



March 26, 2019

VIA EMAIL: AGILBERT@CITYOFCHINO.ORG

Ms. Andrea Gilbert, Senior Planner
Community Development Department
13220 Central Avenue
Chino, CA 91710

Governor's Office of Planning & Research
MAR 27 2019
STATE CLEARINGHOUSE

Dear Ms. Gilbert:

DRAFT ENVIRONMENTAL IMPACT REPORT, CHINO PARCEL DELIVERY FACILITY
PROJECT, SCH# 2016121057

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the Chino Parcel Delivery Facility Project submitted by the City of Chino (City). The Division monitors farmland conversion on a statewide basis and administers the Williamson Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The purpose of the project and the primary goal of the project applicant and City of Chino in undertaking the project is to develop the project site (74.4 acres) with a hub facility for a parcel delivery services company. The Project also includes associated site improvements, including drive aisles, landscaping, utility infrastructure, water quality basins, exterior lighting, and signage. The project site is located in the southern portion of the City of Chino, APNs 1054-391-02 and -03.

Agricultural Impacts

The project site and surrounding area have historically been used for dairy and other agricultural land uses. As stated in the DEIR, the project site contains Prime Farmland as classified by the Department of Conservation's Farmland Mapping and Monitoring Program.¹ Using the LESA model, developed by the California Department of Conservation, the City determined the project would have a significant impact on agricultural resources.

¹ Chino Parcel Delivery Facility Environmental Impact Report, 4.2 Agriculture and Forestry Resources, Page 4.2-10

Department Comments

The Department previously commented on the Notice of Preparation for the project and recommended that the DEIR discuss feasible mitigation measures for the project's impact to agricultural resources. The Department also suggested conservation easements and in-lieu of fee as feasible mitigation measures. In response to that suggestion the City stated in the project DEIR, "There is no feasible mitigation for the Project's conversion of Farmland to non-agricultural uses. In the case of the Project, compensatory mitigation (i.e., the acquisition of off-site property and placement of such property into permanent agricultural easements) does not meet any of the definitions of mitigation as provided by CEQA Guidelines § 15370."²

The Department would like to reiterate the use of agricultural conservation easements and/or in-lieu of fees as possible mitigation measures and urges the City to review *Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230. In the *Masonite v. Mendocino* case, the courts concluded that agricultural conservation easements may appropriately mitigate for the direct loss of farmland when a project converts agricultural land to a nonagricultural use.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Chino Parcel Delivery Facility Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Environmental Planner at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,



Monique Wilber
Conservation Program Support Supervisor

² Chino Parcel Delivery Facility Environmental Impact Report, 4.2 Agriculture and Forestry Resources, 4.2.7 Mitigation, Page 4.2-13