

October 12, 2017

TO: Mayor Gunter, Members of the City Council, Salinas Community and Economic Development Department; and City of Salinas Director of Planning

FROM: The Ag Land Trust

RE: Errors and oversights in the Draft Salinas General Plan ECONOMIC DEVELOPMENT ELEMENT

Gentlepersons:

On behalf of the Ag Land Trust of Monterey County, please accept these comments and objections to draft proposals of the City staff in the above referenced the "Draft Salinas General Plan ECONOMIC DEVELOPMENT ELEMENT". As you are aware, the Ag Land Trust is a 501©(3) non-profit corporation that currently owns over 30,000 acres of prime and productive farmland conservation easements and fee ownership within the Salinas Valley. Your city has entered into prior contractual agreements and affirmative approvals of our acquisitions of land and permanent easements outside of your current sphere of influence, in part to mitigate (so as to comply with CEQA and state and local farmland preservation mandates) the adverse impacts of your prior urban expansion and annexations which have resulted in permanent loss of prime and productive Salinas Valley farmlands.

The Ag Land Trust is also the designated recipient non-profit organization of statutorily designated state and federal funds that have been expressly granted to acquire and insure the permanent preservation of prime farmland, and the productivity of those lands, pursuant to adopted mandated policies and programs of both the State of California and the federal government. As a result of our acquisitions over the past three decades, we have acquired a number of permanent conservation easements affecting many areas and large acreages in the Salinas Valley. These acquisitions have been governmentally funded to advance and promote these state and federally mandated programs.

Unfortunately, two of our easements and the locations thereof, which have been previously agreed to by the City of Salinas and the County of Monterey and the State of California appear to have been overlooked by the parties preparing the Draft Salinas General Plan ECONOMIC DEVELOPMENT ELEMENT. City staff's expansion proposals in the Draft Plan for urban annexations into these permanently protected prime farmlands violate previously mandated mitigation actions and contractual commitments by the City of Salinas, including affirmative actions by the current City Council.

Of particular note are our existing Brunn Conservation Easement and Uni-Kool Buffer Easement that prohibits any further annexations by the city in the area south of the previously approved Uni-Kool annexation that added over 200 acres of currently vacant industrial land to the city. I have attached copies of those two easements that the city has previously agreed to and endorsed so as to advance the city's prior mitigation requirements for the adverse environmental impacts of its' annexations.

We respectfully request that the Draft plan be revised and re-written to acknowledge our conservation easements and the mandatory duties embodied therein that the City has obligated itself to perform. Any

staff proposal for annexation or urban expansion south of the previously approved Uni-Kool annexation is prohibited by the express language of the Uni-Kool easement. Our Trust is bound by state law and prior state and federal grant obligations to prohibit such a wrongful conversion of designated and protected prime farmlands.

Should you wish to discuss this matter, the Trust's representatives are always available to meet with our city representatives. We respectfully request and hope that any potential dispute over these long-held and court adjudicated permanent easements, and the mandatory legal rights, duties, and requirements therein, be avoided.

Most Respectfully,

Sherwood Darington  
Managing Director