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February 2, 2009

Carl P. Holm, AICP
Monterey County Planning Department
168 West Alisal Street, 2nd Floor
Salinas, California 93901

HAND DELIVERED

Re: 2007 General Plan Draft EIR

Dear Mr. Holm:

The following comments are submitted on behalf on L & W Land Company, Inc., and Sakata Ranches, Inc., which own land in the Pajaro area of Monterey County. My clients appreciate the opportunity to comment on the 2007 General Plan Draft EIR. We believe that these comments reflect concerns shared by many landowners and residents of the Pajaro community.

1. The text on page 4.2-11, and Table 4.2-9 (Change in Net Important Farmland Designation) contain flawed analysis. The text and the table assert that 2,571 acres of Important Farmlands will be "removed from Important Farmlands designation" through buildout of the 2007 General Plan. Neither of the sources cited for this assertion (the California Department of Conservation website and the 2007 General Plan) provides any factual basis for the asserted conclusion, or any basis to show how the number of 2,571 was derived.

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2. At page 4.3-15, the DEIR asserts that flood events in the Pajaro area have "displaced thousands of persons." No authority is cited for this statement which appears to be grossly exaggerated. Either delete the statement or provide citation to reliable authority for the statement.

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3. The DEIR describes and assesses impacts for two time periods: the 2030 planning horizon (the life of the 2007 General Plan), and buildout of all land designated for development, which is estimated to be 84 years (2092). The "project" is defined as a general plan intended to guide growth and development through 2030, not 2092. It is inappropriate to speculate what development might

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occur beyond the planning horizon because assessing potential impacts 84 years in the future is simply far too speculative to have any substance or relevance to the County decision-makers. In fact, it is more likely to confuse and mislead decision-makers in their analysis of the project before them- the 2007 General Plan. Any discussion of potential impacts beyond the planning horizon of the 2007 General Plan must be removed from the DEIR.

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4. Tables 3-7, 3-8 and 3-9 are illustrative of the confusion caused by attempting to speculate about a planning horizon beyond the life of the 2007 General Plan. The text of the DEIR on page 3-12 states that these tables are intended to reflect development projected to occur over the 2030 planning horizon and eventual buildout of the county in 2092. While the baseline (Table 3-7) is shown exclusively in acres, "new" uses (Tables 3-8 and 3-9) mix acres and units, so that a comparison is impossible. The two columns of 2030 acres ("New Commercial by 2030" and "New Industrial by 2030") in Table 3-8 add up to 310 acres, while the Total Area column shows only a total of 256 acres in the entire area. The two columns assumed to represent 2092 buildout ("New Buildout Commercial" and "New Buildout Industrial") in Table 3-8 appear to indicate an additional 160 acres (for which there is no supporting data or analysis), which would apparently bring the Total Area to 470 acres. Similar problems exist with respect to Table 3-9. It appears that the "factual" basis for impact analysis in the Pajaro area is off by a factor of around 46%, which is unacceptable.

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5. The Water section of the DEIR contains extensive discussion regarding water constraints- both quantity and quality- in the Pajaro area, and predicts that conditions are expected to get worse before they get better. The DEIR also projects that water projects intended to resolve these constraints are sufficiently uncertain that they cannot be analyzed in the DEIR. If these forecasts are accurate, the likelihood that the intensely-irrigated farmland in the Pajaro area can or will stay in active row crop production is remote. The DEIR should assess the impacts of significant areas of row croplands being removed from production due to water constraints¹, and analyze possible alternative land uses for these lands.²

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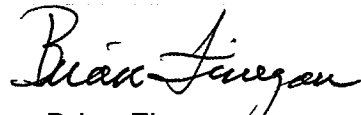
We look forward to the County's good faith, reasoned analysis in response to these comments.

¹ Compare the San Joaquin Valley where significant amounts of farmland have been taken out of production due to the unavailability of irrigation water.

² Such an alternative analysis is also justified by Policy LU-2.24 of the 2007 General Plan that designates the Pajaro Community Area as the "highest priority" for the preparation of a Community Plan, which "may include recommendations for Community Area boundary changes."

February 2, 2009

Very truly yours,


Brian Finegan

cc: L & W Land Company, Inc.
Sakata Ranches, Inc.