

MONTEREY COUNTY



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October 19, 2017

Lisa Brinton, Senior Planner
Community Development Department
City of Salinas
65 West Alisal Street
Salinas, CA 93901

RE: Draft Program Environmental Impact Report (EIR) for the Proposed City of Salinas
Economic Development Element (EDE) of the General Plan

Dear Ms. Brinton:

Thank you for the continued opportunity to provide our comments regarding the proposed General Plan Element.

Per our previous letter to the City that addressed the agricultural impacts of the City's proposed expansion (part of the Resource Management Agency's comment letter in 2015 provided when the draft initial study was released), **we maintain the stance that the City's intent to expand into prime farmland in the proposed "Target" areas and particularly the "Economic Development Reserve" (EDR) areas outside of the existing Sphere of Influence (SOI) is not needed or warranted.**

These proposals are an example of unnecessary urban sprawl when there are plentiful infill options within the City boundaries, in accordance with the 3,500 acre SOI increase that was approved by LAFCO in 2008, which have not been built out. Further, the proposal violates the City's own general plan policies (LU 2.1, which reflects the terms of the MOU limiting expansion to the northeast, and COS 3.3, which discourages the conversion of agricultural land, among many others), the Memorandum of Understanding (MOU) that was signed by LAFCO, the County, and the City in 2006, numerous LAFCO State mandates, as well as several other applicable policies. We had specifically requested the following analysis be contained in our prior letter:

The project EIR must provide a detailed analysis of the loss of prime farmland, cancellation of any associated Williamson Act contracts to accommodate City expansion, and the impacts to surrounding farmland with the potential expansion of the City adjacent to prime farmland. Buffers, in the form of graduated zoning and physical buffers, must be considered for any such areas. However, clearly the first choice will be to simply remove these areas from any further consideration.

However, the analysis contained in the current EIR is entirely inadequate and does not address project impacts. Rather, the analysis and proposed policies/actions *support* the expansion of the SOI, and do not in any way mitigate project impacts, as evidenced in the following excerpt from the DEIR analysis:



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The EDE contains policies and implementation actions which directly or indirectly address potential loss of agricultural land and whose implementation may serve as mitigation for significant impacts. *(emphasis added)*

Action LU-1.7.1: Work with LAFCO, the County of Monterey, the Monterey County Agricultural Land Trust and other affected agencies and stakeholders to expand the City's Sphere of Influence and Urban Service Area, as well as annex land areas to the City, for Economic Opportunity Areas B, F, K, L, and N.

Action LU-1.7.3: Work with the County of Monterey to revise the Greater Salinas Area Memorandum of Understanding and other related agreements such as tax transfer agreements, to address development on Economic Opportunity Areas located outside the City's Sphere of Influence as identified in the Economic Opportunity Areas map.

Action LU-1.7.4: Through a local Agricultural Land Preservation Program, require agricultural conservation easements, where feasible, to protect the most productive agricultural lands such as but not limited to those adjacent to Economic Opportunity Areas B, F and N.

Policy ED-LU-1.12: Work with landowners to fund and develop a plan for future retail commercial development and job growth, and other land uses, as appropriate, at the south end of the City in Economic Area N while protecting adjacent productive farmlands and prohibiting additional expansion of urban uses.

Action LU-1.12.2: Work with the County of Monterey to update the Greater Salinas Area Memorandum of Understanding in order to implement the direction of Policy ED-LU-1.12.

These actions and policies would only serve to facilitate the project and would not in any way mitigate impacts. The proposed expansion areas ignore the terms of the MOU and would expand the City's growth in all directions into prime farmland, some of the most productive in the County, if not the State. Upon review of LAFCO's letter dated October 18, 2017, regarding this matter, we wholly support the policy analysis, maps, and issues outlined therein and incorporate them by reference here. The MOU provided the basis for amendments to the City's Sphere of Influence as approved by LAFCO.

The draft EIR addresses potential impacts solely from the designated "Target Areas," which would result in the conversion of 502 acres of Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) to non-agricultural use. However, the analysis does not include the EDR areas, shown on the maps in the DEIR and other City documents, which would convert nearly *7,000 additional acres of unincorporated prime farmland* into the City. It is our understanding that *approximately half of the City's growth is proposed outside of the adopted City limits and SOI*. The analysis in the DEIR must contain an assessment of the impacts of the entirety of what is displayed (e.g., 7,000 acres) in the project maps, not simply the 502 acres that are analyzed (443 of these acres are located on unincorporated County land).

The impacts of the City's future proposed expansion into prime agricultural land cannot be addressed in a piecemeal fashion. It has been included in the EDE maps and must be fully analyzed. Further, the excessive amount of infill currently available to the City which has not yet been built out (more than 13,000 acres) must be taken into account when considering the need for the current expansion request. Cities by law are required to expand in an orderly fashion and infill must be the first consideration prior to requesting further expansion. The current proposal does not appear justified when the City has a plethora of land available for its future expansion into the foreseeable future. The timeframe for long-range planning documents typically spans 20 years, not the 35 years noted in the DEIR.

Additionally, the Target Areas that would convert agricultural land containing Williamson Act contracts and/or Agricultural Conservation Easements (ACEs) are particularly concerning. Again, the proposed mitigation for the project as it relates to the conversion of land protected with a Williamson Act contract and/or ACEs is inadequate and serves only to facilitate the City's expansion, not to mitigate impacts. Prohibiting incompatible development until a "contract is canceled or non-renewed," modifying expansion area boundaries to exclude Williamson Act acreage, or requiring future general plan amendments does not constitute mitigation. ACEs are designed to protect land "in perpetuity," and should not be negotiable or revisited. That is the sole purpose of overlaying land with these easements; they are designed to "run with the land."

The proposed ratio of 1:1 mitigation for the loss of any agricultural land is also inadequate to address any conversion of prime agricultural land. None of the land displayed in the Target Areas or EDRs should be converted given the City's available infill, but if any areas are approved for expansion by LAFCO, the mitigation ratio should be increased to a 2:1 ratio at a minimum. Further, in-lieu fees would not mitigate the loss of irreplaceable prime farmland located in the expansion areas. These lands are an integral contributor to the number one economic driver in Monterey County, agriculture.

The range of alternatives presented in the document must also include one that considers logical infill and redevelopment in the City's existing SOI and City limits, and one that considers expansion that would not encroach onto prime farmland. The alternatives presented violate the MOU and do not address the City's present potential for infill given current conditions. The MOU, as we understand it, was carefully negotiated and should be honored, not revised, especially without sufficient rationale. A thorough review and analysis of all Monterey County Agricultural Element policies must be included for all alternatives. The growth of the City must be done carefully, and this proposal would increase the potential for additional agricultural land to be affected by introducing urbanized uses and associated land use conflicts. Buffers should be built into the zoning by having transitional uses allowed in lands that abut unincorporated areas.

Lastly, the expansion of the City needs to follow logical boundaries, such as major roadways, and not leap frog into areas that do not make planning sense. That was part of the purpose of the original MOU, to ensure that future development by the City is orderly and logical.

We look forward to receiving a response regarding the points raised in this letter and will be participating as the process continues. This proposal would encourage and create sprawl, is not orderly and compact, and would convert, not preserve, open space and prime farmland.

Thank you again for the opportunity to comment and for considering the critically important issues raised in this letter.

Sincerely,



Robert Roach
Assistant Agricultural Commissioner



Christina McGinnis
Ag Resources and Policy Manager