

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION

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Kate McKenna, AICP Executive Officer

MEMORANDUM

DATE:

December 16, 2022

TO:

Chair and Members of the Formation Commission

FROM:

Kate McKenna, AICP, Executive Officer Late McKenna,

SUBJECT:

Supplemental memorandum #1 transmitting additional correspondence received regarding December 19, 2022 LAFCO Meeting Agenda Item No. 2 – City of Soledad Miramonte proposal (LAFCO File #20-01) – continued from the

regular December 5, 2022 LAFCO meeting)

Today our office received an email from the Ag Land Trust's CEO Marc Del Piero commenting on Agenda Item No. 2. This additional correspondence is attached to this memorandum. If we receive further correspondence, staff will forward it on Monday the 19th.

TO: LAFCO Commissioners:

I am writing this e-mail so as to publicly identify for the LAFCO Commissioners the absence of any enforceable, or even quantifiably measurable, mitigation for the urban sprawl conversions of the hundreds of acres of prime farmlands that will result from the current proposed annexation. The Ag Land Trust has not opposed the annexation, but is tremendously disappointed that LAFCO appears to be abandoning its decades long commitment to implementing permanent and enforceable mitigations for the massive resulting loss of invaluable and irreplaceable Salinas Valley farmlands.

In the last decade, the City of Soledad desperately engaged both the County and the Ag Land Trust to secure our cooperation and agreement to the Cooperative Agreement between the City and the County that was to govern future annexations to the City. That Cooperative Agreement calls for identified, enforceable, and equivalent mitigations for the loss of prime and productive farmlands that the City and its developers wish to convert to urban uses. The Board of Directors of the Ag Land Trust, in good faith agreed to cooperate so as to allow the City to move forward. The proposed annexation of hundreds of acres of prime farmlands FAILS to comply (or even attempt to comply) with the terms and intent of the Cooperative Agreement, and worse, fails to comply with long-standing and existing LAFCO policies (and CEQA mitigations) which have prioritized the preservation and protection of the prime farmlands of the Salinas Valley for decades.

Moreover, the Ag Land Trust, which support was so desperately sought out by the City, has not received even one call from the City, and has been ignored by the Developers, in spite of spending weeks identifying mitigation sites (at the request of the Developer's representative). The Ag Land Trust provided (to the Developer's representative) actual documentation (based upon four (4) separate MAI certified farmland appraisals) of the costs to purchase prime farmland conservation easements to mitigate the conversions that will take place as a result of the annexation. We received no further contact in spite of the effort that we put in to trying to help to identify and secure the mitigation easements that are legally required to mitigate the adverse impacts of this project.

Three of our independent MAI appraisals of comparable mitigation sites were relied upon by the California Strategic Growth Council (State of California) to award \$5.1 million dollars for the acquisition of 598 acres of permanent farmland easements in the Salinas Valley. Those state approved awards took place on 15 December 2022 (See the Press Release below). Yet the City and the Developers have ignored the efforts that ALT expended at the request of the Developer's representative "to identify and quantify the actual cost (price) and locations of agricultural conservation easements (and willing sellers) to fully mitigate the adverse impacts" of the annexation of the prime farmlands that surround Soledad. The mitigation sites (and their purchase prices) have been clearly identified. But that information appears to be ignored by the parties responsible for the conversion of the farmlands.

LAFCO's existing guidelines and CEQA guidelines legally mandate that mitigations for the loss of the state's prime farmlands, due to voluntary urban encroachment, "must be mitigated" at the earliest possible time that adverse impacts are identified. The adverse impacts have been identified in the EIR, yet NO viable mitigation sites have been even tentatively identified (except a marginal site that has no sustainable groundwater resources, rendering it of no value for agricultural mitigation purposes).

As part of the LAFCO approval for this annexation, LAFCO must comply with its adopted Guidelines, with CEQA, and with the City/County Cooperative Agreement and compel (as part of a legally enforceable and bonded condition of approval) the identification and funding guarantee from the Developer to complete the acquisition of agricultural conservation easements on prime farmlands of

comparable size, value, and agricultural productivity as the prime farmlands that will be buried under asphalt and concrete by the project.

As we have indicated in the past, ALT stands ready to work cooperatively with the City and all parties to carry out the City's public promises of mitigation for the actual loss of prime farmlands that were recognized to occur in the Cooperative Agreement nearly a decade ago.

Most Respectfully, Marc Del Piero, CEO for ALT

Announcing Round 8
Sustainable Agricultural
Land Conservation
Awardees!





Strategic Growth Council Awards Round 8 (FY 21-22) Sustainable Agricultural Lands Conservation Program Grants

At their <u>December 15th meeting</u>, the <u>California Strategic Growth Council (SGC)</u> approved more than \$74 million to fund 25 agricultural easements, 20 capacity grants and three planning grants. The land acquisition projects comprise approximately 54,000 acres in 17 counties across the state. <u>View a list of awarded projects</u>. Read full <u>press release</u> below.

For more information about SALC, visit the **SALC webpage**.

FOR IMMEDIATE RELEASE - December 15, 2022

Contact: Emily Breslin, Deputy Director of Communications and External Affairs emily.breslin@opr.ca.gov

California Awards \$74 Million to Conserve Agricultural Lands across the State, Bolstering Climate Action and Rural Economies

SACRAMENTO – Today the California Strategic Growth Council (SGC) approved over \$74 million in grants to protect 54,000 acres of agricultural lands at risk of development. The investments are part of Round 8 of the Sustainable Agricultural Lands Conservation Program (SALC), a state program protecting agricultural lands, reducing greenhouse gas emissions, and strengthening primarily rural economies.

"The Sustainable Agricultural Lands Conservation program protects agricultural lands with a goal of reducing carbon emissions, supporting rural economies, and accelerating conservation efforts," said Lynn von Koch-Liebert, Executive Director of the California Strategic Growth Council. "SALC grants provide much-needed direct investment and technical assistance support to the farmers, organizations, and local governments who are tirelessly working to protect our state's natural and working lands."

This is the eighth round of annual funding from SGC's SALC Program and brings the total acres of agricultural land protected or in the process of being protected through SALC Program grants to 195,000 acres.

"The SALC program continues to move California toward its emission reduction goals while supporting the economic resilience of California's essential agricultural land," said David Shabazian, Director of Department of Conservation. "Our department is proud of its role in identifying projects that support local decision-makers in sustainable land-use planning and capacity-building. We also congratulate the applicants who submitted these important projects for funding."

Investments from this round of funding will create 25 agricultural easements in 17 counties as far north as Siskiyou County and as far south as Santa Barbara County. This suite of easements will total approximately 54,030 acres. Safeguarding this agricultural land will avoid an estimated 619,227 metric tons of CO2 equivalent over the next 30 years, which amounts to taking 133,424 cars off the road for one year.

"SALC grants are the most important source of funding upon which the Ag Land Trust relies to preserve Monterey County's prime farmland from urban sprawl," said Marc Del Piero, Executive Director of The Ag Land Trust (ALT) of Monterey County, which was awarded three easement grants. "The SALC grants help to preserve economic farming opportunities for family farms and next generation farmers who wish to preserve our farming productivity and our invaluable agricultural soils and open spaces." ALT was awarded \$5.1 million dollars.

SGC will also award 20 capacity building grants as part of a new component of the SALC program this year. These projects will facilitate the development of agricultural conservation acquisition projects in 33 counties as far north as Del Norte and Siskiyou counties and as far south as San Diego and Imperial counties. While initially the SALC Program had allocated up to \$3 million for capacity grants, the Strategic Growth Council voted today to increase the allocation to \$4.4 million in response to the high demand for capacity grants from across the state. Capacity grants accelerate progress towards the California's Natural and Working Lands goal to conserve 30 percent of California's lands and coastal waters by 2030 by increasing the number of projects supported for future investment.

"Preventing conversion of agricultural properties is key to sustaining the agricultural economy of our region," said Lauren Miller, Conservation Director of the Sierra Foothill Conservancy (SFC), which received a capacity grant. "The grant for capacity will enable SFC to launch 20,000 acres of working rangeland and tribal lands into project development, ensuring that our staff can apply and secure funding for these critical projects on an expedited basis to serve our 16 partnering landowners, including women ranchers and local tribes."

Additionally, the SALC Program is awarding three planning grants to two public agencies and one California Native American tribe to support planning for the implementation of Sustainable Community Strategies and the protection of agricultural lands.

SGC administers the SALC Program in partnership with the California Department of Conservation.

SALC Round 8 Awardees:

Easement Grantees

- Sonoma County Agricultural Preservation and Open Space
- Solano Land Trust

- California Rangeland Trust (4 projects)
- Sutter Buttes Regional Land Trust
- Northern California Regional Land Trust (2 projects)
- Santa Clara Valley Open Space Authority
- California Farmland Trust (2 projects)
- City of Davis
- The Land Conservancy of San Luis Obispo (2 projects)
- Bear Yuba Land Trust
- Ag Land Trust (3 projects)
- Siskiyou Land Trust
- Shasta Land Trust (3 projects)
- Northcoast Regional Land Trust
- Sierra Foothill Conservancy

Capacity grantees

- American Farmland Trust
- Sierra Foothill Conservancy
- Land Trust of Santa Cruz County
- American River Conservancy
- Siskiyou Land Trust
- Shasta Land Trust
- Mother Lode Land Trust
- Tule Basin Land and Water Conservation Trust
- San Benito Ag Land Trust
- Land Trust for Santa Barbara County
- Placer Land Trust
- Mendocino Land Trust
- California Open Lands
- Sacramento Valley Conservancy
- Solano Land Trust
- San Joaquin River Parkway and Conservation Trust
- Northcoast Regional Land Trust
- Land Trust of Santa Clara Valley
- California Farmland Trust
- The Land Conservancy of San Luis Obispo

Planning grantees

- San Diego LAFCO
- Hoopa Valley Tribe
- County of Tulare

About the Strategic Growth Council

The California Strategic Growth Council (SGC) is a 10-member council comprised of seven state agencies and three public members with the mission to build healthy, thriving, and resilient communities for all. Funded through California's Cap and Trade system and the California General Fund, SGC's grant programs, strategic initiatives, and interagency coordination focus on multi-benefit and community-centric solutions at the nexus of climate and equity. Since 2008, SGC has invested over \$2.8 billion in projects strengthening communities and addressing climate change.

About the California Department of Conservation

With a team of scientists and other dedicated professionals, the Department of Conservation (DOC) administers a variety of programs vital to California's public safety, environment and economy. The services DOC provides are designed to balance today's needs with tomorrow's obligations by fostering the wise use and conservation of energy, land and mineral resources.

About California Climate Investments

California Climate Investments is a statewide initiative that puts billions of cap-and-trade dollars to work reducing greenhouse gas emissions, strengthening the economy and improving public health and the environment—particularly in disadvantaged communities.

Feel free to reach out to the SALC team with any questions: salcp@conservation.ca.gov





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Marc Del Piero Executive Director Ag Land Trust (831) 422-5868 https://www.aglandtrust.org

