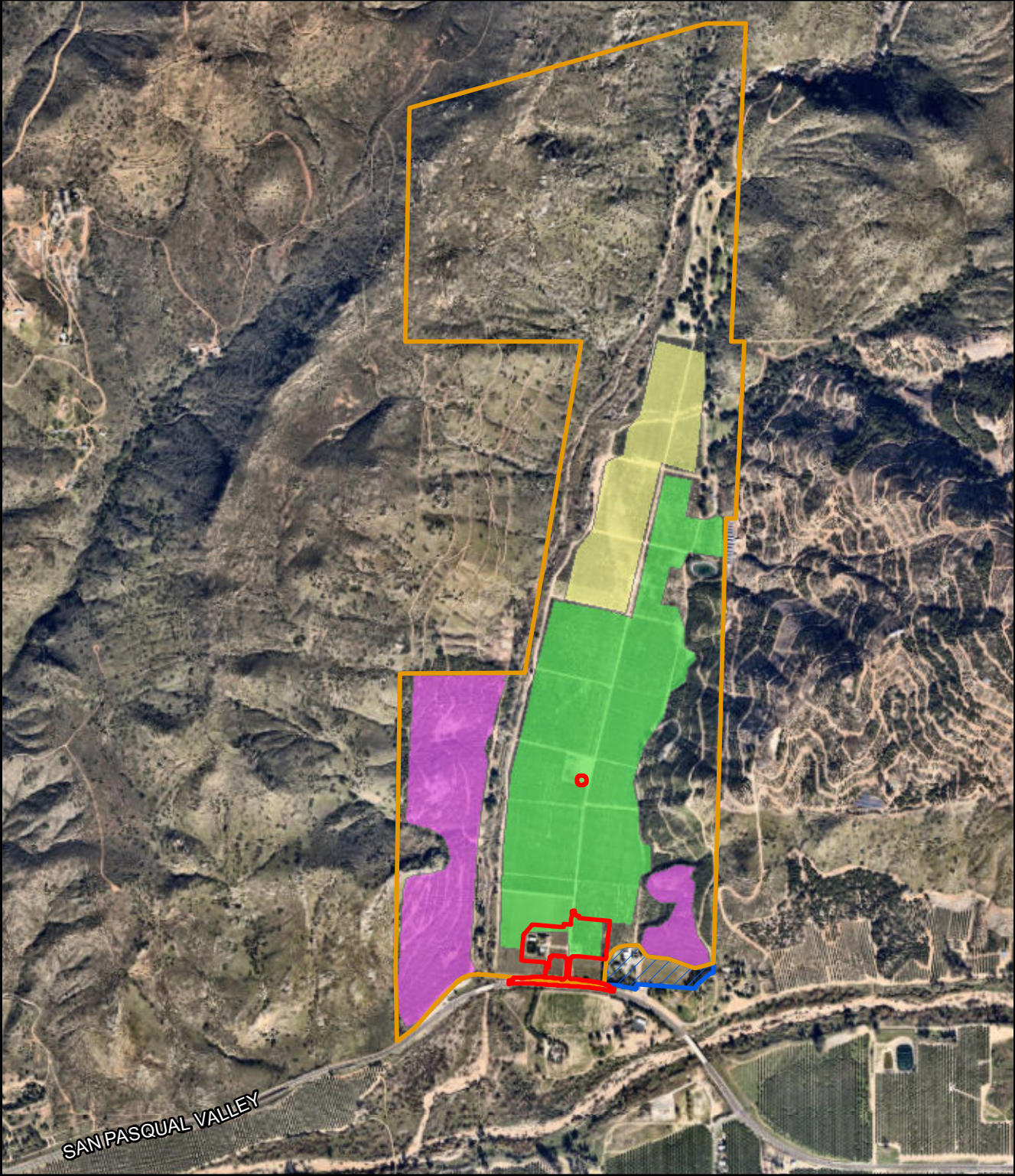
Figure 6 presents the distribution of existing agricultural resources within the MUP boundary as mapped by SANGIS. Agricultural resources within the MUP boundary include land classified as citrus groves and vineyards, avocados, and pasture (hay/oat). The remainder of the MUP area includes natural undisturbed land.

1.4.2.1 Soils

The U.S. Department of Agriculture (USDA) Soil Conservation Service, replaced by the Natural Resources Conservation Service (NRCS) in 1994, developed a system to generally classify soil types. The land capability classification describes soils types, their physical characteristics and limitations, and their suitability for agriculture and other uses. The Soil Conservation Service grouped soils according to their general suitability for most kinds of field crops. The capability system groups all soils into three levels: the capability class, subclass, and unit. The capability class is designated by Roman numerals I through VIII. The numbers indicate progressively greater limitations and narrower choices for practical use. Soils with few limitations that restrict their use for agriculture are placed in Capability Class I. Soils with very severe agricultural limitations, and which would affect management or choice of crop, are placed in Capability Class IV. Some soils have limitations that render them agriculturally impractical, and are placed in Classes V through VIII.

Capability subclasses, of which there are four, are soil groups within one class. Adding a small letter (e, w, s, or c), to the class numeral (for example, I-e) designates them. The letter “e” shows that the main hazard is the risk of erosion; “w” shows that water in or on the soil interferes with plant growth or cultivation; “s” shows that the soil is limited mainly because it is shallow, droughty, or stony; and “c,” used in only some parts of the United States, shows that climate, either very cold or very dry, is a limiting factor.

Capability units are soil groups within a subclass which further define soil characteristics and/or limitations to their use. Adding an Arabic numeral to the subclass symbol, for example, IIe-4 and IIIe-6, generally designates capability units. Thus, the Roman numeral designates the capability class, or degree of limitation; the small letter indicates the subclass, or kind of limitation; and the Arabic numeral specifically identifies the capability unit within each subclass, as follows: (0) sand and gravel in the substratum; (1) erosion hazard; (2) wetness caused by poor drainage or flooding; (3) slow or very slow permeability; (4) coarse texture or excessive gravel; (5) fine or very fine textured soil; (6) salts or alkali; (7) cobblestones, stones or rocks; (8) nearly impervious bedrock or hardpan; and (9) toxicity or low fertility. These units are not given in all soil surveys.



- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)

- Agricultural Resources**
- Avocado
 - Citrus Groves and Vineyards
 - Pasture (Hay/Oat)

FIGURE 6
Existing On-site Agricultural Resources

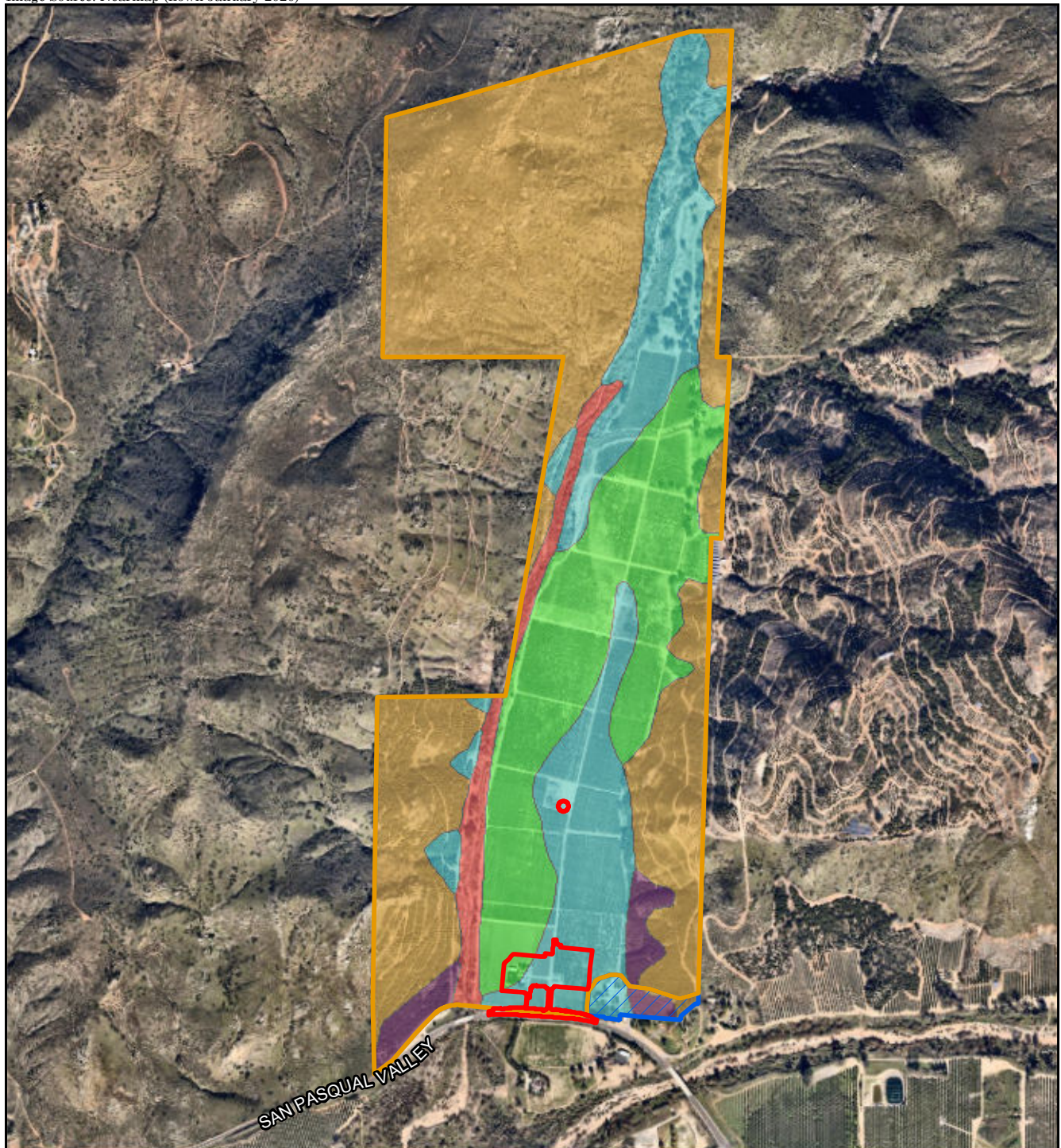
The Storie Index provides another way to classify the value of agricultural soils. The Storie Index expresses numerically the relative degree of suitability and grade of a soil for intensive agriculture based on soil characteristics. Soils of grade 1 (i.e., index rating of 80 to 100) have few or no limitations restricting their use for crops, whereas at the other end of the scale, grade 6 (i.e., index rating of less than 10) consists of soils that generally are not suited to farming.




Figure 7 presents the distribution of soil types within the project footprint and the larger MUP boundary. The on-site soils and their associated acreages, capability units, and Storie Index ratings within the MUP boundary are presented in Table 1. Their characteristics are taken from the USDA Soil Surveys for San Diego County (1973a).

Soils within the project site consist of sandy loams and sandy riverwash soils. Soil series include Cieneba-Fallbrook rocky sandy loams, 30 to 65 percent slopes; Ramona sandy loam, 9 to 15 percent slopes, eroded; Visalia sandy loam, 0 to 2 percent slopes; Tujunga sand, 0 to 5 percent slopes; and Riverwash (USDA 1973a). Crop suitability for each soil type is listed in Table 1.






The CDC publishes a list of soils that meet the soil quality criteria to be classified as Prime Farmland and Farmland of Statewide Importance. The soil criteria are defined by the NRCS and are unique to each county. These soil criteria include a much broader range of soils than the Prime Agricultural Land definition in Government Code section 51201(c). Within the project site, the Visalia sandy loam, 0 to 2 percent slopes and Tujunga sand, 0 to 5 percent slopes are listed as soil candidates for the FMMP Prime or Statewide Importance Farmland Categories.

Table 1 Soil Types				
Soil Map Unit	Project Acres	Land Compatibility Classification	Storie Index	Crop Suitability from Soil Survey
Cieneba-Fallbrook rocky sandy loams, 30 to 65 percent slopes	203.2	Vie VIIe VIII	9 23 N/A	Avocados -Fair
Ramona sandy loam, 9 to 15 percent slopes, eroded	10.0	IVe	83	Citrus - Fair Tomatoes - Fair Flowers -Fair
Visalia sandy loam, 0 to 2 percent slopes	86.3	IIC	86	Avocadoes - Good Citrus- Good Truck crops- Good Tomatoes – Fair Flowers- Good
Tujunga sand, 0 to 5 percent slopes	88.4	IVe	48	Avocadoes - Good Truck crops- Fair Flowers- Good
Riverwash	15.7	VIII	N/A	N/A
Grand Total	403.7			
SOURCE: USDA 1973b.				
NOTE: Totals may vary due to independent rounding.				



-  Project Footprint
-  MUP Boundary
-  Not A Part (Portion of Existing Admin Permit)

Soil Classification

-  63 - Cieneba-Fallbrook rocky sandy loams, 30 to 65 % slopes, eroded - 203.2 ac (50.3%)
-  185 - Ramona sandy loam, 9 to 15 % slopes, eroded - 9.98 ac (2.5%)
-  196 - Riverwash - 15.73 ac (4%)
-  221 - Tujunga sand, 0 to 5 % slopes - 88.47 ac (21.9%)
-  223 - Visalia sandy loam, 0 to 2 % slopes - 86.33 ac (21.3%)

0 Feet 1,200



FIGURE 7
Soil Types within the Project Site

1.4.2.2 FMMP Farmland Designations

The FMMP is implemented by the CDC, Division of Land Resource Protection, and recognizes the suitability of land for agricultural production. The FMMP is non-regulatory and was developed to inventory land and provide categorical definitions of important farmlands and consistent and impartial data to decision makers for use in assessing present status, reviewing trends, and planning for the future of California's agricultural land resources. The program does not necessarily reflect local General Plan actions, urban needs, changing economic conditions, proximity to market, and other factors, which may be taken into consideration when government considers agricultural land use policies. *Important Farmland Maps*, which are a hybrid of resource quality (soils) and land use information, are produced by the FMMP. In addition, data is released in statistical formats--principally the biennial *California Farmland Conversion Report* (CDC 2010).

The last update for San Diego County was completed in 2018 and reflects land use changes to agriculture, through the year 2016. Figure 5 presents the distribution of FMMP resources within the MUP boundary and surrounding one-mile buffer, while Figure 8 focuses on the distribution of FMMP resources within the MUP boundary. These include lands designated as Prime and Unique Farmlands, Farmland of Statewide and Local Importance, Grazing Land, Urban and Built-up, and Other Land (CDC 2010).

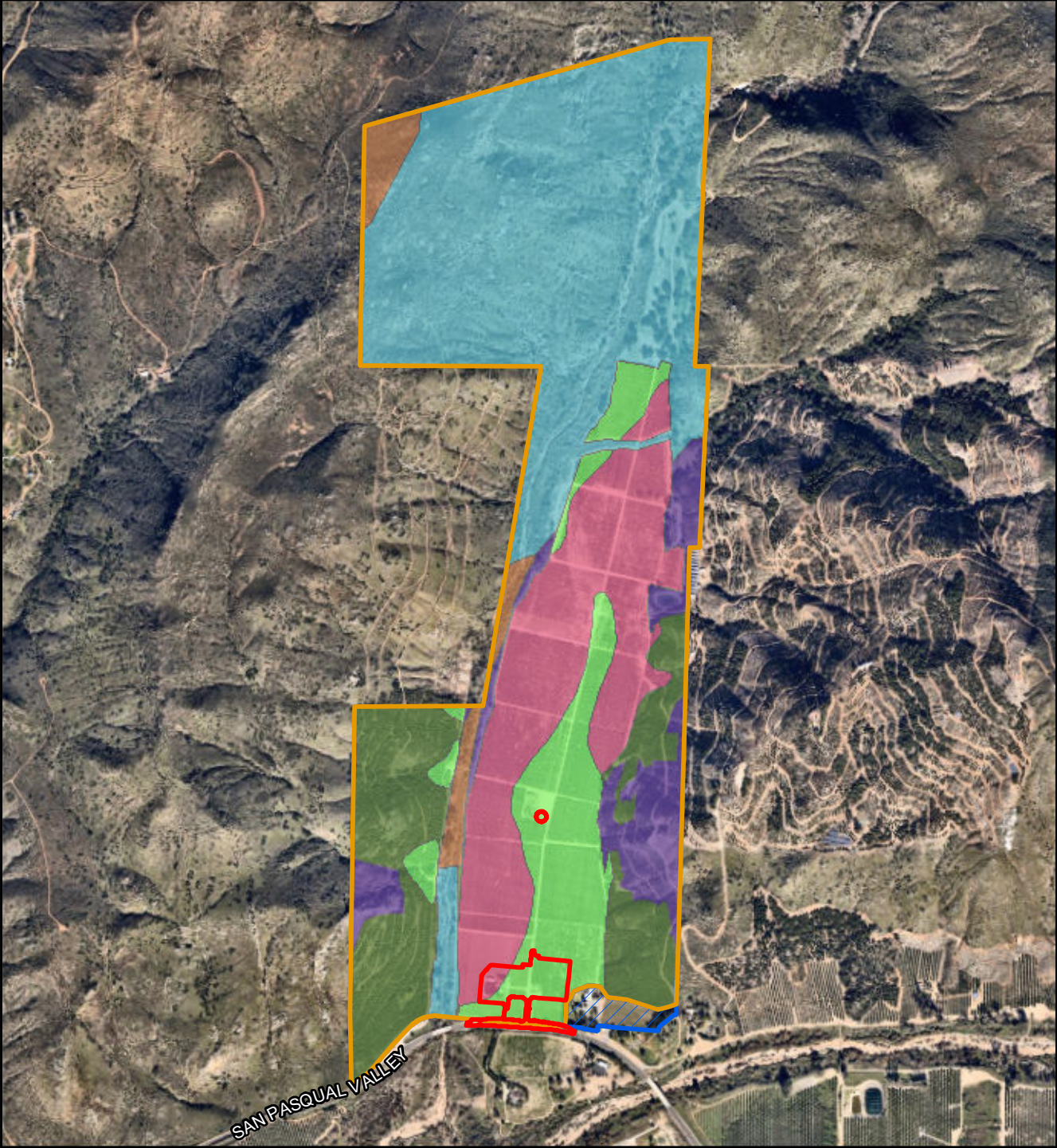
Farmland categories as mapped by the Farmland Mapping and Monitoring Program are shown on Figure 8. Farmland categories are based on soil types, current use of the land, and availability of irrigation water. The project site's Important Farmland Map Categories and the acreage of the FMMP categories are described below and shown on Figure 8.

a. Prime Farmland

Prime Farmland has the most favorable combination of physical and chemical features, enabling it to sustain long-term production of agricultural crops. This land possesses the soil quality, growing season, and moisture supply needed to produce sustained high yields. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to NRCS mapping. The MUP area contains 77.2 acres of prime farmland (19.1 percent).

b. Farmland of Statewide Importance

Farmland of Statewide Importance is similar to Prime Farmland; however, it possesses minor shortcomings, such as greater slopes and/or less ability to store moisture. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to NRCS mapping. The MUP area contains 50.2 acres of Farmland of Statewide Importance (12.9 percent).



- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)

- FMMP Resources**
- Farmland of Local Importance
 - Farmland of Statewide Importance
 - Grazing Land
 - Other Land
 - Prime Farmland
 - Unique Farmland

FIGURE 8
FMMP Resources within the Project Site

c. Unique Farmland

Unique Farmland is of lesser quality soils used for the production of the state's leading agricultural crops. Unique Farmland includes areas that do not meet the above stated criteria for Prime Farmland or Farmland of Statewide Importance, but that have been used for the production of specific high economic value crops during the two update cycles prior to the mapping date. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality and/or high yields of a specific crop when treated and managed according to current farming methods. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date. The MUP area contains 60.5 acres of Unique Farmland (15.0 percent).

d. Farmland of Local Importance

Farmland of Local Importance is important to the local agricultural economy, as determined by the County Board of Supervisors and a local advisory committee. The County defines Farmland of Local Importance as land with the same characteristics as Prime Farmland or Farmland of Statewide Importance with the exception of irrigation. The MUP area contains 30.7 acres of Farmland of Local Importance (7.6 percent).

e. Other Land

Other Land consists of land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides, by urban development and greater than 40 acres is mapped as Other Land. The MUP area contains 171.8 acres of land designated as Other Land (42.6 percent).

f. Grazing Land

Grazing Land is land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres. The MUP area contains 11.5 acres of Grazing Land (2.9 percent).

Table 2 presents the approximate acreage of each of FMMP category within the MUP boundary. The area within the project footprint is mapped as Farmland of Statewide Importance and Prime Farmland.

Table 2		
Acres of FMMP Farmland within MUP and as a Percent of the Entire MUP		
Category	Total Acres	Total Percent of Project Site
Prime Farmland	77.2	19.1%
Unique Farmland	60.5	15.0%
Farmland of Statewide Importance	52.0	12.9%
Farmland of Local Importance	30.7	7.6%
Grazing Land	11.5	2.9%
Other Land	171.8	42.6%
TOTAL	403.7	100.0%

1.4.2.3 Climate

San Diego County is divided into a series of "plantclimates," which are defined as areas "[i]n which specific plants, groups or associations are evident and will grow satisfactorily, assuming water and soil are favorable." Plantclimates in San Diego County occur as a series of five generally north-south trending linear zones, including the Maritime, Coastal, Transitional, Interior and Desert zones. These areas are influenced by factors including topography and proximity to the ocean, and are generally gradational inland, with the project site located in the Transitional Zone (County of San Diego 2007).

Localized climate zones were adapted from the described plantclimates, and are termed Generalized Plantclimate Zones, or Sunset Zones. Sunset Zones differentiate local microclimates, freeze/frost potential, and air/water drainage, based on conditions, such as latitude, elevation, topography, and the influence of oceanic and/or continental air masses. Sunset Zones were not developed as a tool to determine the suitability for commercial agricultural production; therefore, their use is not intended to determine suitability for specific crops. They are a measure of overall climate suitability for the typical agricultural commodities produced in San Diego County (County of San Diego 2007).

The project site is located within Sunset Zone 21, which is rated high because of the mild year-round temperatures and lack of freezing temperatures that allow year-round production of high value crops. The importance of this zone is also related to the conversion pressure that exists due to urban encroachment. Preserving agriculture in Zone 21 is essential to maintain the high returns per acre that are common in this County.

1.4.2.4 Water Resources

The MUP area is not located within the service boundaries of the San Diego County Water Authority (SDCWA). Properties located immediately west and east of the MUP area are served by the SDCWA, but the project site utilizes groundwater for both potable water and irrigation of the on-site agricultural use. It is anticipated that the project would use less groundwater than is currently used by the existing agricultural crops within the project footprint, which consume roughly 9.58 acre-feet per year. It is estimated that the proposed

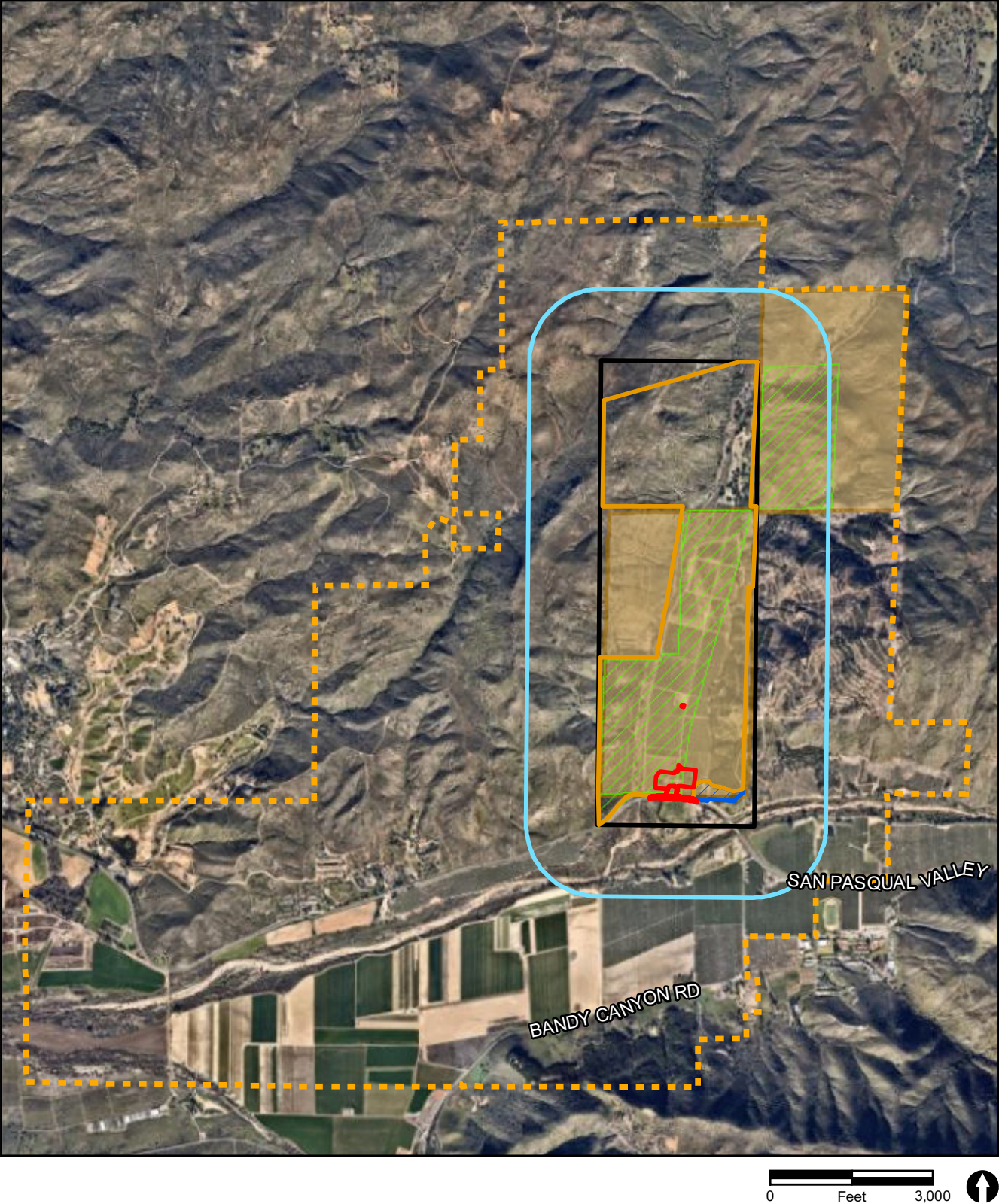
tasting facility and event center would use approximately 1.68 acre-feet/year (Vale Consulting 2020).

1.4.2.5 Williamson Act Contracts and Agricultural Preserves

The California Land Conservation Act of 1965, better known as the Williamson Act (California Administrative Code §51200 et. seq.), creates an arrangement; whereby, private landowners contract with local governments to voluntarily restrict land, to agricultural and open space uses. In return, restricted parcels are assessed for property tax purposes, at a rate consistent with their actual use, rather than potential market value, which saves landowners from 20 percent to 75 percent in property tax liability each year. Agricultural preserves are areas that are eligible for Williamson Act Contracts; the boundaries of the preserve areas are drawn by the County and are adopted by resolution of the Board of Supervisors (U.S. Dept. of Conservation; 2005). In San Diego County, the zoning designation for properties within Agricultural Preserves is supplemented with a special designator pursuant to County Zoning Ordinance section 5102. Pursuant to Zoning Ordinance 5015 and 5110, special findings must be made for uses subject to a Minor Use Permit or a Major Use Permit on lands within an Agricultural Preserve but not under a Land Conservation Contract.

Figure 9 presents the locations of Williamson Act Contracts and Agricultural Preserves within the MUP and surrounding areas. Approximately 238.3 acres of the of the 404-acre MUP area is located within County Agricultural Preserve 20. Additionally, approximately 157.1 acres within this area is also subject to Williamson Act Contract 71-69. The proposed event center would be located within the area that is covered by both County Agricultural Preserve 20 and Williamson Act Contract 71-69. However, the proposed wine tasting facility would be located within the area that is only covered by County Agricultural Preserve 20 and is not covered by Williamson Act Contract 71-69. Additionally, County Agricultural Preserve 39 is located adjacent to the northernmost portion of the MUP eastern boundary (see Figure 9).

In September 2013, the property owner filed a notice of non-renewal for Williamson Act Contract 71-69, which was effective as of January 1, 2014. The non-renewal filing will result in termination of the Williamson Act Contract after a 10-year period ending January 1, 2024. Refer to Attachment 1 for a copy of the Williamson Act Contract and the associated Notice of Non-Renewal. In order to ensure the project would be consistent with the terms of the Williamson Act contract in effect through 2023, the applicant has agreed to not initiate activities associated with event center until the contract has expired. Through correspondence with the California Farm Bureau Federation, the project applicant was able to confirm that the tasting room would be consistent with the terms of the current Williamson Act Contract. In their response letter to the project applicant, the California Farm Bureau Federation stated that “all wine grape growing counties in California allow wineries and tasting rooms as a compatible use on Williamson Act land.” Refer to Attachment 2 for a copy of the response letter from the California Farm Bureau Federation.



Project Footprint

MUP Boundary

Not A Part (Portion of Existing Admin Permit)

Zone of Influence

Envelope

.25-mile Buffer of Envelope

Williams Act Contracts

Agricultural Preserves

1.4.3 Off-site Agricultural Resources

1.4.3.1 Active Agricultural Operations

Figure 10 presents the distribution of off-site agricultural resources surrounding the MUP. The majority of the land surrounding the MUP area is undisturbed native vegetation. However, just south of the project footprint area is an active avocado orchard. Additionally, an avocado orchard is located east of the MUP area.

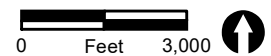
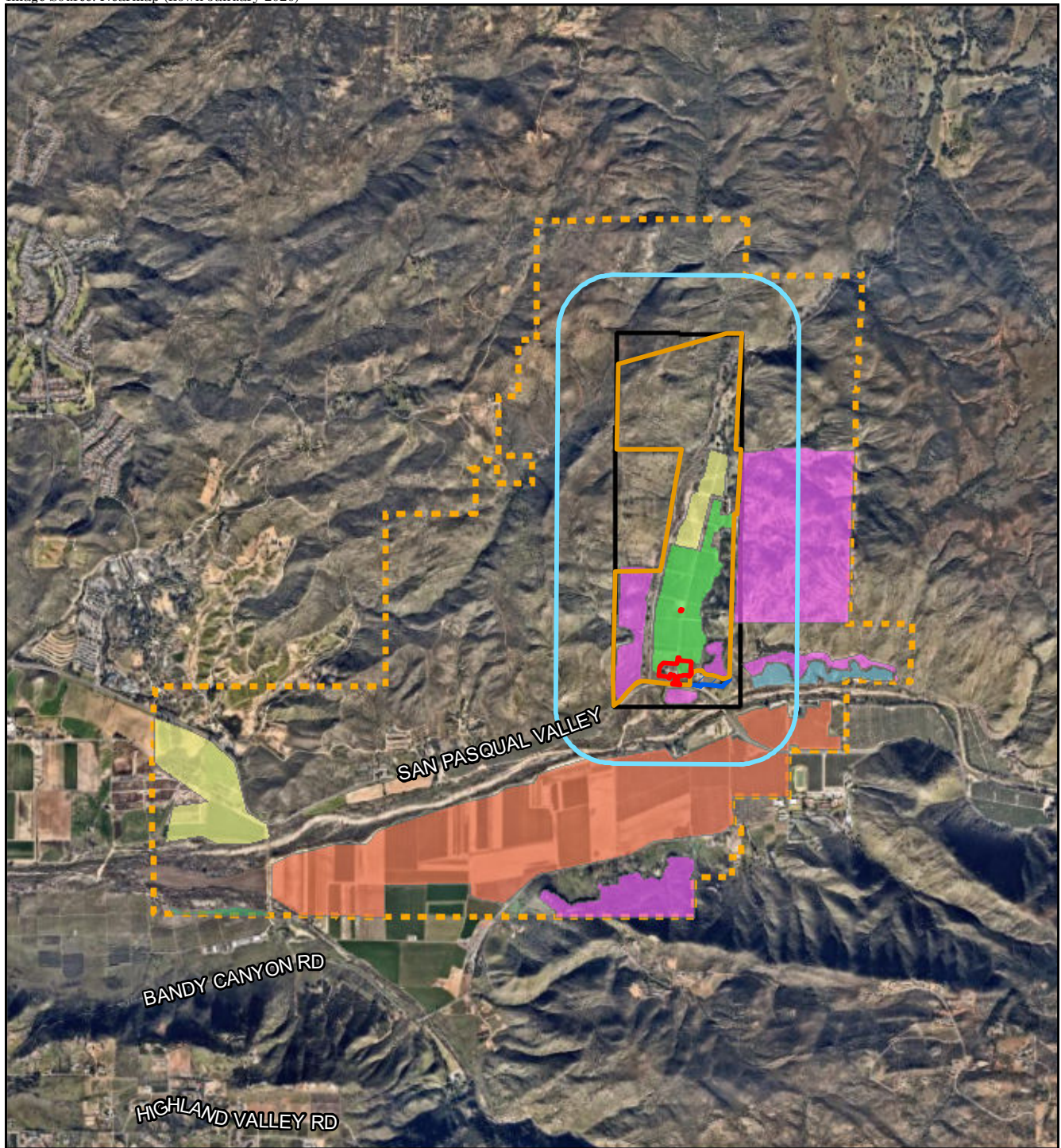
1.4.3.2 Williamson Act Contract Lands/Agricultural Preserves

As described in Section 1.4.2.5 above, County Agricultural Preserve 39 is located adjacent to the northernmost portion of the MUP eastern boundary and that area is under a Williamson Act Contract (see Figure 9). A notice of non-renewal for County for the contracts associated with Agricultural Preserve 20 and 39 was filed in September 2013, with an effective date of January 1, 2014. Williamson Act Contract 71-16 will be terminated effective January 2024. County Zoning Ordinance 5100 et seq. requires special findings, including that the use complies with the Williamson Act and that the proposed use would not be incompatible with the continued agricultural use of any land within the agricultural preserve, for any uses requiring a use permit on parcels within an agricultural preserve but not under a Williamson Act Contract.

1.4.3.3 FMMP Important Farmland Designations

Figure 5 presents the location of FMMP resources within one mile of the MUP area, while Table 3 presents the acreage of each FMMP category within one mile of the MUP area. Land within the one mile surrounding the MUP area includes Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Grazing Land, Other Land, and Urban and Built-up Land. These categories are defined in subchapter 1.4.2.2 and the acreage of the Important Farmland found within the MUP is presented in Table 2 above.

Table 3	
Acres of FMMP Farmland within One Mile of the MUP Area	
Category	Total Acres
Prime Farmland	474.6
Unique Farmland	336.6
Farmland of Statewide Importance	88.3
Farmland of Local Importance	745.2
Grazing Land	768.2
Other Land	2,221.2
Urban and Built-up Land	57.2
TOTAL	4,691.3



- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)
- Zone of Influence
- Envelope
- .25-mile Buffer of Envelope

Agricultural Resources

- Avocado
- Lemon
- Nurseries – Outdoor Flowers
- Citrus Groves and Vineyards
- Pasture (Hay/Oat)
- Row Crops
- Watermelon

FIGURE 10

Off-site Agricultural Resources

1.4.4 Zoning and General Plan Designation

The project site is subject to the General Plan Rural Lands Regional Category and Rural Lands 40 (RL-40) Land Use Designation within the North County Metro Subregional Plan area. The Land Use Designation is A70 (Limited Agriculture) and the Use Regulation is A72 (General Agriculture) The project would demolish an old existing house, farm implement building (barn), and associated sheds that currently exist within the proposed footprint of the wine tasting facility and event center.

Pursuant to the County General Plan, the Rural Lands category identifies areas of the County that are appropriate for very low density privately owned lands that provide for agricultural uses and managed resource production, conservation, and recreation while retaining the rural character of the area. The project is a MUP to allow a wine tasting facility with a commercial kitchen and an event center. These uses are allowed with approval of required MUP findings under the existing Use Regulations. The project demonstrates consistency with the General Plan because the proposed wine tasting facility and event center would support the continuation of the existing on-site agricultural uses on-site while conserving the community character of the North County Metro Subregional area by retaining low density, rural focused land uses.

The project site is also within an Agricultural Preserve. Uses on land subject to a Land Conservation Act contract are restricted to uses set forth in the contract; uses subject to a Major Use Permit on land within an Agricultural Preserve but not subject to a Land Conservation Act contract shall be approved only if special findings are made.

2.0 On-site Agricultural Resources

2.1 Local Agricultural Resource Assessment Model (LARA)

The County has approved a local methodology that is used to determine the importance of agricultural resources, in the unincorporated area of San Diego County, known as the LARA Model. The LARA Model takes into account three Required Factors, including water, climate, soil quality and three Complementary Factors including surrounding land uses, land use consistency, and slope, in determining the importance of agricultural resources.

The following subheadings include a description of the project site's rating for each LARA Model factor, including justification for the factor ratings assigned to the project site. Each factor receives a rating of high, moderate, or low importance, based on site-specific information as detailed, in the LARA Model Instructions (Attachment 3).

2.1.1 LARA Model Required Factors

The following subchapters describe the site-specific conditions for each LARA Model Required Factor rating.

2.1.1.1 Water

The MUP area is not located within the service boundaries of the SDCWA. Properties located immediately west and east of the MUP area are served by the SDCWA, but the project site obtains water solely from on-site groundwater wells for both potable use and irrigation of the on-site agricultural use. Therefore, pursuant to LARA Model Table 4, the project receives a **Moderate** rating.

Table 4 Water Rating		
SDCWA Service Status	Groundwater Aquifer Type	Rating
Inside SDCWA Service area with existing water infrastructure connections and a meter	Any groundwater aquifer type	High
Inside SDCWA Service area with infrastructure connections to the site, but no meter has been installed	The site is located in Alluvial or Sedimentary Aquifer and has an existing well	High
	The site is located in Alluvial or Sedimentary Aquifer and has no existing well	Moderate
	The site is located in Fractured Crystalline Rock and has an existing well	Moderate
	The site is located in Fractured Crystalline Rock and has no existing well	Low
Outside SDCWA or inside SDCWA but infrastructure connections are not available at the site and no meter is installed	The site is located in Alluvial or Sedimentary Aquifer and has well	Moderate
	The site is located in Alluvial or Sedimentary Aquifer and has no existing well	Low
	The site is located in Fractured Crystalline Rock (with or without a well)	Low
	The site is located in a Desert Basin (with or without a well)	Low
SDCWA = San Diego County Water Authority		

2.1.1.2 Climate

The project site lies within Zone 21 of the Sunset Zone plant climates. Sunset Zone 21 is rated high because of the mild year-round temperatures and lack of freezing temperatures that allow year-round production of high value crops. The importance of this zone is also related to the conversion pressure that exists due to urban encroachment. Preserving agriculture in Zone 21 is essential to maintain the high returns per acre that are common in this County. Climate is the essential factor that allows high value production. The loss of significant agricultural lands in Zone 21 would eventually relegate agriculture to areas further east where most of the County's high value crops cannot be viably produced. Zone 21 is also favorable due to its location close to urban areas and transportation infrastructure

which facilitates product delivery to market. Therefore, pursuant to LARA Model Table 5, the project receives a **High** rating.

Table 5	
Western Plantclimate Zones	
Sunset Zone	Rating
23	High
21	High
20	High
19	High
18	Moderate
13	Moderate
11	Low
3	Low

2.1.1.3 Soil Quality

The LARA Model rating for soil quality is based on the presence of soil candidates for Prime Farmland or Farmland of Statewide Importance as identified by the FMMP. County Guidelines Section 3.1.3 Soil Quality states, “The project’s soil quality rating is based on the presence of Prime Farmland Soils or Soils of Statewide Significance (Attachment C [as defined in of the County Guidelines for Determining Significance]) that are available for agricultural use and that have been previously used for agriculture.” All lands that have been previously used for agriculture are available for agricultural use and are considered in this rating consistent with County Guidelines. In determining the soil quality rating, Step 3 of the guidelines under Section 3.1.3 Soil Quality requires applicants to “Calculate the acreage of each soil type that is unavailable for agricultural use”

As detailed in Footnote 9 of the County Guidelines, soils unavailable for agricultural use include:

- (1) lands with existing structures (paved roads, homes, etc.) that preclude the use of the soil for agriculture, (2) lands that have been disturbed by activities such as legal grading, compaction, and/or placement of fill such that soil structure and quality have likely been compromised (e.g., unpaved roads and parking areas), (3) lands that are primarily a biological habitat type that have never been used for agriculture, and (4) lands constrained by biological conservation easements, biological preserve, or similar regulatory or legal exclusion that prohibits agricultural use.

To determine the areas of the project site that is “available for agriculture,” aerial photos were examined for the MUP areas that appeared to have a history of agricultural production. Additionally, areas adjacent to existing agriculture that are flat and contain relatively high-quality soils, but that are currently vegetated with non-native grassland or other disturbed habitat, were included. Areas of the site that contain structures (e.g., residences, outbuildings, paved roads), have been compacted (e.g., unpaved roads), or that consist of biological habitat never used for agriculture were not included.

A total of 212.5 acres of the 403.7-acre project site were identified as being available for agriculture and that meet the soil quality criteria. The soil quality rating is obtained by determining the proportion of the “available for agriculture” soils that are Prime Farmland soils or soils of Statewide Importance. As detailed in Table 6, the project received a 0.623 rating out of a possible 1.0 maximum. Soil quality matrix scores ranging from 0.33 to 0.66, or that have more than 10 acres of contiguous Prime Farmland or Statewide Importance soils receive a moderate rating pursuant to the LARA Model. The project’s soil rating of 0.623 falls within the range that qualifies for a moderate rating. Therefore, pursuant to the LARA Model, the soil quality on the project site receives a **Moderate** rating (Table 7).

Table 6 Soil Quality								
Soil Map Unit	Project Acres	LCC	Storie Index	Available for Ag Use	Unavailable for Ag Use	Proportion of site Available	Prime or Statewide 1 for Yes; 0 for No	Matrix Score
Cieneba-Fallbrook rocky sandy loams, 30 to 65 percent slopes	203.2	Vie VIIe VIII	9 23 N/A	69.1	134.2	0.325	0	0.000
Ramona sandy loam, 9 to 15 percent slopes, eroded	10.0	IVe	83	9.7	0.2	0.046	0	0.000
Visalia sandy loam, 0 to 2 percent slopes	86.3	IIc	86	78.5	7.8	0.370	1	0.370
Tujunga sand, 0 to 5 percent slopes	88.4	IVe	48	53.8	34.6	0.253	1	0.253
Riverwash	15.7	VIII	N/A	1.3	0.2	0.006	0	0.000
Grand Total	403.7			212.5	177.0	1.000		0.623
LCC = Land Compatibility Classification								

Table 7 Soil Quality Matrix Interpretation	
Soil Quality Matrix Score	Soil Quality Rating
Site has a Soil Quality Matrix score ranging from 0.66 to 1.0 and at least 10 acres of contiguous Prime or Statewide Importance Soils	High
Site has a Soil Quality Matrix score ranging from 0.33 to 0.66 or has a minimum of 10 acres of contiguous Prime or Statewide Importance Soils	Moderate
Site has a Soil Quality Matrix less than 0.33 and does not have at least 10 acres of contiguous Prime or Statewide Importance Soils	Low

2.1.2 LARA Model Complementary Factors

Because all of the LARA Model Required Factors were moderate or higher, the Complementary Factors must also be analyzed (Refer to Table 2 of the County Guidelines). The following subchapters below describe the analysis that results in each of the three LARA Model Complementary Factor ratings.

Analysis of the Complementary Factors requires consideration of factors within a Zone of Influence (ZOI) surrounding the project site. The County Guidelines (page 33) provides the methodology for calculating the ZOI. In summary, the process generally consists of drawing (using Geographic Information System [GIS]) a ¼ mile buffer around the entire project site and then including all parcels in the ZOI that are within or intersect with the ¼ mile buffer line (excluding the parcels the comprise the project site itself). The ZOI for the project was calculated to be 3,442.3 acres. The MUP boundary was used to represent the project site boundaries.

2.1.2.1 Surrounding Land Use

The more compatible a site is with the surrounding land uses, the more likely it is to avoid nuisance complaints and other issues from non-farm neighbors. This factor accounts for the degree to which the vicinity is compatible with agriculture and assigns a higher rating to a site which is within an agriculture-dominated area. Based on the Guidelines (page 33), the uses considered “compatible with agriculture” include existing agricultural lands, protected resource lands, and rural residential lands. The rural residential lands must be two-acre parcel sizes or greater and must include elements of the rural residential lifestyle such as equestrian or animal raising, hobby agriculture, or vacant lands. Parcels with children’s play areas, swimming pools, or secondary housing units would not meet this definition. The LARA model recognizes that agriculture can be viable amongst urban uses, but that its long-term viability is generally less because of increased economic pressures to convert to urban uses. Within the project’s 3,442.3-acre ZOI, 1,006.4 acres of land (29.2 percent of the ZOI) were determined to be consistent with agriculture. Therefore, the project receives a **Moderate** rating for the Surrounding Land Use Complementary Factor (Table 8).

Table 8 Surrounding Land Use Rating	
Percentage of Land within ZOI that is Compatible with Agriculture	Surrounding Land Use Rating
50% or greater	High
Greater than 25% but less than 50%	Moderate
25% or less	Low

2.1.2.2 Land Use Consistency

The Land Use Consistency analysis consists of comparing the project’s median parcel size with the median parcel size of all the parcels within the ZOI. The reason for this methodology is that the County recognizes that a site surrounded by larger parcels indicates the site is located in an area that has not already been significantly urbanized; whereas a site surrounded by smaller parcels would likely experience incompatibilities and the corresponding reduction in economic viability when considering foregone opportunity costs.

The median parcel size of the MUP was calculated to be 6.0 acres, while the median parcel size of all the parcels within the ZOI is 30.1 acres. Therefore, pursuant to LARA Model, the project receives a **High** rating for Land Use Consistency (Table 9).

Table 9 Land Use Consistency Rating	
Project's median parcel size compared to ZOI median parcel size	Land Use Consistency Rating
The project's median parcel size is smaller than the median parcel size within the project's ZOI	High
The project's median parcel size is up to ten acres larger than the median parcel size within the project's ZOI	Moderate
The project's median parcel size is larger than the median parcel size within the project's ZOI by ten acres or more	Low

2.1.2.3 Slope

Slope is a Complementary Factor in the LARA model to account for the role that topography plays in the viability of a parcel for agricultural production. While certain crops (e.g., avocados) can thrive on steeply sloped land, gentle topography allows for a wider range of potential uses and is easier for the operator to manage with regard to runoff and soil erosion. The majority of the land within the MUP that is available for agricultural production (126.48 of 212.5 acres) has a slope of 15 percent or less. Therefore, the project receives a **High** rating for Slope (Table 10)

Table 10 Slope Rating	
Average Slope	Topography Rating
Less than 15% slope	High
15% up to 25% slope	Moderate
25% slope and higher	Low

2.1.3 LARA Model Result

Based on the results of the LARA Model, the site is considered an important agricultural resource. The results of the model analysis, which are discussed above, are summarized in Table 11. The site received a high rating for climate and a moderate rating for water resources and soil quality. These three criteria are Required Factors, pursuant to the LARA Model. Since one of the three Required Factors was rated high and two were rated moderate, the Complementary Factors were also analyzed pursuant to the LARA Model requirements. The site received a high rating for the Land Use Consistency and Slope factors and a moderate rating for the Surrounding Land Use factor. Therefore, the results of the LARA Model meet the criteria of Scenario 3 (Table 12) and qualifies the project as an **important agricultural resource**.

Table 11 LARA Model Results			
	LARA Model Rating		
	High	Moderate	Low
Required Factors			
Climate	✓		
Water		✓	
Soil Quality		✓	
Complementary Factors			
Surrounding Land Uses		✓	
Land Use Consistency	✓		
Slope	✓		

Table 12 Interpretation of LARA Model Results			
Scenario	Required Factors	Complementary Factors	LARA Interpretation
Scenario 1	All three factors rated high	At least one factor rated high or moderate	The site is an important agricultural resource
Scenario 2	Two factors rated high, one factor rated moderate	At least two factors rated high or moderate	
Scenario 3	One factor rated high, two factors rated moderate	At least two factors rated high	
Scenario 4	All factors rated moderate	All factors rated high	
Scenario 5	At least one factor rated low importance	N/A	The site is not an important agricultural resource
Scenario 6	All other model results		

2.2 Guidelines for the Determination of Significance

The following significance guideline is the basis for determining the significance of impacts to important on-site agricultural resources, as defined by the LARA Model, in San Diego County. Direct impacts to agricultural resources would be potentially significant when the following occurs:

- The project site has important agricultural resources as defined by the LARA Model, and the project would result in the conversion of agricultural resources that meet the soil quality criteria for Prime Farmland or Farmland of Statewide Importance, as defined by the FMMP; as a result, the project would substantially impair the ongoing viability of the site for agricultural use.

2.3 Analysis of Project Effects

2.3.1 On-site Agricultural Resources

For purposes of the LARA model analysis, the entirety of the 404-acre MUP area was evaluated and determined to be an important agricultural resources. Of the 404-acre MUP area, the proposed wine tasting facility and event center would impact a 5.6-acre area in the southern portion of the project site. The impact area currently has some existing abandoned structures including an abandoned home, farm buildings, and an unoccupied modular office. Additionally, farm roads are located within the project footprint. After subtracting these non-agricultural areas, the wine tasting facility and event center footprint would impact 3.57 acres of land that have soils that meet the criteria for Prime Farmland and Farmland of Statewide Importance. None of the remaining agricultural land within the 404-acre MUP area would be disturbed. The proposed water storage area would be located within an existing disturbed area and would not impact any active agricultural operation. Consistent with the County's threshold for direct impacts to important agricultural resources, the 3.57-acre impact to active agricultural resources within the proposed footprint of the wine tasting facility and event center would substantially avoid impacts to Prime and Statewide Importance Soils on the project site and maintain agricultural viability, and therefore would not substantially impair the ongoing viability of the site for agricultural use. The vast majority of the MUP project area would remain in agricultural use. Furthermore, the proposed wine tasting facility and event center would be developed as a complementary use to the existing agricultural use and would provide an important income stream that would support the ongoing economic viability of maintaining the site in agriculture. Overall, the proposed wine tasting facility and event center would support and retain the existing on-site agricultural uses and would not substantially impair the ongoing viability of the site for agricultural use.

As discussed in Section 1.4.2.5, the project site is currently subject to a Williamson Act Contract and is located within an Agricultural Preserve; however, the property owner filed for non-renewal of the contract in September 2013, with an effective filing date of January 1, 2014 (see Attachment 1). The Williamson Act Contract will be terminated effective January 1, 2024. It is possible the wine tasting facility may be constructed ahead of the contract termination date, which is a use consistent with Williamson Act Contracts in wine producing regions throughout the state (see Attachment 2). In order to avoid any potential concern regarding incompatibility of the proposed event center with the contract terms, the applicant has agreed to not implement the event center use on the project site until the contract expiration date of January 1, 2024. Therefore, direct impacts related to on-site agricultural resources would be less than significant.

2.3.2 Off-site Improvement Impacts

The project would not result in any off-site improvements. All project facilities would be located within the boundaries of the MUP. No impact would occur.

2.4 Mitigation Measures and Design Considerations

Impacts would be less than significant. No mitigation is required.

2.5 Conclusions

A LARA model evaluation found that the MUP is considered an important agricultural resource. However, consistent with the County's threshold for direct impacts to important agricultural resources, the 3.57-acre impact to active agricultural resources within the proposed footprint of the wine tasting facility and event center would not substantially impair the ongoing viability of the site for agricultural use. The proposed wine tasting facility and event center would be developed as a complementary use to the existing agricultural use and would provide an important income stream that would support the ongoing economic viability of maintaining the site in agriculture. The proposed wine tasting facility and event center would support and retain the existing on-site agricultural uses and would not substantially impair the ongoing viability of the site for agricultural use. Therefore, impacts related to direct impacts to on-site agricultural resources would be less than significant.

3.0 Off-site Agricultural Resources

3.1 Guidelines for the Determination of Significance

The County Guidelines (Section 4.2.2, page 41) identifies the following significance guidelines for determining the significance of indirect impacts to off-site agricultural operations and Williamson Act Contract lands:

- 3.1.a** *The project proposes a non-agricultural land use within one-quarter mile of an active agricultural operation or land under a Williamson Act Contract (Contract) and as a result of the project, land use conflicts between the agricultural operation or Contract land and the project would likely occur and could result in conversion of agricultural resources to a non-agricultural use.*
- 3.1.b** *The project proposes a school, church, day care or other use that involves a concentration of people at certain times within one mile of an agricultural operation or land under Contract and as a result of the project, land use conflicts between the agricultural operation or Contract land and the project would likely occur and could result in conversion of agricultural resources to a non-agricultural use.*

3.1.c The project would involve other changes to the existing environment, which due to their location or nature, could result in the conversion of off-site agricultural resources to a non-agricultural use or could adversely impact the viability of agriculture on land under a Contract.

3.2 Analysis of Project Effects

The County Guidelines state that the extent to which a project proposes a use that is similar to those already present in the surrounding area is an important factor in considering the significance of the placement of a non-agricultural use in proximity to an agricultural operation. A project proposed contiguous to an agricultural operation or under a Williamson Act Contract would require greater scrutiny than a project separated from the agricultural operation or Williamson Act Contract by other land uses. Where incompatible land uses are located near existing agricultural operations, adverse indirect impacts may include (but are not limited to) liability concerns, trespass, vandalism, theft, pesticide or farm practice complaints, pollutants, erosion, importation of pests, pathogens, and weeds, and increased traffic. Conflicts at the agriculture-urban interface flow in two directions: from existing agricultural use to a newly established non-agricultural use and vice versa (County of San Diego 2007).

3.2.1 Indirect Impacts - Williamson Act Lands

As described in subchapter 1.4.3.2 above, County Agricultural Preserve 39 is located adjacent to the northernmost portion of the MUP eastern boundary (see Figure 9). Rancho Guejito sent notices of non-renewal for County for Agricultural Preserve 20 and 39 in September 2013. Agricultural Preserve 20 and 39 will be terminated effective January 1, 2024. As described in Section 1.2.4.5, the project applicant was able to confirm with the California Farm Bureau Federation that the proposed tasting room would be consistent with the terms of the current Williamson Act Contract (see Attachment 2). The proposed event center would not be established until the Williamson Act Contract is terminated, thereby avoiding potential conflicts with surrounding Williamson Act lands. No impact would occur.

3.2.2 Indirect Impacts - Land Use Conflicts

Urban/agricultural indirect effects or compatibility issues that arise when development is placed adjacent to existing agriculture include pesticide applications, dust generation, and noise that originate from the farming activities, causing complaints by the surrounding new land uses. These types of complaints can create pressures resulting in the conversion of adjacent agricultural lands to non-agricultural uses.

A majority of the agricultural uses surrounding the proposed wine tasting facility and event center are within the MUP area. Compatibility with these areas is discussed further in Section 4.1 in relation to findings that are required for a MUP proposed within an area subject to the Zoning Ordinance Agricultural Preserve Regulations. As discussed in that

section, the project would be compatible with the ongoing agricultural uses within the project site.

Outside of the MUP boundary, there are two areas of adjacent agricultural use. South of San Pasqual Valley Road, there is a parcel with a single-family residence and a field that appears to be used for agricultural SANGIS mapping sourced from data based on pesticide use reports, indicates the area has been planted with avocados (see Figure 10). The other area of agricultural use adjacent to the project area is the large avocado grove to the east of the project site. No conflicts with the existing agricultural uses south of San Pasqual Valley Road are anticipated based on the consistency of the proposed wine tasting facility and event center with the rural agricultural area. While this would bring additional traffic and people into the area, the use would be separated by the roadway which would provide substantial separation from the proposed wine tasting facility and event center activities and the agricultural operation in the south. The agricultural use to the east would not be affected by the wine tasting facility and event center because the project site would maintain the primary agricultural use of the site and would not introduce any new features adjacent to the agricultural operation. Many of the land use conflicts that can typically create significant impacts would not be associated with this project as there is no permanent residential use being proposed that is typically associated with complaints about agricultural practices. Incompatibility between the on-site agricultural operations and the winery and event center use are not anticipated as activities needed to manage the on-site agricultural use could be timed to occur at times when the winery and event center are not in use or during periods of low occupancy. As the owners of the land operate both uses, it will be in their best interest to manage the agricultural operation in a way to minimize nuisance for winery guests. Additionally, agricultural operations and land management activities typically occur in the morning when the winery and event center would be closed. Based on the common ownership and management of the on-site agriculture and the proposed uses, nuisance concerns could be easily managed and there would be no external pressures that could affect the ongoing viability of the on-site agricultural operation. The proposed wine tasting facility and event center would not create the same type of pressure for the surrounding agricultural operators as a residential subdivision, for example. The project would not affect any adjacent land uses or create land use conflicts, impacts would be less than significant.

3.2.3 Indirect Impacts - Changes to the Existing Environment

Similar to the discussion under Section 3.2.2, the proposed wine tasting facility and event center would be a use supportive of the existing agricultural use on the project site and complementary to the existing rural agricultural area. The proposed use would not create significant changes to the environment that would encourage conversion of agriculture to a non-agricultural use. The project would not affect any adjacent agricultural land uses or create land use conflicts, impacts would be less than significant.

3.3 Mitigation Measure and Project Design Considerations

Impacts would be less than significant, no mitigation is required.

3.4 Conclusions

The project would be supportive of the existing agricultural use on the project site and complementary to the existing rural agricultural area. The proposed use would not create significant changes to the environment that would encourage conversion of agriculture to a non-agricultural use. The project would not adversely affect adjacent agricultural land uses or create land use conflicts, impacts would be less than significant.

4.0 Conformance with Agricultural Policies

No key policies were identified in the General Plan or North County Metro Community Plan that would create a potential conflict with the proposed use. As discussed in this report, the proposed wine tasting facility and event center would support the continuation of agricultural use on the project site by providing a source of diversified income that will support the long-term viability of agriculture. This would support and be consistent with conservation goals for agriculture contained within the North County Metro Community Plan and the Conservation Element of the General Plan.

4.1 Consistency with Agricultural Preserve

The project site has an “A” Special Area Designator related to the on-site Agricultural Preserve. The County Zoning Ordinance Section 5110 requires findings to be made for any use permit requested within an area subject to the “A” Special Area Designator. The required findings are as follows:

5110 REQUIRED FINDINGS.

No use permit shall be granted unless the following findings are made:

- a. State Statute. The proposed use complies with all provisions of the California Land Conservation Act of 1965; and*
- b. Compatibility with Agricultural Use. The proposed use would not be incompatible with the continued agricultural use of any land within the agricultural preserve. This determination shall include a consideration of the following:*
 - 1. Possible Increase in vandalism*
 - 2. Possible damage from pets*

3. *Possibility that use will lead to restrictions on agricultural spraying, noise or smell*
4. *Possible interference with the movement of farm machinery or agricultural products*

Regarding consistency with the provisions of the California Land Conservation Act of 1965, the property owner has filed a notice of non-renewal for the existing Williamson Act Contract. The proposed event center use requested under the MUP application would not proceed until the contract is terminated on January 1, 2024. Thus, there would be no conflict with the provisions of the California Land Conservation Act of 1965. It is possible the wine tasting facility may be constructed ahead of the contract termination date, which is a use consistent with Williamson Act Contracts. Wine tasting facilities have been found consistent with Williamson Act Contracts throughout wine producing regions in California (see Attachment 2). Additionally, the wine tasting facility would not conflict with these provisions of Government Code Section 51238.1:

- (a) Uses approved on contracted lands shall be consistent with all of the following principles of compatibility:
 - (1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
 - (2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 - (3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

As discussed in Section 2.3.1, the wine tasting facility would support the long-term productive capability of the remaining agricultural land through diversification of farm income. While the tasting facility would displace some existing agricultural land, the tasting facility would be directly related to the production of commercial agricultural products by providing an end use for the agricultural commodities produced on-site, consistent with the Williamson Act Contract.

Regarding compatibility of the event center with the provisions discussed above, while the event center would remove land from agricultural production and the event center use would not relate directly to agriculture (other than the supporting income it would provide), the event center use would not compromise the long-term productive agricultural capability of the land because the event center structure could ultimately be used for agricultural purposes in the future. For example, with applicable permits the structure could ultimately be

converted to a certified farmers' market, used for additional winery space, or for agricultural product processing, for example. Use of the land as an event center would not permanently remove the land from the ability to be used for purposes directly supportive of agriculture.

Furthermore, the proposed wine tasting facility and event center would be compatible with the on-site agricultural operations as the proposed use encourages continuation the existing agricultural activities on the project site. A key feature of the wine tasting facility and event center would be retaining the existing rural, agricultural surroundings that are part of the allure and character of wineries and event centers in an area such as this one. Further, the wine tasting facility and event center is under a single ownership and would provide an important source of income to maintain the continued economic viability of the site.

While the proposed wine tasting facility and event center would bring customers onto the site that may not be accustomed to agricultural activity, the schedule of winery events and hours of peak use would be coordinated with agricultural operations on the project site to minimize conflicts between the two uses. The proposed wine tasting facility and event center would not result in an increase in vandalism because all activities would be limited to those parts of the property where the public is allowed under supervision. For example, as part of the MUP, hayrides or tours around the agricultural operation may occur. These activities would be managed and controlled with winery or event center employees facilitating such activities to ensure vandalism, crop theft, or other vandalism would not occur. The proposed uses could reduce the potential for vandalism and theft due to the increased public presence and associated security services.

The wine tasting facility and event center would not introduce any additional pets or livestock to the existing agricultural operation. Additionally, should patrons be allowed to bring dogs or other animals to the facilities, they would be required to remain within authorized areas and not enter the agricultural areas. Areas of the property accessible by guests will be restricted and under supervision by trained staff, ensuring damage from pets does not occur.

Regarding application of regulated pesticides, any pesticide application would occur consistent with the requirements of the product label, including any separation requirements from surrounding uses, and application by a person licensed to apply pesticides regulated pesticides. Based on the extensive regulations surrounding pesticide use, including any permit requirements from Department of Agriculture, Weights and Measures and the Department of Environmental Health, conflicts are not anticipated. Additionally, as previously mentioned, as the owner of the winery would also have control over the surrounding agricultural operations, agricultural activities such as spraying could be coordinated to avoid periods of high traffic at the winery or event center. Furthermore, patrons of the wine tasting facility and event center will visit the project site with the expectation of the surrounding active agricultural operations and associated activity.

The project would not interfere with the movement of farm machinery or movement of agricultural products as the farm roads within the active agricultural operation area would remain in their current condition. Access into the project site would be improved for the wine tasting facility and event center and the access would continue to be used for farm purposes. Any use of farm roads for activities associated with the MUP such as hay rides would be

coordinated with the agricultural operation to ensure the uses do not conflict. Therefore, the project would not result in interference with the movement of farm machinery or agricultural products.

Based on the preceding discussion, the MUP would not conflict with the Agricultural Preserve Area Regulations of the Zoning Ordinance.

4.2 Conclusions

The project would not conflict with any applicable General Plan or North County Metro Community Plan policies related to agriculture, nor would the project conflict with the Zoning Ordinance, Agricultural Preserve Special Area Regulations. Impacts related to conformance with agricultural policies would be less than significant.

5.0 Cumulative Impacts

Cumulative impacts are those caused by the additive effects of other impacts to agricultural resources over time. A project's impact may not be individually significant, but the additive effect when viewed in connection with the impacts of past projects, present projects, and probable future projects may cause the significant loss or degradation of agricultural resources.

5.1 Guidelines for the Determination of Significance

The guidelines for determining the significance of cumulative impacts are based on the same guidelines used to determine the significance of direct and indirect impacts, with the exception that the analysis considers the significance of the cumulative impact of the individual project impact in combination with the impacts caused, by the projects in the cumulative study area that would also impact important agricultural resources.

5.2 Analysis of Project Effects

The project is located within the San Pasqual Valley area which is an area rich with agricultural resources. The City of San Diego owns much of the land within the valley south of the project site and leases the land for agricultural use, which provides some protections from its conversion to non-agricultural use. City of San Diego Multiple Habitat Planning Area (MHPA) lands border the project site to the west and east (in the southern extent), which supports the ongoing preservation of these areas in their natural condition. An approximately 523-acre area within the San Pasqual Trails Open Space area east of the project area is preserved for open space use. South of San Pasqual Valley are large blocks of open space associated with the Ramona Grasslands. Further west is the urbanized area of the City of Escondido. Based on the conservation status of areas surrounding the project area and the City of Escondido to the west, an appropriate cumulative study area would be focused within the active agricultural areas of the San Pasqual Valley. Based on the status of this area in public lands and the need to conserve this corridor as open land considering its adjacency to the Santa Ysabel Creek, there is no

evidence that a potentially significant cumulative impact to agriculture would occur in this area. The establishment of a wine tasting facility and event center within the MUP area would be consistent with the existing agricultural use on-site and would further establish the area as a destination to enjoy the natural and agricultural features of the unique valley. One large project called the Safari Highlands Ranch has been proposed in the vicinity of the San Diego Zoo Safari Park, west of the MUP area; however, this project is not associated with an agricultural resource area and thus would not contribute to a cumulative impact to agriculture. Thus, cumulative impacts to agriculture would be less than significant.

5.3 Mitigation Measures and Design Considerations

Cumulative impacts would be less than significant. No mitigation is required.

5.4 Conclusions

Considering a cumulative study area being the active agricultural areas within the San Pasqual Valley, there is no evidence of a potential cumulative impact. This conclusion is based on the extent of public ownership and conserved land within and surrounding the agricultural uses in the valley. Furthermore, the presence of Santa Ysabel Creek and the need to maintain the valley for purposes of biological and flood protection, limits the potential for loss of the agricultural resources in this area. Cumulative impacts would be less than significant.

6.0 Summary of Project Impacts and Mitigation

6.1 Project Impacts

As described in Chapter 2.0, the project site was found to be an important agricultural resource pursuant to the County's LARA Model. However, the project would not result in a direct impact to important agricultural resources because it would substantially avoid important soil resources and would not impact the ongoing viability of agricultural use on the project site. No conflicts were identified with the Williamson Act Contract on the project site as the proposed uses would not be established until the contract is terminated on January 1, 2024. The project would be consistent with the County regulations for Agricultural Preserves and would not create any conflict with existing on-site or off-site agricultural uses. All direct, indirect and cumulative impacts would be less than significant.

6.2 Mitigation Measures and Project Design Considerations for Indirect Impacts

Impacts would be less than significant. No mitigation is required.

7.0 References

California Department of Conservation (CDC)

2010 Farmland Mapping and Monitoring Program (FMMP).

San Diego, County

2007 Guidelines for Determining Significance – Agricultural Resources, March 19.

U.S. Department of Agriculture, Natural Resources Conservation Service. California Department of Conservation Farmland Mapping and Monitoring Program

1973a *Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance San Diego County.*

1973b Soil Survey for San Diego County, Part II. December.
https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/CA638/0/part2.pdf. Accessed June 16, 2020.

U.S. Department of Conservation

2005 *Williamson Act Fact Sheet*. Division of Land Resource Protection.

Vale Consulting

2020 Change in Total Water Usage at Wine Tasting Room and Banquet Facilities.

8.0 List of Preparers and Persons and Organizations Contacted

8.1 Preparers

Jennifer Campos, Environmental Project Director

Nick Larkin, Senior Environmental Analyst

Luis Barragan, GIS Specialist

Stacey Higgins, Senior Production Specialist

8.2 Persons and Organizations Contacted

Rikki Schroeder

Rick Engineering

ATTACHMENTS

ATTACHMENT 1

Williamson Act Contract and Notice of Non-Renewal

DECISIONS



FILE/PAGE NO. **48856**
BOOK 1972
RECORDED REQUEST OF
County Board of Supervisors
FEB 29 1 24 PM '72

2450

NO. 6473 4900 A

OFFICIAL RECORDS
SAN DIEGO COUNTY, CALIF.
HARLEY F. BLOOM
RECORDER

LAND CONSERVATION CONTRACT

(San Pasqual Agricultural Preserve No. 20)

Ref: each
communication regarding this contract.

NO FEE

THIS CONTRACT, made and entered into this 9 day
of Feb, 1972 by and between _____
George A. Hillebrecht, Inc.

hereinafter referred to as "Owner", and the County of San Diego, a
political subdivision of the State of California, hereinafter referred
to as "County":

W I T N E S S E T H:

WHEREAS, the Owner represents that he is the owner of certain
land located in the County of San Diego, State of California, which
land is presently devoted to agricultural uses, recreational uses,
open space, or combination thereof, as authorized in Exhibit "B"
attached hereto and lies within an agricultural preserve heretofore
established or to be established and designated the _____

San Pasqual Agricultural Preserve No. 20,
said land being more particularly described in Exhibit "A" attached
hereto and hereinafter referred to as the Premises; and

WHEREAS, the Owner has made application to the County of San Diego
to enter into a contract pursuant to the California Land Conservation
Act of 1965 (Section 51200 et seq., Government Code) with respect to
the Premises; and

WHEREAS, the Owner and the County desire to limit the use of
Premises to agricultural and compatible uses, recreational uses or
open space uses or some combination thereof; NOW THEREFORE

IT IS AGREED by and between the Owner and the County as follows:

Section 1. CONTRACT. This is a "Contract" made pursuant to the
California Land Conservation Act of 1965, as amended as of the date
first above written, including amendments enacted at the 1970 Regular
Session of the California Legislature, (hereinafter referred to as
the "Act") and is applicable to the Premises.

FILE
COPY

Section 2. TERM. This Contract shall take effect on _____
February 28, _____, 19 72, and shall remain in effect for a period
of ten years therefrom and during any renewals of this Contract.

Section 3. RENEWAL. NOTICE OF NONRENEWAL. This Contract shall be automatically renewed for a period of one year on the first day of the first January after the effective date, and on the first day of each January thereafter unless written notice of nonrenewal is served by the Owner on the County at least 90 days prior to said date or written notice of nonrenewal is served by the County on the Owner at least 60 days prior to said date. Under no circumstances shall a notice of renewal to either party be required to effectuate the automatic renewal of this Contract.

Upon receipt by Owner of a notice from County of nonrenewal, the Owner may make written protest of such nonrenewal. County may at any time prior to the renewal date withdraw the notice of nonrenewal. Upon request of Owner, the Board of Supervisors may authorize Owner to serve a notice of nonrenewal on a portion of the land which is the subject of this Contract. If either party serves notice of intent in any year not to renew this Contract, this Contract shall remain in effect for the balance of the period remaining on the term since the original execution or the last renewal of this Contract as the case may be.

Section 4. AUTHORIZED USES. During the term of this Contract and any and all renewals thereof, the Premises shall be devoted to agricultural uses and compatible uses and shall not be used for any purposes other than agricultural uses or compatible uses as specified in Exhibit "B" attached hereto.

Section 5. ADDITION OR ELIMINATION OF AUTHORIZED USES. The Board of Supervisors of the County, by resolution, may from time to time during the term of this Contract or any renewals thereof amend the resolution establishing said Agricultural Preserve to add to those authorized uses or eliminate a use listed in Exhibit "B" which authorized uses shall be uniform throughout said Agricultural Preserve; provided, however, no amendment of such resolution during the term of this Contract or any renewal thereof so as to eliminate any use shall be applicable to this Contract unless the Owner consents to such elimination.

Section 6. POLICE POWER. Nothing in this Contract shall be construed to limit the exercise by the Board of Supervisors of the police power or the adoption or readoption or amendment of any zoning

ordinance or land use ordinance, regulation or restriction pursuant to the Planning and Zoning Law (Sections 65000 et seq., Government Code) or otherwise.

Section 7. ZONING. This Contract shall not be construed to authorize the establishment or continuation of a use of real property contrary to any provision of The Zoning Ordinance (Ordinance No. 1402 (New Series)), including any amendments thereto, heretofore or hereafter adopted.

Section 8. EMINENT DOMAIN. (a) Except as provided in subdivision (d) of this Section 8, when any action in eminent domain for the condemnation of the fee title of an entire parcel of land subject to this Contract is filed or when such land is acquired in lieu of eminent domain for a public improvement by a public agency or person or whenever there is any such action or acquisition by the Federal government or any person, instrumentality or agency acting under authority or power of the Federal government, this Contract shall be deemed null and void as to the land actually being condemned or so acquired as of the date the action is filed and for the purposes of establishing the value of such land, this Contract shall be deemed never to have existed. Upon the termination of such proceeding, this Contract shall be null and void as to all land actually taken or acquired.

(b) Except as provided in subdivision (d) of this Section 8, when such an action to condemn or acquire less than all of a parcel of land subject to this Contract is commenced, this Contract shall be deemed null and void as to the land actually condemned or acquired and shall be disregarded in the valuation process only as to the land actually being taken, unless the remaining land subject to this Contract will be adversely affected by the condemnation, in which case the value of that damage shall be computed without regard to this Contract.

(c) The land actually taken shall be removed from this Contract. Under no circumstances shall land be removed that is not actually taken, except as otherwise provided in the Act.

(d) The provisions of subdivisions (a) and (b) of this Section 8 shall not apply to or have any force or effect with respect to (1) the filing of any action in eminent domain for the condemnation of any easement for the erection, construction, alteration, maintenance, or repair of any gas, electric, water or communication facilities by any public agency (including the County) or public utility or to the acquisition of any such easement by any public agency (including the County) or public utility, or (2) the filing of any action in eminent domain by any public agency (including the County) for the

condemnation of the fee title or lesser estate for the establishment, construction (including the widening and realignment) and maintenance of any road, street or highway, whether existing or planned for the future, depicted on the circulation element of the San Diego County General Plan adopted by the San Diego County Board of Supervisors (including any amendments thereto adopted by said Board prior to the date of this Contract) or depicted on the plat attached to this Contract and marked Exhibit "C" or to the acquisition of any such fee title or lesser estate for such purposes by the State of California or any public agency (including the County); and the filing of any such action in eminent domain for the condemnation of or the acquisition of any such easement, fee title or lesser estate shall not terminate, nullify or void this Contract and in the event of the filing of any such action in eminent domain or acquisition this Contract shall be considered in the valuation process.

Section 9. NO PAYMENT BY COUNTY. The Owner shall not receive any payment from the County in consideration of the obligations imposed hereunder, it being recognized and agreed that the consideration for the execution of the Contract is the substantial public benefit to be derived therefrom, and the advantage which will accrue to the Owner as a result of the effect on the assessed valuation of land described herein due to the imposition of the limitations on its use contained herein.

Section 10. CANCELLATION. (a) The Owner may petition the Board of Supervisors for cancellation of this Contract as to all or any portion of the land which is subject to this Contract but this Contract may not be canceled in whole or in part except by mutual agreement of the Owner and County pursuant to Section 51282 of the Act (Government Code). County may only consent to the cancellation of this Contract in whole or in part when, after a public hearing has been held in accordance with the provisions of Section 51284 of the Act (Government Code), the Board finds (1) that the cancellation is not inconsistent with the purposes of the Act, (2) that the cancellation is in the public interest, and (3) that it is neither necessary nor desirable to continue the restrictions imposed by this Contract; provided, however, this Contract shall not be canceled until the hereinafter specified cancellation fee has been paid, unless such fee or some portion thereof is waived or deferred pursuant to subdivision (c) of Section 51283 of the Act (Government Code). As provided in said Section 51282, the existence of an opportunity for another use of the land involved (Premises) shall not be sufficient reason for cancellation and a potential alternative use of the land may be considered only if there is no proximate, noncontracted land suitable for the use to which it is proposed the land (Premises) be put. The uneconomic character of an existing agricultural use shall likewise not be

sufficient reason for cancellation and the uneconomic character of the existing use may be considered only if there is no other reasonable or comparable agricultural use to which the land (Premises) may be put.

(b) Prior to any action by the Board of Supervisors giving tentative approval to the cancellation of this Contract, the County Assessor shall determine the full cash value of the land as though it were free from the restrictions of this Contract. The Assessor shall multiply such value by the most recent County ratio announced pursuant to Section 401 of the Revenue and Taxation Code and shall certify the product to the Board of Supervisors as the cancellation valuation of the land for the purpose of determining the cancellation fee hereinafter specified.

(c) Prior to giving tentative approval to the cancellation of this Contract the Board of Supervisors shall determine and certify to the County Auditor the amount of the cancellation fee which the Owner must pay the County Treasurer as deferred taxes upon cancellation. Notwithstanding the provisions of subdivision (b) of Section 51283 of the Act (Government Code), if cancellation occurs within the first five-year period of the term of this Contract, the cancellation fee shall be 100% of the cancellation valuation of the land; if cancellation occurs after the expiration of the first five-year period of the term of this Contract the cancellation fee shall be an amount equal to 100% of the cancellation valuation of the land less 5% of said cancellation valuation for each year this Contract has remained in effect in excess of the aforementioned first five-year period; provided, however, in no event shall the cancellation fee be less than an amount equal to 50% of the cancellation valuation of the land. If after the date this Contract is initially entered into the publicly announced County ratio of assessed to full cash value is changed, the percentage payment specified in this paragraph shall be changed so no greater percentage of full cash value will be paid than would have been paid had there been no change in such ratio.

(d) The Board of Supervisors may waive or defer payment of the cancellation fee or any portion thereof in accordance with subdivision (c) of Section 51283 of the Act (Government Code).

(e) Upon approval by the Board of Supervisors of the above mentioned cancellation petition and payment of the cancellation fee, the Clerk of the Board of Supervisors shall record in the office of the County Recorder a certificate which shall set forth the name of the owner of such land at the time the Contract is canceled with the amount of the cancellation fee specified by the Board of Supervisors pursuant to Article 5 of the Act (Section 51281 et seq., Government

Code) and a legal description of the property. From the date of recording of such certificate, this Contract or such portion thereof as is appropriate shall be finally canceled.

(f) Upon tentative approval by the Board of Supervisors of the above mentioned cancellation petition and waiver or deferment in whole or in part of the cancellation fee, the Clerk of the Board of Supervisors shall record in the office of the County Recorder a certificate which shall set forth the name of the owner of such land at the time the contract is canceled with the amount of the cancellation fee specified by the Board of Supervisors as being due pursuant to Article 5 of the Act (Section 51281 et seq., Government Code), the contingency of such waiver or deferment of payments, and a legal description of the property. From the date of recording of such certificate the Contract shall be finally canceled, and to the extent the cancellation fee has not yet been paid or waived, a lien shall be created and attached against the real property described therein and any other real property owned by the person named therein as the owner and located within this County. Such lien shall be in favor of the County, shall have the force, effect and priority of a judgment lien and shall remain in effect until the unwaived portion of the cancellation fee is paid in full. Upon the payment of the cancellation fee or any portion thereof, the Clerk of the Board of Supervisors shall record with the County Recorder a written certificate of the release in whole or in part of said lien.

Section 12. DIVISION OF LAND - MINIMUM SIZE PARCELS. The Owner shall not divide the Premises contrary to the restrictions on the division of Premises as set forth in Exhibit "B" attached hereto.

Section 13. CONTRACT BINDS SUCCESSORS. The term "Owner" as used in this Contract shall include the singular and plural and this Contract shall be binding upon and inure to the benefit of all successors in interest of the Owner including but not limited to heirs, executors, administrators and assignees. In the event the land under this Contract or any portion thereof is divided, the Owner of any parcel may exercise, independent of any other owner of a portion of the divided land, any of the rights of the Owner in the original Contract including the right to give notice of nonrenewal and to petition for cancellation. The effect of any such action by the owner of a parcel created by the division of land or any portion thereof subject to this Contract shall not be imputed to the owners of the remaining parcels and shall have no effect on this Contract as it applies to the remaining parcels of the divided land.

Section 14. REMOVAL OF LAND FROM PRESERVE. Removal of any land under this Contract from an agricultural preserve, either by change

of boundaries of the preserve or disestablishment of the preserve shall be the equivalent of a notice of nonrenewal by the County; provided, however, that the County shall, at least 60 days prior to the next renewal date following the removal, serve a notice of nonrenewal as provided in Section 51245 of the Act (Government Code). Such notice of nonrenewal shall be recorded as provided in Section 51248 of the Act (Government Code).

Section 15. CONVEYANCE CONTRARY TO CONTRACT. Any conveyance, contract or authorization (whether oral or written) by the Owner or his successors in interest which would permit the use of the Premises or create a division of the Premises contrary to the terms of this Contract, or any renewal thereof may be declared void by the Board of Supervisors of the County; such declaration or the provisions of this Contract may be enforced by the County by an action filed in the Superior Court of the County for the purpose of compelling compliance or restraining a breach thereof.

Section 16. OWNER TO PROVIDE INFORMATION. The Owner, upon request of the County, shall provide information relating to the Owner's obligations under this Contract.

Section 17. NOTICE. Any notice given pursuant to this Contract may, in addition to any other method authorized by law, be given by United States mail, postage prepaid. Notice to the County shall be addressed as follows:

Clerk of the Board of Supervisors
Room 306 County Administration Center
1600 Pacific Highway
San Diego, California 92101

Notice to the Owner shall be addressed as follows:

George A. Hillebrecht, Inc.

2170 Skyline Dr.

Escondido, CA 92025

IN WITNESS WHEREOF, the Owner and the County have executed this Contract on the day first above written.

George A. Hillebrecht, Inc.

by

Benonia B. Hillebrecht

Benonia B. Hillebrecht, President

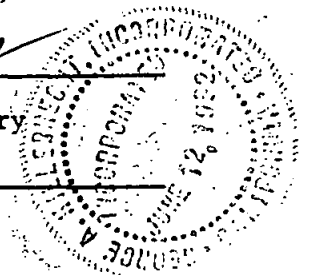
E. A. Emerson

E. A. Emerson, Secretary

Approved and/or authorized by the Board
of Supervisors of the County of San Diego

FEB 29 1972 #7

Porter D. Cremans
Clerk of the Board of Supervisors



Owner

COUNTY OF SAN DIEGO

Porter D. Cremans
Clerk of Board of Supervisors

NOTE: All signatures of owners must be acknowledged before a notary public or public officer authorized to take acknowledgments.

(Corporation)

STATE OF CALIFORNIA

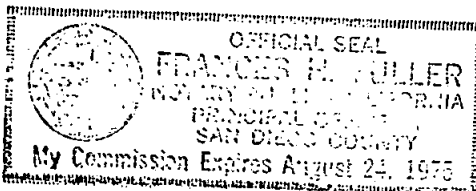
COUNTY OF San Diego } SS.

On February 9, 1972 before me, the undersigned, a Notary Public in and for said State, personally appeared BENONIA B. HILLEBRECHT known to me to be the _____ President, and E. A. EMERSON known to me to be _____ Secretary of the corporation that executed the within Instrument,

known to me to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature Frances H. Fuller



Name (Typed or Printed)

(This area for official notarial seal)

EXHIBIT A

GEORGE A. HILLEBRECHT, INC., AP71-16

PARCEL 1:

That portion of the West Half of Section 26 and the North Half of the Northwest Quarter of Section 35, Township 12 South, Range 1 West, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved June 6, 1872, described as follows:

Beginning at a point 227.5 feet South of the Quarter Section corner situated on the Section line between Sections 35 and 26, Township 12 South, Range 1 West, San Bernardino Meridian, being marked by a flat stone 12 x 14 x 8 inches, three inches thick, marked "A" on the North face; thence North 85° West 647 feet to a stone marked "B" said stone being 14 inches long; thence South 52-1/2 feet to a stone 14 inches long marked "C"; thence North 85° 52' West 593.5 feet to a one inch iron water pipe two feet long coated with asphalt being the true point of beginning; thence North 6° 20' East 1487.5 feet to a rock 8 x 10 x 14 inches marked "B"; thence North 15° 39' East to intersection with the North line of the Northwest Quarter of Section 26; thence Westerly along said last mentioned line to the East line of the West Half of the Northwest Quarter of said Section 26; thence South on the line between the East Half and the West Half of the Northwest Quarter of Section 26 to the North line of the Southwest Quarter of Section 26; thence Westerly along said Quarter Section line to the West line of said Section 26; thence South along the Westerly line of Section 26 and 35 to the South line of the North Half of the Northwest Quarter of said Section 35; thence along said line in an Easterly direction 1285.82 feet to a point which is distant thereon 1362.80 feet Westerly from the Southeast corner of said North Half of the Northwest Quarter; thence North 6° 20' East 696.46 feet; thence Northerly in a straight line to the true point of beginning.

EXCEPTING that portion thereof which lies Southerly of the centerline of the public road known as Relocation of County Highway Commission, Route 15, and shown on Map thereof on file in the office of the County Surveyor of San Diego County, said centerline being described in part as follows:

Beginning at a point in the West line of said Section 35 distant South 1° 41' 05" East 634.83 feet from the Northwest corner of said Section 35, being a point on a 500 foot radius curve concave Northwesterly, the radial line of said curve bearing South 38° 39' 45" East; thence Northeasterly and Easterly along said centerline as follows:

Northeasterly along said curve 82.36 feet through an angle of 9° 32' 27"; tangent to said curve North 41° 47' 48" East 522.13 feet to the beginning of a tangent curve concave Southeasterly having a radius of 350 feet; Northeasterly along said curve 313.78 feet through an angle of 51° 22'; and tangent to said curve South 85° 50' 02" East 1138.19 feet.

EXHIBIT B

San Pasqual Agricultural Preserve No. 20

Section 1. In the above named Agricultural Preserve only the following uses are permitted:

A. The following agricultural uses:

1. Agricultural crops.
2. Fruit trees, nut trees, vines and horticultural stock for producing trees, vines and other horticultural stock.
3. Flowers and vegetables.
4. The keeping of the following poultry and animals:
 - (a) Poultry, rabbits, chinchillas, hamsters and other small animals; provided not more than twenty-five (25) of any one or combination thereof may be kept on the premises.
 - (b) Horses as a private stable.
 - (c) Bovine animals, sheep, goats and swine as follows:
 - (1) On any premises having a net area of less than one and one-half (1-1/2) acres there may be kept a maximum of two (2) of any one or combination of said animals.
 - (2) On any premises having a net area of not less than one and one-half (1-1/2) acres but not more than four (4) acres, there may be kept a maximum of eight (8) of any one or combination of said animals provided that the number of such animals shall not exceed one animal per half (1/2) acre of area.
 - (3) On any premises having a net area of more than four (4) acres, eight (8) of any one or combination of said animals may be kept, and in addition thereto there may be kept one (1) bovine animal or one (1) sheep per acre of area in excess of said four (4) acres.
5. Buildings and structures necessary and incidental to the agricultural use of the land.

B. The following compatible uses:

1. One-family dwellings incidental to the agricultural use of the land for the residence of the owner and his family or the lessee of the owner and the lessee's family. Owner or lessee shall be construed to include:
 - (a) Stockholders in a family corporation.
 - (b) Beneficiaries of family trusts and estates.
 - (c) Owners of individual interests in the fee.
2. The following accessory buildings and structures: Private garages, swimming pools, children's playhouses, radio and television receiving antennas, shops, offices, and other required for the conduct of the compatible uses as permitted by this section.
3. Guest houses for the sole use of persons employed on the premises or for temporary use by guests of the occupants of the premises. A guest house shall have no kitchen facility and shall not be rented or otherwise used as a separate dwelling.
4. Home occupations. Home occupation means an occupation customarily conducted entirely within a dwelling by the occupant of the dwelling as a secondary use in connection with which there is no display, no stock in trade or commodity sold upon the premises, and no person employed.
5. Processing for market of crops raised on premises, or on other property owned or leased by the processor.
6. One stand for the display and sale of only those products produced on the premises, or on other property owned or leased by the vendor; provided that it does not exceed an area of two-hundred (200) square feet, and is located not nearer than fifteen (15) feet to any street or highway.
7. Farm employee housing, exclusive of trailer coaches and mobilehomes.
8. Farm labor camps, exclusive of trailer coaches and mobilehomes, on premises having a net area of not less than 10 acres.

9. The following signs:
 - (a) One (1) unlighted sign not larger than twelve (12) square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed.
 - (b) One (1) sign not larger than twelve (12) square feet in area identifying and advertising products produced on the premises.
 - (c) One (1) sign not larger than four (4) square feet in area identifying the premises as being associated with a trade organization, or as producing products under a registered trade name.
 - (d) One (1) name plate not exceeding two (2) square feet in area containing the name and occupation of the occupant of the premises.
10. The erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities, unless the Board of Supervisors makes a finding after notice and hearing that any or all such facilities are not a compatible use.
11. The following uses, provided a special use permit authorizing such use is issued by the Planning Commission or Board of Supervisors of the County of San Diego. Such special use permit shall be applied for, considered, granted or denied in the manner prescribed by The Zoning Ordinance of the County of San Diego for the application for, consideration, granting or denying of applications for special use permits under that ordinance.
 - (a) Packing or processing plants for farm crops.
 - (b) Aviaries.
 - (c) The following farm employee housing and farm labor camps:
 - (1) Farm employee housing containing one or more trailer coaches or mobilehomes.
 - (2) Farm labor camps containing one or more trailer coaches or mobilehomes.
 - (3) Farm labor camps on premises having a net area of 10 acres or less.
 - (d) Public stables.
 - (e) Kennels.

- (f) Chinchillas.
 - (g) Radio or television transmitter.
 - (h) Airport (landing strip).
 - (i) Livestock auction yard.
 - (j) Animal waste processing.
12. The establishment, widening, realignment or improvement of any road, street or highway, whether existing or planned for the future, depicted on the circulation element of the San Diego County General Plan including any amendments thereto heretofore adopted by the Board of Supervisors.
13. The location and construction of any improvements specified in Section 51238 of the Government Code when located or constructed by a public agency or public utility, unless the Board of Supervisors makes a finding pursuant to said Section 51238 that such improvements are not compatible uses.
- C. The following recreational uses, provided a special use permit authorizing such use is issued by the Planning Commission or Board of Supervisors of the County of San Diego. Such special use permit shall be applied for, considered, granted or denied in the manner prescribed by The Zoning Ordinance of the County of San Diego for the application for, consideration, granting or denying of applications for special use permits under that ordinance.
1. Use of land by the public, with or without charge, for any of the following:
- (a) Walking
 - (b) Hiking
 - (c) Picnicking
 - (d) Camping
 - (e) Swimming
 - (f) Boating
 - (g) Fishing
 - (h) Hunting
 - (i) Other outdoor games or sports for which facilities are provided for public participation.

Any fee charged for the recreational use of land as defined herein shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public.

- D. The use or maintenance of the land within said agricultural preserve in such a manner as to preserve its natural characteristics, beauty and openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife or for the solar evaporation of sea water in the course of salt production for commercial purposes is authorized and such use shall be defined as "Open Space Uses" if such land is within:
1. A scenic highway corridor, as defined in subdivision (i) of Section 51201, Government Code.
 2. A wildlife habitat area, as defined in subdivision (j) of Section 51201, Government Code.
 3. A saltpond, as defined in subdivision (k) of Section 51201, Government Code.
 4. A managed wetland area, as defined in subdivision (l) of Section 51201, Government Code.
 5. A submerged area, as defined in subdivision (m) of Section 51201, Government Code.

Section 2. Notwithstanding the provisions of Section 1, no dwelling, guest house, farm employee housing or farm labor camp shall be constructed, erected or maintained upon any premises containing an area of less than 15 acres; provided, however, one single family dwelling may be constructed and maintained on the premises subject to this Contract.

Section 3. Nothing herein shall be construed to authorize the establishment or continuation of a use of real property contrary in any provision of The Zoning Ordinance (Ordinance No. 1402 (New Series) of the County of San Diego) including any amendments thereto, heretofore or hereafter adopted.

Section 4. The premises subject to this Contract shall not be divided so as to create a parcel of land having an area of less than 15 acres, provided that this restriction shall not be construed as prohibiting the owner of premises having an area of more than 15 acres (hereinafter referred to as the Grantor) from conveying to the owner of contiguous premises subject to a Contract of equal or longer unexpired term a parcel containing less than 15 acres for the purpose of enlarging such contiguous premises where the remainder of the Grantor's premises after such conveyance has an area of not less than 15 acres.

Section 5. "Area' means an area of land inclusive of that land within easements or rights of way for roads, streets and/or highways.

Section 6. Definitions. The definition of words set forth in The Zoning Ordinance of the County of San Diego shall apply to the words used herein unless otherwise specifically defined herein.

Since 3d

RESOLUTION ESTABLISHING
SAN PASQUAL AGRICULTURAL PRESERVE NO. 20

ON MOTION of Supervisor Craven, seconded by Supervisor Boney,
the following resolution is adopted:

WHEREAS, George A. Hillebrecht, Inc.
filed an application for the establishment of an Agricultural Preserve
pursuant to the California Land Conservation Act of 1965, the
Williamson Act (Government Code, Section 51200 et seq.) hereinafter
referred to as the "Act"; and

WHEREAS, in accordance with the Act and the procedures adopted
by this Board of Supervisors the said application was reviewed by
the County Planning Commission which held a public hearing on said
applications; and

WHEREAS, pursuant to the Act this Board of Supervisors has held
a public hearing on a proposal to establish an Agricultural Preserve
as hereinafter set forth, notice of said public hearing having been
given as required by law; and

WHEREAS, it appears that an Agricultural Preserve should be
established as hereinafter set forth; NOW THEREFORE.

BE IT RESOLVED AND ORDERED as follows:

1. That pursuant to the Act an Agricultural Preserve including
all of the lands described in Exhibit "A" and shown on Exhibit "C",
a map of such Agricultural Preserve hereto attached, is hereby
established.

2. That said Agricultural Preserve shall be known and
designated as San Pasqual Agricultural Preserve No. 20.

3. That the use of land within said Agricultural Preserve
shall be restricted by placing all of the land within said
Agricultural Preserve in an A-1(8) Agricultural Zone pursuant to
The Zoning Ordinance of the County of San Diego.

4. That said Agricultural Preserve shall be administered
pursuant to the terms of the Act.

5. That the owner of land devoted to an agricultural use
and located within said Agricultural Preserve may enter into a
contract with the County of San Diego provided said land meets
the requirements set forth in Exhibit "B" hereto attached and
satisfies the minimum ownership size criteria set forth in Section
3 of Board of Supervisors Policy I-38.

6. That all land within said Agricultural Preserve that becomes the subject of a contract shall have the use thereof restricted as set forth in said Exhibit "B".

7. That any contract entered into with respect to land within said Agricultural Preserve shall be substantially in the form hereto attached and marked Exhibit "D" and there shall be incorporated and made a part of said contract the said Exhibit "B". When Exhibit "B" is incorporated in any contract, the Director of Planning shall recommend, and the Board of Supervisors shall determine, a limitation on division of the subject land. Said limitation shall be established pursuant to the standard specified in Section 5(c) of Board of Supervisors Policy I-38. Said limitation shall be entered in the spaces provided in Section 4 of the said Exhibit "B" and the same figure shall be entered in the space provided in Section 2 of said Exhibit "B".

8. It is directed that the Clerk of the Board of Supervisors file this Resolution and the map attached thereto with the County Recorder of the County of San Diego.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Diego, State of California, this 9th day of February, 1972, by the following vote:

AYES: Supervisors Walsh, Boney, Scheidle, Bear and Craven
NOES: Supervisors None
ABSENT: Supervisors None

- - -

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

I, PORTER D. CREMANS, Clerk of the Board of Supervisors of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution passed and adopted by said Board, at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is now on file in my office; that the same contains a full, true and correct transcript therefrom and of the whole thereof.

Witness my hand and the seal of said Board of Supervisors, this 18th day of February, 1972.

PORTER D. CREMANS
Clerk of the Board of Supervisors

By Thomas McPherson
Deputy

(SEAL)

A RESOLUTION OF THE SAN DIEGO COUNTY PLANNING COMMISSION
APPROVING SAN PASQUAL AGRICULTURAL PRESERVE NO. 20; THE
RECLASSIFICATION OF ALL LAND WITHIN THE PRESERVE AND SOME
50 ADJACENT ACRES FROM THE LC ZONE TO THE A-1(8) AGRICULTURAL
ZONE AND THE INCORPORATION OF THIS LAND INTO A NEW SAN PASQUAL
ZONING DISTRICT; AND RECOMMENDING THAT THE BOARD OF SUPERVISORS
ADOPT SAID PRESERVE, ZONE RECLASSIFICATION, AND INCORPORATION
OF SAID LAND INTO A SAN PASQUAL ZONING DISTRICT

Resolution of the San Diego County Planning Commission recommending:

1. That the "San Pasqual Agricultural Preserve No. 20" be established to include an area of about 330 acres; and
2. That all land within the preserve and some additional 50 acres adjacent to the South be reclassified from the LC Zone to the A-1(8) Agricultural Zone and placed into a new San Pasqual Zoning District.

WHEREAS, the Land Conservation Act of 1965 of the State of California authorized counties to establish agricultural preserves for the purpose of conserving agricultural land; and

WHEREAS, the Board of Supervisors adopted certain procedures and policies to implement said Act in San Diego County; and

WHEREAS, application has been received and processed pursuant to directive of said Board; and

WHEREAS, a public hearing on such proposals was duly advertised and held in a manner prescribed by law;

NOW, THEREFORE, BE IT RESOLVED that this Commission hereby adopts the establishment of the proposed San Pasqual Agricultural Preserve, the reclassification of lands therein as described above, and incorporation of said land into a San Pasqual Zoning District, all as shown on the map attached hereto; and

BE IT FURTHER RESOLVED that a copy of said map be forwarded to the Board of Supervisors with the recommendation that the Board also adopt said preserve and zone reclassification and new zoning district; and

BE IT FURTHER RESOLVED that the contracts to be entered into by the County and land owners, within these preserves, prescribe that the term of contract be for a minimum term of 10 years.

On motion of Commissioner Daily, seconded by Commissioner Hooper, this resolution is passed, approved, and adopted by the Planning Commission of the County of San Diego, California, at a regular meeting held on this 14th day of January, 1972, in the County Administration Center, San Diego, California by the following vote:

AYES: Commissioners Daily, Gizienski, Anderson, Hogan, Hooper, Lynn, Ferguson

NOES: None

ABSENT: None

I certify that the foregoing Resolution was duly adopted by the San Diego County Planning Commission on January 14, 1972.



Dan C. Cherrier
Secretary

Dated: 1/19/72_____

160327

Williamson Act

From: (619) 338-6575
 Suzy Thayer
 SHEPPARD MULLIN RICHTER
 501 West Broadway
 19th Floor
 San Diego, CA 92101

Origin ID: SDMA

FedEx
Express

J13201306280326

Ship Date: 19SEP13
 ActWgt: 1.0 LB
 CAD: 1974371/INET3430

Delivery Address Bar Code



SHIP TO: (858) 694-2527

BILL SENDER

Angela Jackson
 County of San Diego
 5560 OVERLAND AVE
 STE 410
 SAN DIEGO, CA 92123

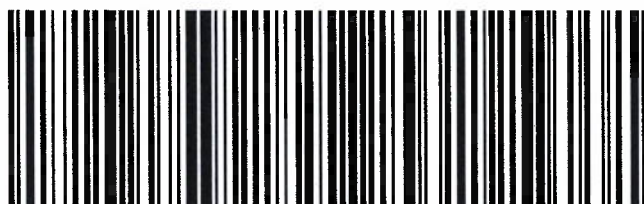
Ref # 06JM-160327
 Invoice #
 PO #
 Dept #

FRI - 20 SEP AA
 STANDARD OVERNIGHT

TRK# 7967 2900 7774
 0201

92123
 CA-US
 SAN

WT MYFA



51AG192561A9E

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Michael S. Hansen
619.338.6590 direct
mhansen@sheppardmullin.com

September 19, 2013

File Number: 06JM-160327

VIA E-MAIL AND FEDEX

Angela Jackson
Real Estate Services Division
County of San Diego
5560 Overland Ave., Ste. 410
San Diego, CA 92123
E-Mail: angela.jackson@sdcountry.ca.gov

Re: Notice of Nonrenewal of Land Conservation Contracts No. 20 and 39 (Rancho Guejito)

Dear Ms. Jackson:

This letter is a request for nonrenewal of Williamson Act contracts for land owned by our client Rancho Guejito Corporation. Rancho Guejito is hereby providing notice to the County of San Diego under Government Code section 51245 that it would not like to renew Land Conservation Contracts No. 20 and 39.

Attached are notarized Notices of Nonrenewal for Land Conservation Contracts No. 20 and 39, signed by Hank Rupp, Chief Operating Officer and General Counsel of Rancho Guejito Corp. The Notices of Nonrenewal identify the applicable Land Conservation Contracts and legally describe the property. Also attached is a Unanimous Written Consent by the Directors of Rancho Guejito Corp. to authorize Hank Rupp to execute the Notices of Nonrenewal.

We understand that within 20 days of receipt of these Notices of Nonrenewal, the Clerk of the Board will record a copy of the Notices of Nonrenewal with the County Recorder and the nonrenewal will take effect January 1, 2014.

Please call me if you have any questions regarding these issues.

Very truly yours,



Michael S. Hansen
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SheppardMullin

Angela Jackson
September 19, 2013
Page 2

Encl.: Notice of Nonrenewal for Land Conservation Contract No. 20
Notice of Nonrenewal for Land Conservation Contract No. 39
Unanimous Written Consent of Directors of Rancho Guejito Corporation

cc: April Heinze, Director of Department of General Services, County of San Diego
Clerk of the Board of Supervisors, County of San Diego
Hank Rupp, COO and General Counsel of Rancho Guejito Corp.

WHEN RECORDED, PLEASE MAIL THIS INSTRUMENT TO:

Clerk, Board of Supervisors
San Diego County Administration Center
1600 Pacific Highway
San Diego, California 92101

SPACE ABOVE FOR RECORDER'S USE ONLY

NOTICE OF NONRENEWAL

Agricultural
Preserve: 20
Contract No.: 71-16

NOTICE IS HEREBY GIVEN:

WHEREAS, the Undersigned, Rancho Guejito Corporation LLC / Guejito Gate LLC are the owner(s) of land described under Land Conservation Contract No. 20 recorded February 29, 1972, Document No. 72-48856, in the Office of the County Recorder of San Diego County, more particularly described in attached Exhibit "A", and;

WHEREAS, said owners desire a nonrenewal of said Contract;

NOW, THEREFORE, said owner(s) do (does) hereby declare their intent not to renew said Contract No. 20, effective January 1, 2014.


Owner

COO Rancho Guejito Corp.

Owner

Owner

Owner

Dated

9-19-13

EXHIBIT A

GEORGE A. HILLEBRECHT, INC., AP71-16

PARCEL 1:

That portion of the West Half of Section 26 and the North Half of the Northwest Quarter of Section 35, Township 12 South, Range 1 West, San Bernardino Meridian, in the County of San Diego, State of California, according to United States Government Survey approved June 6, 1872, described as follows:

Beginning at a point 227.5 feet South of the Quarter Section corner situated on the Section line between Sections 35 and 26, Township 12 South, Range 1 West, San Bernardino Meridian, being marked by a flat stone 12 x 14 x 8 inches, three inches thick, marked "A" on the North face; thence North 85° West 647 feet to a stone marked "D" said stone being 14 inches long; thence South 52-1/2 feet to a stone 14 inches long marked "C"; thence North 85° 52' West 593.5 feet to a one inch iron water pipe two feet long coated with asphalt being the true point of beginning; thence North 6° 20' East 1487.5 feet to a rock 8 x 10 x 14 inches marked "B"; thence North 13° 39' East to intersection with the North line of the Northwest Quarter of Section 26; thence Westerly along said last mentioned line to the East line of the West Half of the Northwest Quarter of said Section 26; thence South on the line between the East Half and the West Half of the Northwest Quarter of Section 26 to the North line of the Southwest Quarter of Section 26; thence Westerly along said Quarter Section line to the West line of said Section 26; thence South along the Westerly line of Section 26 and 35 to the South line of the North Half of the Northwest Quarter of said Section 35; thence along said line in an Easterly direction 1285.82 feet to a point which is distant thereon 1362.80 feet Westerly from the Southeast corner of said North Half of the Northwest Quarter; thence North 6° 20' East 696.46 feet; thence Northerly in a straight line to the true point of beginning.

EXCEPTING that portion thereof which lies Southerly of the centerline of the public road known as Relocation of County Highway Commission, Route 15, and shown on Map thereof on file in the office of the County Surveyor of San Diego County, said centerline being described in part as follows:

Beginning at a point in the West line of said Section 35 distant South 1° 41' 05" East 634.83 feet from the Northwest corner of said Section 35, being a point on a 500 foot radius curve concave Northwesterly, the radial line of said curve bearing South 38° 39' 45" East; thence Northeasterly and Easterly along said centerline as follows:

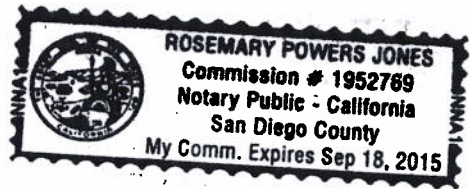
Northeasterly along said curve 82.36 feet through an angle of 9° 32' 27"; tangent to said curve North 41° 47' 48" East 522.13 feet to the beginning of a tangent curve concave Southeasterly having a radius of 350 feet; Northeasterly along said curve 313.78 feet through an angle of 51° 22'; and tangent to said curve South 85° 50' 02" East 1138.19 feet.

COUNTY OF SAN DIEGO)

WITNESS my hand and official seal.

Signature

Robert Page



WHEN RECORDED, PLEASE MAIL THIS INSTRUMENT TO:

Clerk, Board of Supervisors
San Diego County Administration Center
1600 Pacific Highway
San Diego, California 92101

SPACE ABOVE FOR RECORDER'S USE ONLY

NOTICE OF NONRENEWAL

Agricultural
Preserve: 39
Contract No.: 74-13

NOTICE IS HEREBY GIVEN:

WHEREAS, the Undersigned, Rancho Guejito Corporation LLC / Guejito Gate LLC are the owner(s) of land described under Land Conservation Contract No. 39 recorded October 18, 1974, Document No. 74-279497, in the Office of the County Recorder of San Diego County, more particularly described in attached Exhibit "A", and;

WHEREAS, said owners desire a nonrenewal of said Contract;

NOW, THEREFORE, said owner(s) do (does) hereby declare their intent not to renew said Contract No. 39, effective January 1, 2014.

18 Paul Rupp
Owner

COO Rancho Guejito Co

Owner

Owner

Dated 9-19-13

AP 74-13

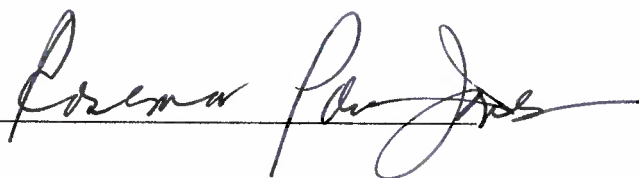
The West Half of the Southeast Quarter of Section 23, Township 12 South,
Range 1 West, San Bernardino Meridian, in the County of San Diego, State
of California, according to United States Government Survey approved
August 29, 1874.

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

On SEPTEMBER 19, 2013, before me, ROSEMARY POWERS JONES, a Notary Public, personally appeared HENRY PETER RUFF who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 



UNANIMOUS WRITTEN CONSENT OF DIRECTORS

OF

RANCHO GUEJITO CORPORATION
a California corporation

9/9/-, 2013

The undersigned, constituting the all directors of RANCHO GUEJITO CORPORATION, a California corporation (the "Corporation"), do hereby adopt the following resolutions by unanimous written consent in accordance with Section 307(b) of the California Corporations Code.

Authority to Execute Notices of Nonrenewal

WHEREAS, the Corporation, as landowner, has entered into the following contracts with the County of San Diego:

Land Conservation Contract No. 20 recorded February 29, 1974, Document No. 72-48856 in the Office of the County Recorder of San Diego County; and

Land Conservation Contract No. 39 recorded October 18, 1974, Document No. 74-279497, in the Office of the County Recorder of San Diego County (collectively the "Contracts");

WHEREAS, the Contracts are automatically renewed each year on January 1st;

WHEREAS, the directors deem it to be in the best interests of the Corporation and its shareholders not to renew the Contracts;

WHEREAS, California Government Code 51245 requires the Corporation, as the landowner, to serve the County of San Diego with written notice at least 90 days prior to the annual renewal date or the Contract shall be automatically renewed;

WHEREAS, the directors wish to authorize an officer to sign a Notice of Nonrenewal on behalf of the Corporation for each of the Contracts;

NOW, THEREFORE, BE IT RESOLVED, that Hank Rupp, as C.O.O. of the Corporation, be, and he hereby is authorized and directed to execute a Notice of Nonrenewal in the name of and on behalf of the Corporation for each of the Contracts, and to take such other action as may be necessary and advisable in order to carry out the purpose and intent of this resolution.

The Secretary of this Corporation is hereby instructed to insert this Unanimous Written Consent of Directors into the Corporation's minute book.

The date of this Unanimous Written Consent is 9/9/, 2013.



Director

Director

Director

ATTACHMENT 2

California Farm Bureau Federation Response Letter



CALIFORNIA FARM BUREAU FEDERATION

GOVERNMENTAL AFFAIRS DIVISION

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November 11, 2012

Mr. Eric Larson
1670 East Valley Parkway
Escondido, California 92027-2409

Dear Eric:

Thank you for your inquiry regarding a proposed winery and tasting room on a parcel restricted by a Land Conservation Act contract (aka Williamson Act). As you know, Farm Bureau has sponsored numerous changes in the Williamson Act including the creation of principles of compatibility for contracted land within an agricultural preserve. Our goal in drafting and supporting this addition to the Williamson Act was to provide greater guidance to counties for their administration of this important land conservation program. We were concerned by the influx of land uses that compromised the agricultural capability of the contracted parcel or neighboring contracted parcels, or that hindered or impaired farming or ranching operations on these restricted parcels. We also did not think that a compatible use should lead to the removal of adjacent land from the Williamson Act; for example houses around a water ski lake. Such uses in the late 1980's and early 1990's included driving ranges, golf courses with county clubs and restaurants, automobile racetracks, large horse stabling facilities with covered arenas, and the aforementioned water ski lakes.

The principles of compatibility are contained in Government Code § 51238.1 below:

§51238.1. (a) Uses approved on contracted lands shall be consistent with all of the following principles of compatibility:

(1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.

(2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. **Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.**

(3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

In evaluating compatibility a board or council shall consider the impacts on noncontracted lands in the agricultural preserve or preserves.

(b) A board or council may include in its compatible use rules or ordinance conditional uses which, without conditions or mitigations, would not be in compliance with this section. These conditional uses shall conform to the principles of compatibility set forth in subdivision (a) or, for nonprime lands only, satisfy the requirements of subdivision (c).

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(c) In applying the criteria pursuant to subdivision (a), the board or council may approve a use on nonprime land which, because of onsite or offsite impacts, would not be in compliance with paragraphs (1) and (2) of subdivision (a), provided the use is approved pursuant to a conditional use permit that shall set forth findings, based on substantial evidence in the record, demonstrating the following:

(1) Conditions have been required for, or incorporated into, the use that mitigate or avoid those onsite and offsite impacts so as to make the use consistent with the principles set forth in paragraphs (1) and (2) of subdivision (a) to the greatest extent possible while maintaining the purpose of the use.

(2) The productive capability of the subject land has been considered as well as the extent to which the use may displace or impair agricultural operations.

(3) The use is consistent with the purposes of this chapter to preserve agricultural and open-space land or supports the continuation of agricultural uses, as defined in Section 51205, or the use or conservation of natural resources, on the subject parcel or on other parcels in the agricultural preserve. The use of mineral resources shall comply with Section 51238.2.

(4) The use does not include a residential subdivision.

For the purposes of this section, a board or council may define nonprime land as land not defined as "prime agricultural land" pursuant to subdivision (c) of Section 51201 or as land not classified as "agricultural land" pursuant to subdivision (a) of Section 21060.1 of the Public Resources Code.

Nothing in this section shall be construed to overrule, rescind, or modify the requirements contained in Sections 51230 and 51238 related to noncontracted lands within agricultural preserves. (Emphasis added)

As you can see from the emphasized sentence in bold in subdivision (b), the law clearly allows uses, including but not limited to, coolers, packing shed, processing facilities (i.e., wineries), and corporation yards as compatible uses "if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands."

While I don't know the specifics of the application, it would appear that a facility that will process the grapes grown on the landowner's contracted parcel or parcels for the purposes of making wine qualifies as a compatible use. It should be noted that all wine grape growing counties in California allow wineries and tasting rooms as a compatible use on Williamson Act land.

I hope this is helpful in your county's consideration of this application.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Gamper". The signature is stylized with a large, looped "J" and "G".

John R. Gamper
Director
Taxation and Land Use

ATTACHMENT 3

LARA Model Instructions

3.1 LARA Model Instructions⁶

Application of the LARA model is intended for use in evaluating the importance of agricultural resources when it is determined that a discretionary project could adversely impact agricultural resources located onsite. The LARA model takes into account the following factors in determining importance of the agricultural resource:

Required Factors:

Water
Climate
Soil Quality

Complementary Factors:

Surrounding Land Uses
Land Use Consistency
Topography

Directions for determining the rating for each LARA model factor are provided in sections 3.1.1 through 3.1.6 of this document. Upon rating each factor, it is necessary to refer to Table 2, Interpretation of LARA Model Results, to determine the agricultural importance of the site.

Table 2. Interpretation of LARA Model Results

LARA Model Results			LARA Model Interpretation
Possible Scenarios	Required Factors	Complementary Factors	
Scenario 1	All three factors rated high	At least one factor rated high or moderate	The site is an important agricultural resource
Scenario 2	Two factors rated high, one factor rated moderate	At least two factors rated high or moderate	
Scenario 3	One factor rated high, two factors rated moderate	At least two factors rated high	
Scenario 4	All factors rated moderate	All factors rated high	
Scenario 5	At least one factor rated low importance	N/A	The site is <i>not</i> an important agricultural resource
Scenario 6	All other model results		

Data Availability

To complete the LARA model, various data sources are needed. The most efficient approach to completing the model is through analysis within a Geographic Information System (GIS). To facilitate this approach, the GIS data layers required to complete the LARA model are available upon request from PDS. Available data sources include: groundwater aquifer type, Generalized Western Plantclimate Zones or “Sunset Zones”,

⁶ Various data sources referenced in this document are available from PDS in hard copy format (maps) or in digital format for use within a Geographic Information System (GIS). Obtaining various data sources will be required to determine the importance of the resource.

and Prime Farmland and Farmland of Statewide Importance soil candidates. Other data sources are available from the SANGIS webpage at <http://www.sangis.org/>.

3.1.1 Water

The water rating is based on a combination of a site's CWA service status, the underlying groundwater aquifer type and the presence of a groundwater well (Table 3). Due to the variability of well yields and the potential for groundwater quality problems to adversely impact the viability of the well for agricultural purposes, the water factor allows for a reduction in the water rating based on site specific well yield and quality data, if that data is available (Table 4).

Table 3. Water Rating ⁷

County Water Authority (CWA) Service Status	Groundwater Aquifer Type and Well Presence	Rating
Inside CWA service area with existing water infrastructure connections and a meter	Any groundwater aquifer type	High
Inside CWA service area with infrastructure connections to the site, but no meter has been installed	The site is located in an Alluvial or Sedimentary Aquifer <i>and</i> has an existing well	High*
	The site is located in an Alluvial or Sedimentary Aquifer, but has no existing well	Moderate*
	The site is located on Fractured Crystalline Rock and has an existing well	Moderate*
	The site is located on Fractured Crystalline Rock, but has no existing well	Low*
Outside CWA or inside CWA but infrastructure connections are not available at the site and no meter is installed	The site is located in an Alluvial or Sedimentary Aquifer <i>and</i> has an existing well	Moderate*
	The site is located in an Alluvial or Sedimentary Aquifer, but has no existing well	Low*
	The site is located on Fractured Crystalline Rock (with or without a well)	Low*
	The site is located in a Desert Basin (with or without a well)	Low*

*These water ratings may be reduced based on available groundwater quantity and quality information, in accordance with Table 4. If no additional groundwater quantity or quality data is available, the ratings above shall apply.

⁷ If more than one underlying groundwater aquifer type exists at a site, usually the aquifer type that could produce the most water should be used to obtain the water rating. If it would be more reasonable to apply the rating based on the aquifer that would produce less water, a clear justification and reason for doing so must be provided.

Water Quality and Quantity Limitations

Site specific limitations to groundwater availability and quality exist and can lower the overall water rating of a site when data is available to support the limitation. Sites with imported water availability may not receive a lower water rating based on groundwater quality or yield data. Table 4 outlines potential water availability and quality limitations and the associated effect on the LARA model water rating.

Table 4. Groundwater Availability and Quality Effects on Water Rating

Groundwater Availability and Quality	Effect on Water Rating
The site has inadequate cumulative well yield (<1.9 GPM per acre of irrigated crops); TDS levels above 600 mg/L; or another documented agricultural water quality or quantity limitation exists	Reduces water rating by one level (i.e. from high to moderate or from moderate to low)

A determination of inadequate cumulative well yield as stated in Table 4 means that a site's well cannot produce at least enough water for each acre of irrigated crops at the site. At least 1.9 GPM is required per acre of irrigated crops, equating to production of 3 Acre Feet/Year (AFY) based on the following conversion factor: $1 \text{ AFY} = 325,851 \text{ Gallons per Year} / 365 \text{ days} / 1440 \text{ minutes} = 0.62 \text{ GPM}$. Cumulative well yield means that the combined yield of all wells on site may be summed to meet the required groundwater yield. As an example, if a site has 5 acres of irrigated crops, then production would need to be at least 9.5 GPM to produce enough water to irrigate the 5 acres, equating to approximately 15 AFY. If residence(s) exist on the project site, the groundwater analysis must demonstrate that an additional supply of 0.5 AFY can be achieved to account for residential water use associated with each existing onsite residence. To allow a reduction in the water quality score, TDS levels above 600 mg/L must be documented. If other documented water quality limitations exist that are not captured in the water quality measure of TDS, the water quality data must be provided and an associated water rating reduction justified. Although these requirements assume that water needs are consistent for a crop throughout the year while water requirements are typically higher in the dryer months, average annual required yield is used as the best available general measure of the adequacy of groundwater yields.

The quality and availability of imported water is not included as a factor to allow a reduction in the water rating due to an assumption that the MWD will continue to deliver water with the 500 mg/L TDS objective. However, it should be recognized that the degradation of the quality of Colorado River water is a known issue that could preclude the production of certain crops in the future. If in the future, the MWD is unable to meet their adopted water quality objectives, a similar reduction for imported water quality may need to be developed for consideration in the water score. Similarly, there is uncertainty regarding the continued future reliability of agricultural water deliveries based on various external issues that may affect local imported water supply such as protection of the Salton Sea and the stability of the Sacramento/San Joaquin Delta. As the impacts from external sources to local agricultural water deliveries become realized, the treatment of the water score in this document may need to be reevaluated.

Water Rating Explanation

Sites with availability of imported water always receive the highest water rating regardless of groundwater availability because the availability of imported water is essential for the long term viability of agriculture due to the limited natural rainfall and limited availability of groundwater resources in the County. Sites within the CWA service area that have no existing water meter, but that have water infrastructure connections to a site (in or near an adjacent street), are assigned a higher water rating than sites without existing water infrastructure connections. This is because the cost of extending off-site water infrastructure and obtaining a water meter is much higher than only obtaining a water meter and constructing onsite infrastructure connections to existing adjacent imported water infrastructure. Furthermore, the presence of existing imported water infrastructure adjacent to a site is a good indication that imported water is likely to become available to the site in the future (more likely than for a site far from infrastructure for imported water).

The underlying groundwater aquifer type and the presence of a well are two additional factors that affect the water rating. In general, sites underlain by an alluvial or sedimentary aquifer receive the highest ratings because these substrates have a much greater capacity to hold water than fractured crystalline rock. A site underlain by an alluvial or sedimentary aquifer with an existing well receives a higher rating than a site underlain by these geologic formations but having no existing well because of the cost associated with well installation. Well installation costs are added to the initial capital outlay required to begin an agricultural operation, thereby reducing the water rating if no well is present. The availability of groundwater in fractured crystalline rock is highly uncertain. However, a site underlain by fractured crystalline rock that has an existing well and is located adjacent to imported water infrastructure receives a moderate rating to take into account the cost of well installation, and the increased likelihood that imported water may become available at the site in the near future. Additionally, while groundwater yield in fractured crystalline rock is generally limited compared to other aquifer types, it can provide a good source of groundwater, especially in valley areas where there may be saturated residuum overlying the fractured crystalline rock. Sites with a well located on fractured crystalline rock, but without imported water infrastructure connections to the site, always receive a low rating because such sites would likely be reliant on a limited groundwater resource for the foreseeable future.

Nearly all agriculture in the desert basins is located in Borrego Valley, where documented groundwater overdraft conditions limit the long-term sustainability of agricultural use. A site located in a desert basin receives a low water rating due to the absence of imported water, and low groundwater recharge rates, which can easily result in groundwater overdraft conditions as documented in Borrego Valley, where extraction rates far exceed natural recharge. The Borrego Municipal Water District is taking measures to reduce water use in the basin through encouraging the fallowing of agricultural land. In addition, the County of San Diego requires proposed projects to mitigate for significant impacts to groundwater supply in accordance with CEQA. Mitigation may be achieved through the fallowing of agricultural land. These factors make preservation of agriculture in Borrego Valley infeasible in the long term when

considering the need to reduce overall groundwater use to protect the public health and the sustainability of the community.

Groundwater Quantity and Quality Explanation

The following discussion explains the reasoning behind the water rating reductions detailed in Table 4, Groundwater Availability and Quality Effects on Water Rating. The lack of a well with adequate yield (1.9 GPM for each acre of irrigated crops) reduces the water rating by one factor. This standard is based on the well yield needed to achieve production of 3 AFY per acre, an average crop irrigation requirement for crops produced locally (Table 5).

Table 5. Crop Water Use Averages

Crop	Typical Water Usage Per Acre (AFY)
Indoor Flowering and Foliage Plants	3-4
Ornamental Shrubs and Trees	3
Avocados	3
Bedding Plants	3
Cut Flowers	2-3
Tomatoes	2
Citrus	2.5-3
Poinsettias	3-4
Strawberries	3
Average	3

Source: UC Cooperative Extension, County of San Diego

A well with poor water quality (as measured by TDS levels above 600 mg/L or another documented water quality limitation) may reduce the water rating by one factor to account for agricultural limitations associated with using poor quality water for crop production. Groundwater with TDS concentrations above 600 mg/L is the guideline for allowing a reduction in the water factor based on available research on the effects of TDS on crop production, with specific focus on the effects on crops important to the San Diego region. In general, as TDS levels rise, water has diminishing value for agricultural use as it can restrict the range of crops that can be irrigated with the water and increases the cost of irrigation system maintenance.

According to the San Diego County Water Authority Agricultural Irrigation Water Management Plan, TDS levels above 500 mg/L are problematic for many of the subtropical crops produced in San Diego County, and TDS levels over 1,000 mg/l are virtually unusable for many of the subtropical crops grown here (2001). While TDS concentrations above 500 mg/L can be problematic for many subtropical crops, concentrations above 600 mg/L was selected as the guideline to take into account the already elevated TDS concentrations in imported water sources. Another study (Peterson, 1999) identified the TDS tolerance of selected crops. Field crops such as oat hay, wheat hay and barley were found to tolerate water with TDS levels up to 2,500

mg/L, but these are among the lowest value crops produced in the County. Strawberries were found to be intolerant to TDS levels greater than 500 mg/L; apples, grapes, potato, onion, and peppers slightly tolerant to TDS levels up to 800 mg/L; and cucumbers, tomatoes, and squash moderately tolerant to TDS levels up to 1,500 mg/L. The Florida Container Nursery BMP Guide prepared by the University of Florida Agricultural Extension (2006) identified TDS levels and the associated degree of problem that will be experienced for microirrigated container nursery production at different TDS levels. TDS of 525 mg/L or less was identified as producing no problems, TDS from 525 to 2100 mg/L having increasing problems, and TDS greater than 2100 mg/L having severe problems. High levels of TDS can be overcome through planting more salt resistant crops; however salt resistant crops are typically lower in value and would not produce the economic returns necessary to sustain a viable farming industry in San Diego County (high cost of production and land generally require production of high value crops). In general as TDS levels rise, crop yields decline, maintenance of irrigation systems becomes more difficult, and the range of crops (particularly high value crops) that can be supported is reduced.

In summary, TDS levels in groundwater above 600 mg/L substantially impair the water as a source of irrigation for agriculture, justifying a reduction in the water rating by one factor to account for the potential for reduced yields, increased difficulty in maintaining irrigation systems, and reduction in the range of crops that can be produced.

It is important to note that TDS is only one measure of water quality and does not differentiate between the various types of dissolved solids or contaminants that may be present in water. High levels of certain constituents can cause severe problems for agricultural production. For example, high chloride content can damage certain crops, while nitrates can cause problems for livestock. If specific documented limitations exist that reduce the viability of the water supply for agriculture, the water rating should be reduced. The quality of imported water is not considered because it is assumed that the MWD will deliver water with a maximum TDS of 500 mg/L, their adopted TDS objective for imported water deliveries.

3.1.2 Climate

Ratings associated with each Generalized Western Plantclimate Zone or “Sunset Zone” are included in Table 6, Climate Rating. The table identifies and describes each zone and justification for the associated rating.⁸ Detailed descriptions of the Sunset Zones in San Diego County are included in Attachment B.

⁸ All Sunset Zones in the County are not included in the table. Zone 22 is a small area that occurs entirely within Camp Pendleton, therefore no rating is assigned to this zone. Zone 24 is the maritime influenced zone. Only limited portions of unincorporated communities exist in this zone (County Islands in National City and the west Sweetwater area). Although this zone is valuable for certain high value crops, it is not assigned any importance rating due to the very small area of unincorporated land that occurs in this zone and the fact that the land is fully urbanized.

Table 6. Climate Rating

Climate (Sunset Zone) Description	Rating	Justification
Zone 23 represents thermal belts of the Coastal Area climate and is one of the most favorable for growing subtropical plants and most favorable for growing avocados. Zone 23 occurs in coastal incorporated cities and also occurs in the unincorporated communities of Fallbrook, Rainbow, Bonsall, San Dieguito, Lakeside, western portions of Crest and Valle De Oro, Spring Valley, Otay, and western portion of Jamul-Dulzura.	High	Zone 23 is rated high because this climate zone is the most favorable for growing some of the County's most productive crops. Year round mild temperatures allow year round production and the proximity to urban areas and infrastructure facilitates efficient delivery to market.
Zone 21 is an air drained thermal belt that is good for citrus and is the mildest zone that gets adequate winter chilling for some plants. Low temperatures range from 23 to 36 degrees F, with temperatures rarely dropping far below 30 degrees.	High	Zone 21 is rated high because of the mild year round temperatures and lack of freezing temperatures that allow year round production of high value crops. The importance of this zone is also related to the conversion pressure that exists due to urban encroachment. Preserving agriculture in Zone 21 is essential to maintain the high returns per acre that are common in this County. Climate is the essential factor that allows high value production. The loss of significant agricultural lands in Zone 21 would eventually relegate agriculture to areas further east where most of the County's high value crops cannot be viably produced. Zone 21 is also favorable due to its location close to urban areas and transportation infrastructure which facilitates product delivery to market.
Zone 20 is a cold air basin that may be dominated by coastal influence for a day, week or month and then may be dominated for similar periods of time by continental air. Over a 20 year period, winter lows in Zone 20 ranged from 28 to 23 degrees F.	High	Zone 20 occurs the Ramona area. Citrus groves are common in Zone 20 in addition to a concentration of animal agriculture operations and vineyards. Most of Zone 20 falls within the 89,000-acre Ramona Valley viticultural area which was designated as its own appellation in 2006 and contains 17 vineyards currently cultivating an estimated 45 acres of wine grapes. The distinguishing factors of the Ramona Valley viticultural area include its elevation, which contrasts with the surrounding areas, and climatic factors related to its elevation and inland location. Due to the favorable climate, proximity to urban areas, and its potential to become a more widely recognized viticultural area, Zone 20 is rated as a climate of high importance.
Zone 19 is prime for citrus, and most avocados and macadamia nuts can also be grown here.	High	Zone 19 is rated high due to the suitability for growing the County's high value crops and its location close to urban areas.

Zone 18 is a mountainous zone subject to frosts. Citrus can be grown in Zone 18, but frosts require the heating of orchards to reduce fruit loss. Zone 18 is the home of Julian's apple orchards.	Moderate	Zone 18 is assigned a medium rating due to its frost susceptibility, reducing its potential for supporting year round production and frost sensitive crops. However, the ability to produce crops that require winter chilling makes it a climate zone of moderate importance.
Zone 13 covers low elevation desert areas (considered subtropical) and is the most extensive of the County's desert Plantclimate zones. Zone 13 includes the extensive agricultural uses in the Borrego Valley.	Moderate	Zone 13 is assigned a moderate rating due to the temperature extremes characteristic of this zone. These temperature extremes exclude some of the subtropicals grown in Zones 22 to 24, however numerous subtropicals with high heat requirements thrive in this climate such as dates, grapefruit, and beaumontia and thevetia (ornamentals).
Zone 11 is located below the high elevation Zone 3 and above the subtropical desert Zone 13.	Low	Zone 11 is assigned a low climate rating due the agricultural hazards of the climate including late spring frosts and desert winds.
Zone 3 occurs in the high elevation Palomar Mountains in addition to high elevation areas east of the Tecate Divide. These are locations where snow can fall and wide swings in temperature occur.	Low	Most of these lands are public lands, reducing their potential for commercial agriculture. The wide swings in temperature, including freezing temperatures in winter make this zone of low importance agriculturally. This zone is also far from transportation infrastructure; an important consideration for crop delivery to market.

While it is anticipated that the climate ratings would normally not be modified, it is important to acknowledge that microclimate conditions do exist that cannot be captured in the Sunset Zone definitions. For example, topography can create certain microclimate conditions such as frost susceptibility that could downgrade the climate importance of a site to marginal if frost tolerant crops cannot be grown at the site. Any downgrading or upgrading of a climate rating must be accompanied by site specific climate data to support the modification, and any identified climate limitations must be based on the range of crops that could be viable at the site. For example, if frost sensitive crops are the only crop identified to be viable at the site and the site would be subject to frequent frosts, this should be documented and a lower rating may be applied. It is not anticipated that climate modifications would be commonly used given the diversity of crops that a site would usually be able to support.

Sunset Zones are used as a standard measure of climate suitability due to the variability of microclimate conditions that the Sunset zones take into account. Recognizing that the Sunset Zones were not developed as a tool to determine the suitability for commercial agricultural production, their use is not intended to determine suitability for specific crops, rather they are a measure of overall climate suitability for the typical agricultural commodities produced in San Diego County. For example, the Sunset Zone designations take into account the USDA hardiness rating which identifies the lowest temperature at which a plant will thrive. Sunset Zones start with the USDA hardiness zones and add the effects of summer heat in ranking plant suitability for an area. The American Horticulture Society (AHS) heat zone map ranks plants for suitability to heat, humidity and dryness. The AHS heat zone map was developed under the direction of

Dr. H. Marc Cathey, who was instrumental in the organization of the USDA Plant Hardiness Map. Each AHS heat zone has “heat days,” those days with temperatures of 86° F or above. 86° F is the point at which some plants suffer damage to cellular proteins. The USDA plant hardiness zone maps and/or the AHS heat zone map may be used to supplement the Sunset Zone information if the Sunset Zone descriptions are not accurate.

3.1.3 Soil Quality

The project’s soil quality rating is based on the presence of Prime Farmland Soils or Soils of Statewide Significance (Attachment C) that are available for agricultural use and that have been previously used for agriculture. Land covered by structures, roads, or other uses that would preclude the use of the land for agriculture, are not typically considered in the soil quality rating. To determine the soil quality rating, the soil types on the project site must be identified. The soils data for the project site must be entered into Table 7, Soil Quality Matrix as detailed in the steps below:

Step 1.

Identify the soil types that are on the project site. Enter each soil type in Rows 1 through 13 of Column A. If the site has more soil types than available rows, add additional rows as needed.

Step 2.

Calculate the acreage of each soil type that occurs on the project site and enter the acreage of each in Column B. Enter the total acreage in Row 14, Column B. This number should equal the total acreage of the project site.

Step 3.

Calculate the acreage of each soil type that is unavailable for agricultural use⁹ and enter the total in the corresponding rows of Column C.

Step 4.

Subtract the values in Column C from the acreages of each soil type identified in Column B. Enter the result in Column D.

⁹ Soils unavailable for agricultural use include: 1) lands with existing structures (paved roads, homes, etc.) that preclude the use of the soil for agriculture, 2) lands that have been disturbed by activities such as legal grading, compaction and/or placement of fill such that soil structure and quality have likely been compromised (e.g., unpaved roads and parking areas), 3) lands that are primarily a biological habitat type that have never been used for agriculture, and 4) lands constrained by biological conservation easements, biological preserve, or similar regulatory or legal exclusion that prohibits agricultural use. The distinction between agriculture and biological resources is not always clear because agricultural lands commonly support sensitive biological species. Agricultural lands that incidentally support sensitive species should still be considered an agricultural resource; however, biological habitats that have never been used for agriculture should not be considered an agricultural resource. It is possible that non-native grasslands will be classified as both a biological resource and an agricultural resource since many non-native grasslands have been established based on a history of agricultural use.

Step 5.

Sum the acreage values in Column D and enter the total in Column D, Row 14.

Step 6.

Divide the acres of each soil type in Column D by the total acreage available for agricultural use (Column D, Row 14) to determine the proportion of each soil type available for agricultural use on the project site. Enter the proportion of each soil type in the corresponding row of Column E.

Step 7.

Determine whether each soil type is a soil candidate for Prime Farmland or Farmland of Statewide Importance. If yes, enter 1 in the corresponding row of Column F. If no, enter zero in the corresponding row of Column F.

Step 8.

Multiply Column E x Column F. Enter the result in the corresponding row of Column G.

Step 9.

Sum the values in Column G and enter the result in Column G, Row 15 to obtain the total soil quality matrix score.

Step 10.

Based on the total soil quality matrix score from Table 7, identify the corresponding soil quality rating using Table 8 Soil Quality Matrix Interpretation

Table 7. Soil Quality Matrix

	Column A	Column B	Column C	Column D	Column E	Column F	Column G
	Soil Type	Size of project site (acreage)	Unavailable for agricultural use	Available for agricultural use	Proportion of project site	Is soil candidate for prime farmland or farmland of statewide significance? (Yes = 1, No = 0)	Multiply Column E x Column F
Row 1							
Row 2							
Row 3							
Row 4							
Row 5							
Row 6							
Row 7							
Row 8							
Row 9							
Row 10							
Row 11							
Row 12							
Row 13							
Row 14	Total		Total				
Row 15	Soil Quality Matrix Score						

Table 8. Soil Quality Matrix Interpretation

Soil Quality Matrix Score	Soil Quality Rating
The site has a Soil Quality Matrix score ranging from 0.66 to 1.0 and has a minimum of 10 acres of contiguous Prime Farmland or Statewide Importance Soils	High
The site has a Soil Quality Matrix score ranging from 0.33 to 0.66 or the site has a minimum of 10 acres of contiguous Prime Farmland or Statewide Importance Soils	Moderate
The site has a Soil Quality Matrix score less than 0.33 and does not have 10 acres or more of contiguous Prime Farmland or Statewide Importance Soils	Low

Soil Quality Rating Justification

The presence of Prime Farmland Soils or Soils of Statewide Significance is used as the measure of quality soil in the LARA soil quality rating based on their use in defining soil candidates for the FMMP Farmland categories of Prime Farmland and Farmland of Statewide Importance. Soil candidates for the FMMP Prime Farmland designation are soils with the best combination of physical and chemical characteristics for the production of crops. Soil candidates for the FMMP Farmland of Statewide Importance designation are similar to the soil criteria for Prime Farmland, but include minor shortcomings, such as greater slopes or less ability to store soil moisture. Soil candidates for Farmland of Statewide Importance do not have any restrictions regarding permeability or rooting depth. Soil candidates for Farmland of Statewide Significance are included in this rating to capture quality soils with minor shortcomings that may not have been included, if the typical definition of Prime Agricultural Land as stated in Government Code Section 51201(c) was used. Soil criteria used in Government Code Section 51201(c) identifies any land with a LCC rating of I or II or a Storie Index Rating from 80 to 100 as land that meets the definition of prime agricultural land. Because San Diego County has limited quantities of soils that meet these criteria, locally defined NRCS soil candidates for Prime Farmland and Farmland of Statewide Importance are included to define quality soils in this locale given that 70% of these soils have LCC higher than I or II and 88% have SI ratings below 80. Details regarding the soil criteria that determine the applicability of a soil for the respective Farmland designation is included in Attachment C, Soil Candidate Criteria and Candidate Listing for Prime Farmland and Farmland of Statewide Importance.

Table 8, Soil Quality Matrix Interpretation, identifies high, moderate, or low importance ratings based on the soil quality matrix score from Table 7. The maximum possible soil quality matrix score is one and the minimum is zero because the score is based on the amount of the agricultural resources onsite that are Prime and Statewide Importance soil candidates. A site with a soil quality matrix score of 0.66 or higher means that two-thirds of the agricultural resources onsite have soils that meet the soil quality criteria for Prime Farmland or Farmland of Statewide Importance. A minimum of 10 contiguous acres is required for a site to be assigned the highest soil quality rating to reflect the need for high quality soils to be contiguous in order for them to be considered useful

agriculturally. If the site has a soil quality score from 0.33 to 0.66 or has 10 acres or more of contiguous soils that meet the soil quality criteria for Prime Farmland or Farmland of Statewide Importance, the site is assigned the moderate importance rating. If less than one-third of the site or less than 10 contiguous acres of the agricultural resources onsite have soils that meet the Prime or Statewide Importance soil criteria, the site is assigned the low importance rating for soil quality. A ten acre threshold is included in the ratings to capture the potential for a large project site to have a substantial quantity of high quality soils and still receive a low importance rating due to the project's size in relation to the acreage of quality soils. Ten acres is an appropriate acreage to use in this context because ten acres would typically be able to support a wide range of agricultural uses in San Diego County. Furthermore, to be eligible for a Williamson Act Contract in an Agricultural Preserve, the County of San Diego Board of Supervisor's Policy I-38 (Agricultural Preserves) recommends various minimum ownership sizes, with ten acres being the minimum, to be eligible for a contract. Ten acres is listed as the minimum size for various agricultural activities including poultry, tree crops, truck crops, and flowers. The requirement that the land be contiguous recognizes that small, scattered pockets of high quality soils are less valuable for agricultural use than an area of contiguous high quality soils.

3.1.4 Surrounding Land Use

Surrounding land use is a factor in determining the importance of an agricultural resource because surrounding land uses that are compatible with agriculture make a site more attractive for agricultural use due to lower expectations of nuisance issues and other potential impacts from non-farm neighbors. This factor also accounts for the degree to which an area is primarily agricultural, assigning a higher rating to areas dominated by agricultural uses than an area dominated by higher density, urban development. Surrounding land use is a complementary factor in the LARA model because the presence of compatible surrounding land uses can support the viability of an agricultural operation; however a lack of compatible surrounding land uses would not usually prohibit productive agriculture from taking place (depending on the type of production). Similarly, agriculture can be viable among urban uses, but its long term viability would generally be less than an agricultural operation conducting operations in an area dominated by agricultural uses because of lesser economic pressures to convert to urban uses. To determine the surrounding land use rating, the following information must be determined:

Step 1.

Calculate the total acreage of lands compatible with agricultural use¹⁰ within the defined Zone of Influence (ZOI).¹¹ The location of agricultural lands can be determined using information from the DOC's Important Farmland Map Series, agricultural land use data available from the PDS, aerial photography, and/or direct site inspection. Land within a ZOI that is observed to be fallow or with a history of agricultural use will usually be considered agricultural land, unless there is evidence that it has been committed to a non-agricultural use (such as having an approved subdivision map). Planning & Development Services may consult the Department of Agriculture, Weights and Measures if there are disputed interpretations.

Step 2.

Calculate the percentage of the acreage within the project's ZOI that is compatible with agricultural use.

Step 3.

Based on the proportion of lands within the ZOI that are compatible with agricultural use, identify the appropriate surrounding land use rating in accordance with Table 9, Surrounding Land Use Rating.

Table 9. Surrounding Land Use Rating

Percentage of Land within ZOI that is Compatible with Agriculture	Surrounding Land Use Rating
50% or greater	High
Greater than 25% but less than 50%	Moderate
25% or less	Low

Considering surrounding land uses within the ZOI is intended to provide a measurement of the long term sustainability of agriculture at the project site. Agriculture is generally

¹⁰ Lands compatible with agricultural uses include existing agricultural lands, protected resource lands, and lands that are primarily rural residential. Protected resource lands are those lands with long-term use restrictions that are compatible with or supportive of agricultural uses including but not limited to Williamson Act contracted lands; publicly owned lands maintained as park, forest, open space, or watershed resources; and lands with agricultural, wildlife habitat, open space, or other natural resource easements that restrict the conversion of such land to urban or industrial uses. For the purposes of this factor rating, rural residential lands include any residential development with parcel sizes of two acres or greater and that contain elements of a rural lifestyle such as equestrian uses, animal raising, small hobby type agricultural uses, or vacant lands. Residential parcels with swimming pools, children's play areas, second dwelling units, or other accessory uses that occupy a majority of the usable space of a residential parcel should not be identified as land compatible with agriculture.

¹¹ Attachment F details the steps required to determine the Zone of Influence (ZOI). The ZOI methodology is taken from the Department of Conservation's Land Evaluation Site Assessment (LESA) model and includes a minimum area of ¼ mile beyond project boundaries and includes the entire area of all parcels that intersect the ¼ mile boundary. The ZOI developed by the Department of Conservation is the result of several iterations during development of the LESA model for assessing an area that would generally be a representative sample of surrounding land use. For example, a 160 acre project site would have a ZOI that is a minimum of eight times greater (1280 acres) than the project itself.

compatible with other agricultural land uses because they are more likely be tolerant of the typical activities and nuisances associated with agricultural operations than urban land uses would be. Primarily rural residential lands are included as a land use compatible with agriculture because rural residential lands are already common among agricultural uses and most active farms also have residences on the site. Although not all types of agriculture are compatible with rural residential land uses (i.e. confined animal facilities); many typical San Diego County farming operations are compatible with rural residential land uses as is evidenced by the existing viability of agricultural operations that are located among rural residential land uses. For example, in many North County communities, small parcels (two acres, for example) with a single family residence and a small orchard or other farming or equestrian use are common. These residential uses, due to their direct involvement in agriculture or a rural lifestyle, would tend to be more compatible with agriculture than a high density development where homeowners would be less likely to be directly involved in rural lifestyle activities (e.g. agriculture, equestrian, animal raising, etc.). Occupants of higher density residential uses are more likely to be disturbed by noise, dust, pesticides or other nuisances that do not fit with the peaceful perceptions of living in the countryside.

3.1.5 Land Use Consistency

The median parcel size associated with the project site compared to the median parcel size of parcels located within the ZOI is a complementary factor used in the LARA model. In order to determine the land use consistency rating for the project, the following information must be determined:

Step 1.

Identify the median parcel size associated with the proposed project if the proposed project consists of at least three parcels. If the proposed project consists of two parcels, use an average. If the proposed project consists of only one parcel, then no median or average is needed.

Step 2.

Identify the median parcel size of the parcels located within the project's ZOI.

Step 3.

Considering the project's median parcel size and the ZOI median parcel size, identify the land use consistency rating in accordance with Table 10.

Table 10. Land Use Consistency Rating

Project's median parcel size compared to ZOI median parcel size	Land Use Consistency Rating
The project's median parcel size is smaller than the median parcel size within the project's ZOI	High
The project's median parcel size is up to ten acres larger than the median parcel size within the project's ZOI	Moderate
The project's median parcel size is larger than the median parcel size within the project's ZOI by ten acres or more	Low

Land use consistency is used as a measure of importance to recognize the effect that surrounding urbanization has on the viability of ongoing agricultural uses and to recognize that as urbanization surrounds agricultural lands, opportunity costs¹² for agricultural operators increase, thus reducing the viability of an agricultural operation. A site surrounded by larger parcels indicates that the site is located in an area that has not already been significantly urbanized and the area is more likely to continue to support viable agricultural uses. On the other hand, a site surrounded by smaller parcels indicates a lower likelihood of ongoing commercial agriculture viability considering the greater expectations of land use incompatibilities that the site is likely to experience and the reduction in economic viability when considering forgone opportunity costs. The median parcel size is used instead of an average to account for the potential for a very large or very small parcel to exist that would skew the result if using an average.

3.1.6 Slope

To determine the Slope Rating for the site, the average slope for the area of the site that is available for agricultural use must be determined. Refer to Column D of Table 7, Soil Quality Rating Matrix, for the areas of the site considered available for agricultural use. When the average slope of the areas of the site that is available for agricultural use is determined, identify the corresponding topography rating as outlined in Table 11, below.

Table 11. Slope Rating

Average Slope	Topography Rating
Less than 15% slope	High
15% up to 25% slope	Moderate
25% slope and higher	Low Importance

¹² Opportunity cost is an economic term. It means the cost of something in terms of an opportunity foregone (and the benefits that could be received from that opportunity), or the most valuable foregone alternative. For example, if a land owner decides to farm his land, the opportunity cost is the value of one or more alternative uses of that land, such as a residential subdivision. If he continues to farm the land, the opportunity cost is the revenue that he does not receive from building houses. Thus, as opportunity costs rise, the viability of continuing the current action (i.e. agricultural use) decreases. This conclusion is based on the fact that agricultural use of land is primarily an economic decision. When factors, such as increased opportunity costs, make use of the land for agriculture less profitable than other uses, the long term viability of agriculture decreases.