

L A F C O M E M O R A N D U M

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
105 East Anapamu Street ♦ Santa Barbara CA 93101 ♦ (805) 568-3391 ♦ Fax (805) 568-2249

April 4, 2019

TO: Each Member of the Commission

FROM: Paul Hood *PH*
Executive Officer

SUBJECT: Review LAFCO Agricultural and Open Space Policies Ad Hoc Committee

This is an Informational Report. No Action is Necessary

DISCUSSION

At the December 6, 2018 meeting, the Commission appointed three members to serve on the Agricultural and Open Space Policies Ad Hoc Committee. The members of the Ad Hoc Committee are Commissioners Roger Aceves, Joan Hartmann, and Etta Waterfield. The Ad Hoc Committee met for the first time on January 16, 2019. The second meeting of the Ad Hoc Committee was held on February 13, 2019.

The purpose of the Ad Hoc Committee is to review the Commission's current Agricultural and Open Space Policies and determine if the policies should be revised or amended. A copy of the current policies is attached as **Exhibit A**. Suggested changes and revisions are attached as **Exhibit B**.

Over the course of the past several months, several items have been reviewed. This includes the Ag Policies from San Luis Obispo and Ventura LAFCOs, an Open Letter from the Environmental Defense Center, a CALAFCO/American Farmland Trust Best Practices Ag White Paper, and the recent CALAFCO/CA Strategic Growth Council/OPR Publication on Creating Sustainable Communities and Landscapes. These documents are included as **Exhibits B, C, D, and E**.

In addition, the Commission receives its direction from the relevant provisions of the Cortese-Knox-Hertzberg Act, as set forth below.

Statutory Authority:

The Cortese-Knox-Hertzberg Act has a number of sections that encourage the preservation of agricultural and open space lands:

Government Code Section 56300. It is intent of the Legislature that:

" . . . each commission establish policies and exercise its powers pursuant to this part in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns."

Government Code Section 56301:

Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances.

One of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.

Government Code Section 56377:

"In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:

(a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

(b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency."

Ad Hoc Committee Direction to Staff:

At the second Ad Hoc Committee meeting, staff was directed to send out the current policies with suggested changes and additions for comments, to the County's Planning agencies, namely the eight Cities and Santa Barbara County. Any comments should be returned to staff by May 15, 2019. The comments would be reviewed by the Ad Hoc Committee in May and an Information Item would be scheduled for discussion at the June Commission meeting.

Exhibits:

- Exhibit A SBLAFCO Agricultural and Open Space Policies
- Exhibit B Staff Suggested Revisions to SBLAFCO Agricultural and Open Space Policies
- Exhibit C San Luis Obispo and Ventura LAFCO Ag Policies
- Exhibit D Open Letter from the Environmental Defense Center
- Exhibit E CALAFCO/American Farmland Trust White Paper
- Exhibit F CALAFCO/CA Strategic Growth Council/OPR Publication on Creating Sustainable Communities and Landscapes

Please contact the LAFCO office if you have any questions.

SB LAFCO AG AND OPEN SPACE POLICIES

IV. POLICIES ENCOURAGING ORDERLY URBAN DEVELOPMENT AND PRESERVATION OF OPEN SPACE PATTERNS

1. The Commission encourages will planned, orderly, and efficient urban development patterns for all developing areas. Also, the county, cities, and those districts providing urban services, are encouraged to develop and implement plans and policies which will provided for well-planned, orderly and efficient urban development patterns, with consideration of preserving permanent open space lands within those urban patterns.
2. Development of existing vacant non open space, and nonprime agricultural land within an agency's boundaries is encouraged prior to further annexation and development. However, where open land adjacent to the agencies are of low agricultural, scenic, or biological value, annexation of those lands may be considered over development of prime agricultural land already existing within an agency's jurisdiction.
3. Proposals to annex undeveloped or agricultural parcels to cities or districts providing urban services shall demonstrate that urban development is imminent for all or a substantial portion of the proposal area; that urban development will be contiguous with existing or proposed development; and that a planned, orderly, and efficient urban development pattern will result. Proposals resulting in a leapfrog, non-contiguous urban pattern will be discouraged.
4. Consideration shall be given to permitting sufficient vacant land within each city and/or agency in order to encourage economic development, reduce the cost of housing, and allow timing options for physical and orderly development.

V. POLICIES ENCOURAGING CONSERVATION OF PRIME AGRICULTURAL LANDS AND OPEN SPACE AREAS

1. Proposals which would conflict with the goals of maintaining the physical and economic integrity of open space lands, agricultural lands, or agricultural preserve areas in open space uses, as indicated on the city or county general plan, shall be discouraged.
2. Annexation and development of existing vacant non-open space lands, and nonprime agricultural land within an agency's sphere of influence is encouraged to occur prior to development outside of an existing sphere of influence.
3. A sphere of influence revision or update for an agency providing urban services where the revision includes prior agricultural land shall be discouraged. Development shall be guided towards areas containing nonprime agricultural

lands, unless such action will promote disorderly, inefficient development of the community or area.

4. Loss of agricultural lands should not be a primary issue for annexation where city and county general plans both indicate that urban development is appropriate and where there is consistency with the agency's sphere of influence. However, the loss of any primer agricultural soils should be balanced against other LAFCO policies and a LAFCO goal of conserving such lands.

PRESERVING OPEN SPACE AND AGRICULTURAL RESOURCES

LAFCO must consider the effect that any proposal may produce on existing open space and agricultural lands, especially prime farm lands. The Cortese-Knox-Hertzberg Act (CKH) strongly discourages the use of prime agriculture land for development. The definition of prime agriculture land is found in the CKH Act and is broadly defined in the Act. By guiding development toward vacant urban land and away from agricultural land, LAFCO assists with the preservation of valuable agricultural resources. The policies in Sections IV. and V are designed to assist LAFCO in making decisions concerning the Encouragement of Orderly Urban Development and reservation of Open Space Patterns and Encouraging the Conservation of Prime Agricultural Lands and Open Space. A policy is a statement that guides decision making by indicating a clear direction on the part of LAFCO. The following two policies support the goals stated above and shall be used by Santa Barbara LAFCO when considering a proposal that would involve agricultural resources:

IV. POLICIES ENCOURAGING ORDERLY URBAN DEVELOPMENT AND PRESERVATION OF OPEN SPACE PATTERNS

1. The Commission encourages well planned, orderly, and efficient urban development patterns for all developing areas. Also, the county, cities, and those districts providing urban services, are encouraged to develop and implement plans and policies which will provided for well-planned, orderly and efficient urban development patterns, with consideration of preserving permanent open space lands within those urban patterns.
2. Development of existing vacant non-open space, and non-prime agricultural land within an agency's boundaries is encouraged prior to further annexation and development. However, where open land adjacent to the agencies are of low agricultural, scenic, or biological value, annexation of those lands may be considered over development of prime agricultural land already existing within an agency's jurisdiction.
3. Proposals to annex undeveloped or agricultural parcels to cities or districts providing urban services shall demonstrate that urban development is imminent for all or a substantial portion of the proposal area; that urban development will be contiguous with existing or proposed development; and that a planned, orderly, and efficient urban development pattern will result. Proposals resulting in a leapfrog, non-contiguous urban pattern will be discouraged.
4. Consideration shall be given to permitting sufficient vacant land within each city and/or agency in order to encourage economic development, reduce the cost of housing, and allow timing options for physical and orderly development.

V. POLICIES ENCOURAGING CONSERVATION OF PRIME AGRICULTURAL LANDS AND OPEN SPACE AREAS

1. Proposals which would conflict with the goals of maintaining the physical and economic integrity of open space lands, agricultural lands, or agricultural preserve areas in open space uses, as indicated on the city or county general plan, shall be discouraged.
2. Annexation and development of existing vacant non-open space lands, and nonprime agricultural land within an agency's sphere of influence is encouraged to occur prior to development outside of an existing sphere of influence.
3. A sphere of influence revision or update for an agency providing urban services where the revision includes prior agricultural land shall be discouraged. Development shall be guided towards areas containing nonprime agricultural lands, unless such action will promote disorderly, inefficient development of the community or area.
4. Loss of agricultural lands should not be a primary issue for annexation where city and county general plans both indicate that urban development is appropriate and where there is consistency with the agency's sphere of influence. However, the loss of any prime agricultural soils should be balanced against other LAFCO policies and a LAFCO goal of conserving such lands.

5. A Memorandum of Agreement between a city and the County should be used and amended as needed to address the impacts on and conversion of Agricultural Lands on the fringe of a city.

6. The Commission may approve annexations of prime agricultural land only if mitigation that equates to a substitution ratio of at least 1:1 for the prime land to be converted from agricultural use is agreed to by the applicant (landowner), the jurisdiction with land use authority. The 1:1 substitution ratio may be met by implementing various measures:

a. Acquisition and dedication of farmland, development rights, and/or agricultural conservation easements to permanently protect farmlands within the annexation area or lands with similar characteristics within the County Planning Area.

b. Payment of in-lieu fees to an established, qualified, mitigation/conservation program or organization sufficient to fully fund the acquisition and dedication activities stated above in 6a.

c. Other measures agreed to by the applicant and the land use jurisdiction that meet the intent of replacing prime agricultural land at a 1:1 ratio.

SLO LAFCO AG AND OPEN SPACE POLICIES

Agricultural Policies

The policies in this section are designed to assist LAFCO in making decisions that achieve the Goals stated in the previous section. A policy is a statement that guides decision making by indicating a clear direction on the part of LAFCO. The following policies support the goals stated above and shall be used by San Luis Obispo LAFCO when considering a proposal that would involve agricultural resources:

1. Vacant land within urban areas should be developed before agricultural land is annexed for non-agricultural purposes.
2. Land substantially surrounded by existing jurisdictional boundaries should be annexed before other lands.
3. In general, urban development should be discouraged in agricultural areas. For example, agricultural land should not be annexed for nonagricultural purposes when feasible alternatives exist. Large lot rural development that places pressure on a jurisdiction to provide services and causes agricultural areas to be infeasible for farming should be discouraged.
4. The Memorandum of Agreement between a city and the County should be used and amended as needed to address the impacts on conversion of Agricultural Lands on the fringe of a city.
5. The continued productivity and sustainability of agricultural land surrounding existing communities should be promoted by preventing the premature conversion of agricultural land to other uses and, to the extent feasible, minimizing conflicts between agricultural and other land uses. Buffers should be established to promote this policy.
6. Development near agricultural land should not adversely affect the sustainability or constrain the lawful, responsible practices of the agricultural operations.
7. In considering the completeness and appropriateness of any proposal, the Executive Officer and this Commission may require proponents and other interested parties to provide such information and analysis as, in their judgment, will assist in an informed and reasoned evaluation of the proposal in accordance with these policies.
8. No change of organization, as defined by Government Code 56021, shall be approved unless it is consistent with the Spheres of Influence of all affected agencies.
9. Where feasible, and consistent with LAFCO policies, non-prime land should be annexed before prime land.
10. The Commission will consider feasible mitigation (found in the following guidelines) if

a proposal would result in the loss of agricultural land.

11. The Commission encourages local agencies to adopt policies that result in efficient, coterminous and logical growth patterns within their General Plan and Sphere of Influence areas and that encourage protection of prime agricultural land in a manner that is consistent with this Policy.
12. The Commission may approve annexations of prime agricultural land only if mitigation that equates to a substitution ratio of at least 1:1 for the prime land to be converted from agricultural use is agreed to by the applicant (landowner), the jurisdiction with land use authority. The 1:1 substitution ratio may be met by implementing various measures:
 - a. Acquisition and dedication of farmland, development rights, and/or agricultural conservation easements to permanently protect farmlands within the annexation area or lands with similar characteristics within the County Planning Area.
 - b. Payment of in-lieu fees to an established, qualified, mitigation/conservation program or organization sufficient to fully fund the acquisition and dedication activities stated above in 12a.
 - c. Other measures agreed to by the applicant and the land use jurisdiction that meet the intent of replacing prime agricultural land at a 1:1 ratio.
13. Property owners of agricultural lands adjacent to a LAFCO proposal shall be notified when an application is submitted to LAFCO.

VENTURA LAFCO AG AND OPEN SPACE POLICIES

SECTION 4.3.2 AGRICULTURAL AND OPEN SPACE PRESERVATION

4.3.2.1 Findings and Criteria for Prime Agricultural and Existing Open Space Land

Conversion: LAFCo will approve sphere of influence amendments and updates which are likely to result in the conversion of prime agricultural or existing open space land use to other uses only if the Commission finds that the amendment or update will lead to planned, orderly, and efficient development. For the purposes of this policy, a sphere of influence amendment or update leads to planned, orderly, and efficient development only if all of the following criteria are met:

- a. The territory is likely to be developed within 5 years and has been designated for non-agricultural or open space use by applicable general and specific plans.
- b. Insufficient non-prime agricultural or vacant land exists within the sphere of influence of the agency that is planned and developable for the same general type of use.
- c. The proposal will have no significant adverse effects on the physical and economic integrity of other prime agricultural or existing open space lands.
- d. The territory is not within an area subject to a Greenbelt Agreement adopted by a city and the County of Ventura. If a City proposal involves territory within an adopted Greenbelt area, LAFCo will not approve the proposal unless all parties to the Greenbelt Agreement amend the Greenbelt Agreement to exclude the affected territory.
- e. The use or proposed use of the territory involved is consistent with local plan and policies

SECTION 4.3.2 AGRICULTURAL AND OPEN SPACE PRESERVATION

4.3.2.1 Findings that Insufficient Non-prime Agricultural or Vacant Land Exists: The Commission will not make affirmative findings that insufficient non-prime agricultural or vacant land exists within the sphere of influence of the agency unless the applicable jurisdiction has prepared a detailed alternative site analysis which at a minimum includes:

- f. An evaluation of all vacant, non-prime agricultural lands within the sphere of influence and within the boundaries of the jurisdiction that could be developed for the same or similar uses.
- g. An evaluation of the re-use and redevelopment potential of developed areas within the sphere of influence and within the boundaries of the jurisdiction for the same or similar uses.

- h. Determinations as to why non-prime agricultural and vacant lands and potential re-use and redevelopment sites are unavailable or undesirable for the same or similar uses, and why conversion of prime agricultural or existing open space lands are necessary for the planned, orderly, and efficient development of the jurisdiction.

4.3.2.2 Impacts on Adjoining Prime Agricultural or Existing Open Space Lands: In making the determination whether conversion will adversely impact adjoining prime agricultural or existing open space lands, the Commission will consider the following factors:

- a. The prime agricultural and open space significance of the territory included in the sphere of influence amendment or update relative to other agricultural and existing open space lands in the region.
- b. The economic viability of the prime agricultural lands to be converted.
- c. The health and well-being of any urban residents adjacent to the prime agricultural lands to be converted.
- d. Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of prime agricultural or existing open space land outside of the agency's proposed sphere of influence, or will be extended through prime agricultural or existing open space lands outside the agency's proposed sphere of influence.
- e. Whether natural or man-made barriers serve to buffer prime agricultural or existing open space lands outside of the agency's sphere of influence from the effects of the proposal.
- f. Applicable provisions of local general plans, applicable ordinances that require voter approval prior to the extension of urban services or changes to general plan designations, Greenbelt Agreements, applicable growth management policies, and statutory provisions designed to protect agriculture or existing open space.
- g. Comments and recommendations by the Ventura County Agricultural Commissioner.

4.3.2.1 Territory Subject to a Land Conservation Act (Williamson Act) Contract:

LAFCo will not approve the inclusion of territory subject to an active Land Conservation Act contract within the sphere of influence of a city or special district that provides or would provide facilities and/or services other than those that support the land uses that are allowed under the contract. For purposes of this section, an active Land Conservation Act contract includes a contract for which a notice of non-renewal has been filed.



March 16, 2018

Santa Barbara LAFCO
Attn: Jacquelyne Alexander
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101

Submitted via email to lafco@sblafco.org

**Re: Recommendations to LAFCO Regarding Santa Barbara County
Agricultural Preservation**

Dear Members of the Commission:

On behalf of the undersigned individuals, the Environmental Defense Center (“EDC”) writes to request that the Santa Barbara County Local Agency Formation Commission (“LAFCO”) conduct a comprehensive policy review process, revise existing policies, and review local spheres of influence, in order to best adapt its current policies to preserve agricultural resources in Santa Barbara County. These recommendations were developed by EDC’s Open-Space Preservation and Education Network (“OPEN”) program, which has brought together agriculturalists and environmentalists to advocate for the preservation of agricultural lands in Santa Barbara County.

A major success for the group occurred on April 9, 2013, when the Santa Barbara County Board of Supervisors passed the Agricultural Buffer Ordinance to minimize predictable land use conflicts between farmers and encroaching development over issues like light, noise, dust, and odors. Members of the OPEN program served on the County-convened stakeholders’ group to devise a successful compromise and draft the Ordinance language. The Ordinance signified the first time the County has required setbacks when non-agricultural development is proposed next to agriculturally-zoned land.

EDC’s OPEN program has continued to coordinate with different stakeholders in the agricultural community and conducted a review of LAFCO policy related to the preservation of farmland. We held a series of meetings with diverse stakeholders, including conservation groups and agriculturalists, in which we identified various policy needs for ensuring agricultural viability in the County. In February of 2015, EDC organized a meeting with these stakeholders

and Paul Hood, the Executive Officer of the Santa Barbara County LAFCO, in which the group expressed the importance of LAFCO's responsibility in promoting agricultural preservation and specific areas of LAFCO policy that could be strengthened to best preserve agricultural land.

In this letter, we first provide a background on the importance of preserving agricultural land in Santa Barbara County and the importance of agricultural preservation to LAFCO's responsibilities. We then provide the recommendation that LAFCO conduct a policy review process to examine its authority to preserve agricultural land in Santa Barbara County. We also identify specific policies that should be clarified and revised, and encourage LAFCO to take other actions that help ensure agricultural viability. Finally, we urge LAFCO to evaluate local spheres of influence and reduce them where possible.

I. BACKGROUND

A. Importance of Preserving Agricultural Land in Santa Barbara County.

Santa Barbara County is rich with agricultural resources that are critical to preserve. Agriculture is the number one contributor to the County's economy, providing a total of \$2.8 billion to the local economy and 25,370 jobs.¹ Preserving farmland enhances the rural character of Santa Barbara County and prevents additional urban sprawl.

Additionally, agricultural land has a direct and positive impact on environmental quality.² Intensive farming increases the amount of organic matter in the soil, which contributes to soil fertility, limits erosion, and helps retain water. Adopting best management practices in agriculture, such as minimum tillage, returning crop residues to the soil, and the use of cover crops and rotation, contributes to mitigating the greenhouse effect and global warming.³

Opportunities remain for agriculture to continue to thrive in Santa Barbara County, but are dependent on land use policies that overcome the significant pressure to convert agricultural lands to non-agricultural uses. The County Board of Supervisors recognizes the need to conserve farmlands within its borders. For example, under Article V, Chapter 3 of the Santa Barbara County Code of Ordinances, the Board of Supervisors found the preservation of agricultural land and operations within the County to be in the public's interest, and declared that such lands must be specifically protected for exclusive agricultural use.⁴

Despite County policies that promote agricultural preservation, EDC and our partners continue to work to prevent the development of agricultural land within the County. For example, in 2011, EDC, on behalf of the Santa Barbara County Action Network and in

¹ *Santa Barbara County Agricultural Production Report*, SANTA BARBARA COUNTY, p. 2, <http://cosb.countyofsb.org/uploadedFiles/agcomm/crops/2016.pdf>.

² *Santa Barbara County Agricultural Resources Environmental/Economic Assessment (Area) Study*, AMERICAN FARMLAND TRUST, p. 5, http://www.farmlandinfo.org/sites/default/files/SB_AREA_Study_Final_12_12_07_1.pdf.

³ *Organic Agriculture*, FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, <http://www.fao.org/organicag/oa-faq/oa-faq6/en/>.

⁴ Ord. No. 3778, § 1.

partnership with several agriculturalists, convinced the City of Lompoc to reconsider its decision to allow the development of prime agricultural land within the Bailey Avenue corridor in Lompoc, CA.⁵ The “Bailey Avenue expansion area” was a proposed annexation area opposed by both environmental and farming groups. The proposal would have transformed a 270-acre piece of prime agricultural land into an urbanized development consisting of nearly 2,700 homes and more than 225,000 square feet of commercial space. The Bailey Avenue area lies within some of the most productive agricultural land in the state and is farmed largely for high-value row food crops. This area is again under threat of conversion to urban land uses and a proposed expansion may be presented to LAFCO for a decision in the coming years.

B. Importance of Agricultural Preservation to LAFCO.

LAFCOs exist to encourage the orderly formation of local governmental agencies, to preserve agricultural land resources, and to discourage urban sprawl.⁶ LAFCOs are responsible for conducting special studies that review ways to reorganize, simplify, and streamline governmental structure, and for preparing a sphere of influence for each city and special district within each county. LAFCOs must consider the effect that any proposal will have on existing agricultural lands.⁷ By guiding development toward vacant urban land and away from agricultural lands, LAFCOs assist with the preservation of valuable agricultural resources. LAFCOs are also intended to discourage urban sprawl that results in the inefficient delivery of urban services (police, fire, water, and sanitation) and the unnecessary loss of agricultural resources and open space lands.⁸ Although LAFCOs may not impose conditions that would directly regulate land use or subdivision requirements, they may withhold approval of boundary changes until and unless certain conditions are satisfied.⁹

Past LAFCO actions demonstrate a strong commitment to the conservation of agricultural lands. In 1994, in response to proposed annexations to the City of Santa Maria, LAFCO encouraged the City and County to adopt a green belt agreement as a joint policy pledging to keep specific areas in permanent agriculture. Additionally, in 1998, LAFCO denied the City of Lompoc’s request to extend its sphere of influence west onto prime agricultural land in the Bailey Avenue corridor, and encouraged the City instead to grow onto areas with less agricultural value.¹⁰

⁵ *Press Release*, ENVIRONMENTAL DEFENSE CENTER, <http://www.environmentaldefensecenter.org/wp-content/uploads/2015/04/11-02-05.pdf>.

⁶ *A Call to Action to Preserve California Agricultural Lands*, CALIFORNIA ROUNDTABLE ON AGRICULTURE AND THE ENVIRONMENT, http://www.aginnovations.org/uploads/result/1431288812-45566a9a64c9cb825/CRAE_Call_to_Action.pdf.

⁷ *What is LAFCO?*, CALIFORNIA LOCAL AGENCY FORMATION COMMISSION, <https://calafco.org/lafco-law/faq/how-does-lafco-work-preserve-agricultural-lands>.

⁸ *What is LAFCO?*, CALIFORNIA LOCAL AGENCY FORMATION COMMISSION, <https://calafco.org/lafco-law/faq/how-does-lafco-discourage-urban-sprawl>.

⁹ *It’s Time to Draw the Line; A Citizen’s Guide to LAFCOs*, CALIFORNIA LOCAL AGENCY FORMATION COMMISSION, pp. 10-11, https://calafco.org/sites/default/files/resources/TimetoDrawLine_03.pdf.

¹⁰ Letter on “Possible ‘Study Session’ on Agricultural Preservation,” SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION, http://www.sblafco.org/docs/03-01-07/Item13_Discussion_of_possible_study_session_on_agriculture.pdf.

LAFCO’s statutory authority and policies support preserving agricultural land. Under the Cortese-Knox-Hertzberg Local Government Reorganization Act, LAFCO’s enabling statute, Section 56300 states that the Legislature intends for each commission to “establish policies and exercise its powers pursuant to this part in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns.”¹¹

In reviewing annexation proposals under Government Code Section 56668, LAFCO is permitted to consider various factors, including “[t]he effect of the proposal on maintaining the physical and economic integrity of agricultural lands.”¹² Moreover, LAFCO policy encourages the development of existing nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency “before any proposal is approved which would allow for the development of existing open-space lands for non-open space uses which are outside of the existing jurisdiction of the local agency.”¹³

The LAFCO Commissioner Handbook also sets forth policies that encourage conservation of agricultural lands. LAFCO policy discourages “[p]roposals which would conflict with the goals of maintaining the physical and economic integrity of open space lands, agricultural lands, or agricultural preserve areas in open space uses, as indicated on the city or county general plan.”¹⁴ With regard to “Sphere of Influence” determinations, agricultural resources and support facilities are given special considerations under LAFCO policies.¹⁵ Specifically, LAFCO requires that “[h]igh value agriculture areas, including areas of established crop production, with soils of high agricultural capability should be maintained in agriculture, and in general should not be included in an urban service sphere of influence.”¹⁶

II. RECOMMENDED POLICY REVIEW AND REVISION

A. Initiate a Policy Review Process on Agricultural Preservation in Santa Barbara County.

LAFCO is in the best position to examine policies to preserve Santa Barbara County’s agricultural resources. Encouraging agricultural preservation in Santa Barbara County is critical today as growth and development increase and a multi-year drought continues. More and more people are moving into North County as land values escalate and housing becomes more expensive, which has resulted in more complaints from residential areas about standard agricultural operations.¹⁷ Farmers are reporting serious impediments to standard operations—not to mention expansion and intensification—and are increasingly concerned with the conversion of

¹¹ California Government Code §56300.

¹² California Government Code §56668.

¹³ California Government Code §56377 (b).

¹⁴ *Policy Guidelines and Standards*, COMMISSIONER HANDBOOK.

¹⁵ *Id.* at 10.

¹⁶ *Id.*

¹⁷ *Santa Barbara County Agricultural Resources Environmental/Economic Assessment (Area) Study*, AMERICAN FARMLAND TRUST, p. 50, http://www.farmlandinfo.org/sites/default/files/SB_AREA_Study_Final_12_12_07_1.pdf.

agricultural lands in the County.¹⁸ On a per-acre basis, much of the County's highest-value agricultural land is located in the Santa Maria Valley and Lompoc Valley, which are under intense development pressure. To sustain agriculture in the future, growth and development must be directed away from agricultural lands.

In 2007, Bob Braitman, LAFCO former executive officer, recommended that the members of the Commission conduct a study session to examine how LAFCO could be involved in protecting and enhancing the County's agricultural resources.¹⁹ Mr. Braitman identified numerous issues for LAFCO to address in the study session including, for example, identifying the long term prospects for continued agricultural use, considering what factors affect agricultural production and value, and analyzing where farmland is most threatened by planned or prospective urban development. To the best of our knowledge, no such study session was ever conducted.

In carrying out this recommendation to enhance the County's agricultural viability, we urge LAFCO to conduct a comprehensive review of Santa Barbara County LAFCO policies to ensure it prevents urban sprawl and preserves agriculture.

B. Proposed Clarifications and Amendments to Santa Barbara County LAFCO Policy, and Request to Promote Agricultural Viability.

Certain LAFCO policies are ambiguous and should be clarified to ensure the preservation of agricultural lands. In addition, existing policies that would help reduce agricultural conversion should be proactively implemented.

1. LAFCO Should Ensure Its Policies Addressing Annexations and Infill are More Protective of Agricultural Land.

As an initial matter, LAFCO policies inconsistently refer to "prime" agricultural land, "agricultural land," and "nonprime" agricultural land. For example, SB County LAFCO Policy 5 refers generally to "agricultural lands" in providing that "[p]roposals which would conflict with the goals of maintaining the physical and economic integrity of open space lands, *agricultural lands*, or agricultural preserve areas in open space uses, as indicated on the city or county general plan, shall be discouraged." On the other hand, LAFCO Policy 4, section 2, provides that the "[d]evelopment of existing vacant non open space, and *nonprime agricultural land* within an agency's boundaries is encouraged prior to further annexation and development."²⁰ LAFCO should examine its policies to evaluate whether the distinctions between prime and non-prime agricultural lands throughout its policies remains relevant and, if so, whether the distinction threatens the preservation of agricultural lands. We are concerned that the definition for "prime

¹⁸ *Id.*

¹⁹ Letter on "Possible 'Study Session' on Agricultural Preservation," SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION, http://www.sblafco.org/docs/03-01-07/Item13_Discussion_of_possible_study_session_on_agriculture.pdf (2007).

²⁰ *Policies Encouraging Orderly Urban Development and Preservation of Open Space*, SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION, http://www.sblafco.org/policy_04.sbc.

agricultural lands” under Government Code Section 56016 is too narrow, while “non-prime agricultural lands” is not defined in the Government Code or under SB County LAFCO policies and does not reflect advances in agricultural technology.

In addition to this overarching concern, we have specific concerns with the language in Policies 4 and 5, both of which contain sections that are ambiguous and vague regarding how agricultural land is to be protected. We have the following questions and redline edits with respect to each policy:

-- **Policy 4, Section 2:** Development of existing vacant non open space, and nonprime agricultural land within an agency’s boundaries is encouraged prior to further annexation and development. However, where open land adjacent to the agencies are of low agricultural, scenic, or biological value, annexation of those lands may be considered over development of prime agricultural land already existing within an agency’s jurisdiction.

Questions/Concerns: What constitutes “nonprime agricultural land” and why does this policy not simply protect all agricultural land? Who is to determine whether adjacent land is of low agricultural value? How can this policy ensure that prime agricultural land within an agency’s jurisdiction will not be developed when other options for development remain? If an agency is able to annex additional land in exchange for not developing its prime land, how is that condition enforced by LAFCO in order to ensure against sprawl and development of agricultural lands? We recommend that LAFCO revise this policy with these questions in mind in order to be more protective of agricultural land.

-- **Policy 4, Section 3:** Proposals to annex undeveloped or agricultural parcels to cities or districts providing urban services shall demonstrate that urban development is imminent for all or a substantial portion of the proposal area; that urban development will be contiguous with existing or proposed development; and that a planned, orderly, and efficient urban development pattern will result. Proposals resulting in a leapfrog, non-contiguous urban pattern **or development of agricultural lands** will be discouraged.

Questions/Concerns: We recommend the above red-line edit to this policy to ensure that leapfrogging in addition to development of agricultural lands is discouraged and to capture the questions/concerns previously discussed regarding Policy 4, Section 2.

-- **Policy 5, Section 2:** Annexation and development of existing vacant non-open space lands, and nonprime agricultural land within an agency’s sphere of influence is **encouraged required** to occur prior to development outside of an existing sphere of influence. **The applicant bears the burden of proving existing infill development is not feasible.**²¹

²¹ *Policies Encouraging Conservation of Prime Agricultural Lands and Open Space Areas*, SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION, http://www.sblafco.org/policy_05.sbc.

Questions/Concerns: Rather than simply *encouraging* infill development, LAFCO should *require* a city to infill prior to the annexation of agricultural lands where a certain percentage of infill land is available for development. LAFCO policy should also include language that the city has the burden of proving existing infill development opportunities are not feasible when seeking to expand. Our proposed red-line edits attempt to address this concern.

-- **Policy 5, Section 3:** A sphere of influence revision or update for an agency providing urban services where the revision includes prior agricultural land shall be discouraged. Development shall be guided towards areas not containing nonprime agricultural lands, unless such action will promote disorderly, inefficient development of the community or area.²²

Questions/Concerns: The above red-line edit is intended to provide more protection of all agricultural land, and to not encourage development of nonprime agricultural land.

-- **Policy 5, Section 4:** Loss of agricultural lands should not be a primary issues [sic] for annexation where city and county general plans both indicate that urban development is appropriate and where there is consistency with the agency's sphere of influence. However, the loss of any primer [sic] agricultural soils-lands should be discouraged, in light of balaneed-against other LAFCO policies and a the LAFCO goal of conserving such lands.

Questions/Concerns: This policy is vague and provides inadequate guidance on the preservation of agricultural land. How can LAFCO ensure that agricultural land is protected by relying on a city and county general plan and sphere of influence? LAFCO is intended to serve as a check and balance on other agencies and plans for development, and should not dismiss the loss of agricultural lands with a deferential standard to other agencies. Moreover, the loss of agricultural lands should not just be "balanced" with other policies but should be prohibited or discouraged.

2. LAFCO Should Consider Tools for Reducing Impacts to Agricultural Viability, Including Agricultural Buffers, Especially in Light of Any Annexations.

While we discourage the annexation of agricultural lands in Santa Barbara County, if an annexation of such lands occurs, we encourage LAFCO to take additional steps to reduce any impacts to agricultural viability and limit the scope of its decisions.

To limit the impact of annexation decisions on agricultural lands, LAFCO policies should strongly encourage agricultural buffers during the approval process for local government boundary changes. As Santa Barbara County recognized in adopting the Agricultural Buffer Ordinance, residential development adjacent to agricultural land often restricts farming

²² *Id.*

operations, which threatens their viability.²³ Complaints about standard farming operations like light, noise, dust, and odors occur when residential development is built too close to farmland; however, buffers can reduce this predictable land use conflict.

We recognize that LAFCO may not have the authority to condition an annexation decision on the inclusion of an agricultural buffer given that LAFCO does not have the authority to “impose any conditions that would directly regulate land use density or intensity, property development, or subdivision requirements.”²⁴ Nevertheless, LAFCO should work with Santa Barbara County to require binding agricultural buffers as a means of reducing predictable land use conflicts and impairment of agricultural lands, where possible. We therefore request that LAFCO consider the inclusion of buffer zones during the approval process for local government boundary changes.

C. LAFCO Should Reduce the Spheres of Influence of Cities Within Its Jurisdiction Where Possible.

Finally, we recommend that LAFCO review existing Spheres of Influence (“SOIs”) and reduce them where possible in order to remove agricultural land from SOIs and further encourage their preservation. LAFCOs have the sole responsibility for establishing a city’s SOI.²⁵ As described under Section 56076 of the Government Code, the SOI is “a plan for the probable physical boundaries and service area of a local government agency as determined by the commission.”²⁶ In establishing, amending, or updating a SOI, a LAFCO must consider and make written determinations with regard to the following factors, including “[t]he present and planned uses in the area, including agricultural and open-space lands.”²⁷ The SOI is an important benchmark because it defines the primary area within which urban development is to be encouraged.²⁸ In a 1977 opinion, the California Attorney General stated that an agency’s SOI should “serve like general plans, serve as an essential planning tool to combat urban sprawl and provide well planned efficient urban development patterns, giving appropriate consideration to preserving prime agricultural and other open-space lands.”²⁹

Under Santa Barbara County LAFCO policies, “[a]gricultural resources and support facilities should be given special consideration in sphere of influence designations.”³⁰ Policy 2 explicitly states that high value agriculture areas “should not be included in an urban service sphere of influence.”³¹ Based on this policy, we urge Santa Barbara County LAFCO to conduct a

²³ *Agricultural Element*, SANTA BARBARA COUNTY COMPREHENSIVE PLAN, p. 6, <http://longrange.sbcountyplanning.org/programs/genplanreformat/PDFdocs/Agricultural.pdf>.

²⁴ California Government Code §56375(6).

²⁵ *LAFCOs, General Plans, and City Annexations*, CALIFORNIA GOVERNOR’S OFFICE OF PLANNING AND RESEARCH, p. 13, http://opr.ca.gov/docs/LAFCOs_GeneralPlans_City_Annexations.pdf.

²⁶ *Id.*

²⁷ California Government Code §56425(e).

²⁸ California Government Code §56425.

²⁹ 60 Ops. Cal. Atty. Gen. 118.

³⁰ *Sphere of Influence Policies*, SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION, http://www.sblafco.org/policy_02.sbc.

³¹ *Id.*

comprehensive review of SOIs that encompass agricultural lands and make all necessary reductions as required under Policy 2. Lands lying within a SOI are those that the city may someday propose to annex, so LAFCO must be proactive in reviewing and removing agricultural areas from the SOIs when they are inconsistent with policies protective of agricultural lands. These reductions should be a component of the five-year review of SOIs, pursuant to LAFCO Policy 2.³²

III. CONCLUSION

In conclusion, we urge LAFCO to prioritize agricultural preservation in light of its statutory responsibility and authority, and to conduct a comprehensive policy review to ensure LAFCO has the most effective role that it can in preserving the County's agricultural resources. We also urge LAFCO to review and, where appropriate, reduce existing SOIs as a means to ensure long-term protection of threatened agricultural lands.

Thank you for your consideration of these comments and recommendations. Please contact us with any questions.

Sincerely,

Maggie Hall and Tara Messing, Environmental Defense Center

Santa Barbara County Farm Bureau

Claire Wineman, President, Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties

Paul Van Leer, Las Varas Ranch and Edwards Ranch

Jose Baer, Manager, Oso Ag LLC, Buellton; President, Rancho La Vina Corp, Lompoc

James Poett, Rancho San Julian

Ken Hough, Santa Barbara County Action Network

Carla Rosin, Co-Founder of Santa Barbara Food Alliance

Marell Brooks, Citizens Planning Association

Mark Oliver, Mark Oliver, Inc., Branding & Packaging Design

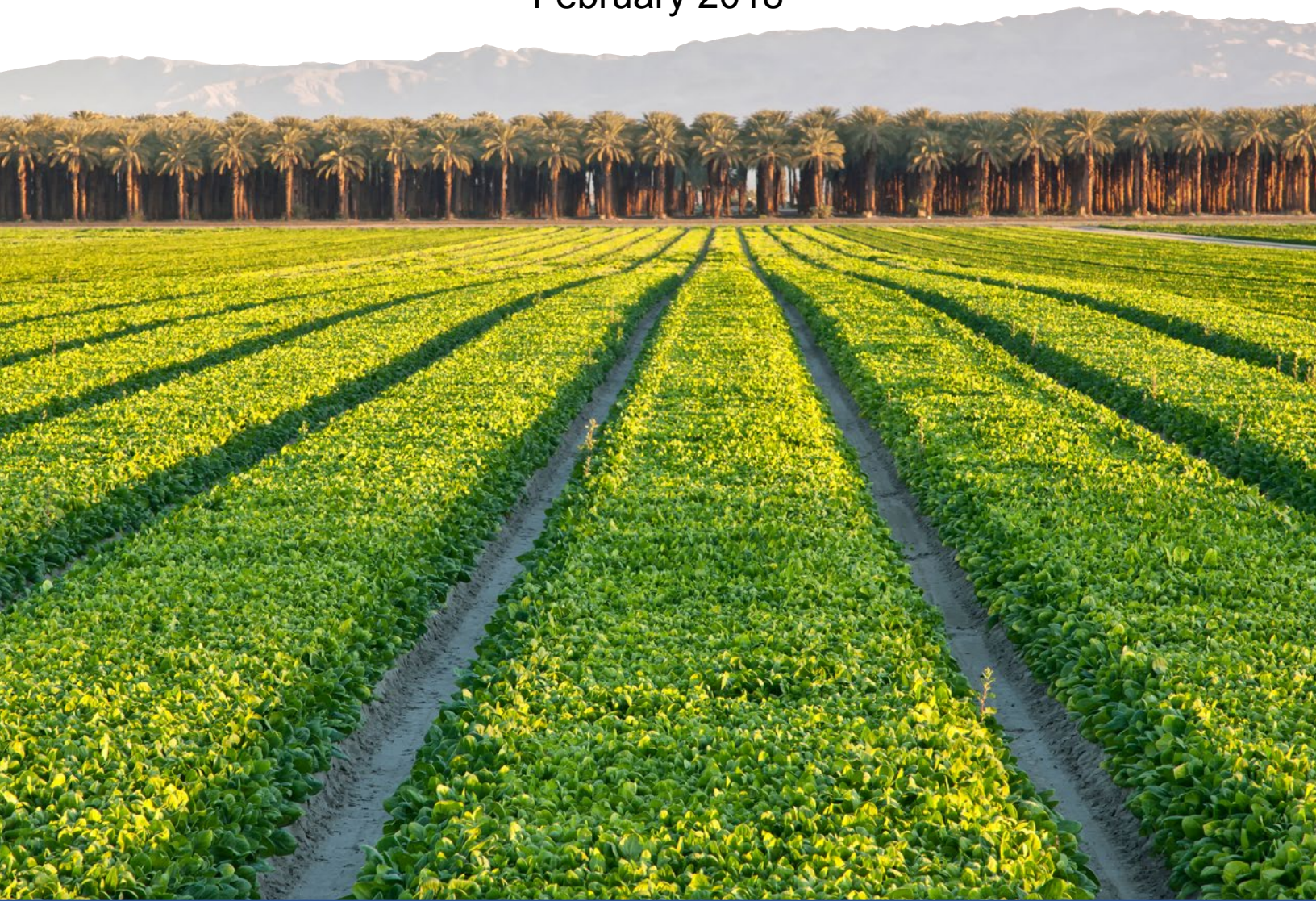
cc: Paul Hood, SB LAFCO Executive Officer

³² Policy 2 states that SOI "determinations are to be reviewed periodically and changed or updated as circumstances may require in the opinion of LAFCO ... approximately every five years." *Id.*



State of the Art on Agricultural Preservation

February 2018



A collaboration of American Farmland Trust and the California Association of Local Agency Formation Commissions



A Research Report of the
HELEN K. CAHILL CENTER FOR
FARMLAND CONSERVATION POLICY INNOVATION

EXHIBIT E

CALAFCO WHITE PAPER

State of the Art on Agricultural Preservation

Contents

Acknowledgments	iii
Purpose and Objectives	1
Introduction	2
Varying Definitions of “Prime” Agricultural Lands	3
An AFT View: Why It Is Important to Preserve What We Have Left—What’s at Risk?	5
LAFCos’ Mandate to Preserve Agricultural Lands	8
Approaches to LAFCo Agricultural Preservation Policies	8
CEQA and Agricultural Preservation	13
Working with Cities and Counties	18
Best Practices for LAFCos	19
Endnotes	21

Acknowledgments

This white paper was produced as a collaborative effort between CALAFCO and American Farmland Trust (AFT). Thank you to the contributors and reviewers for their invaluable depth of knowledge and expertise: Christine Crawford (Yolo LAFCo), David Fey (Fresno LAFCo), Elliot Mulberg (formerly Solano LAFCo), Neelima Palacherla (Santa Clara LAFCo). We also wish to thank the many people who reviewed and commented on the draft version of this paper. AFT would like to acknowledge and thank the Helen K. Cahill Center for Farmland Conservation Policy Innovation for supporting this white paper. The Cahill Center is the research arm of American Farmland Trust in California.

Contact

California Association of Local Agency
Formation Commissions
1215 K Street, Suite 1650
Sacramento, CA 95814
916-442-6536
info@calafco.org

American Farmland Trust
2001 N Street Suite 110
Sacramento, CA 95811
(916) 448-1064
www.farmland.org
sunger@farmland.org

Purpose and Objectives

The purpose of this white paper is to inform and inspire Local Agency Formation Commissions (LAFCo) that are seeking to establish or enhance policies that preserve agricultural land, while simultaneously promoting orderly growth and development. The California Association of Local Agency Formation Commissions (CALAFCO) invited American Farmland Trust (AFT) to work collaboratively on this white paper to exchange and share perspectives on their respective experiences in successful policy implementation and development. This paper explores the parameters of agricultural land preservation and provides guidance in the development of agricultural land preservation policies for individual LAFCos to consider.

This white paper discusses the importance of agriculture to our local communities and why the California Legislature has equipped LAFCos with the powers to curtail urban sprawl and discourage expansion onto the state's agricultural lands. The paper examines LAFCos' statutory role in preserving agricultural lands and presents opportunities for how LAFCos can incorporate the preservation of agricultural land into their local policies. Brief case studies are provided throughout to demonstrate how individual LAFCos have interpreted this responsibility locally through their own policies.

White Paper Objectives:

- 1) Provide an understanding of the economic, environmental, and cultural importance of agriculture to local communities and the state at large.
- 2) Explain the components of an effective and comprehensive LAFCo agricultural preservation policy, including the role of policies that encourage "Avoiding," "Minimizing," and "Mitigating" the loss of farmland.
- 3) Explain the role of the California Environmental Quality Act (CEQA)¹ in both annexation proposals that impact agriculture and in requirements for adopting agricultural preservation policies.
- 4) Explain the role of LAFCo in city and county planning processes and how to encourage continuous communication and collaborative planning and studies between public agencies.
- 5) Demonstrate the circumstances in which LAFCo may wish to consider an agricultural preservation policy.

A Unique Perspective from AFT

AFT believes in the importance of protecting farmland while supporting sustainable community growth. AFT promotes LAFCoS as key players in conserving agricultural land since most productive farmland is located around cities. Having actively promoted farmland conservation in California for nearly two decades, AFT offers insight on why it is important to preserve farmland and presents best practices.

A Unique Perspective from CALAFCO

The Legislature intends LAFCoS to be responsive to local challenges as well state priorities. An individual LAFCo's policies can lay out LAFCo's statutory mandate to balance the state interest in the preservation of open space and prime agricultural lands with the need for orderly development. LAFCoS have used their planning authority to anticipate and reduce or avoid the loss of agricultural land. Across the state, LAFCo experiences reflect the variance of practices on agricultural preservation between rural, suburban and urban counties.

Introduction

The Legislature created a LAFCo in each county in 1963 with the intent that they fulfill state policy to encourage orderly growth and development. These objectives were deemed essential to the social, fiscal, and economic well-being of the state. The Legislature recognized that the logical formation and determination of local agency boundaries was an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services.

It was also the intent of the Legislature that each LAFCo “establish written policies and procedures and exercise its powers pursuant to statute [Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act)] in a manner consistent with those policies and procedures and in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns.” (Gov. Code §56300.) These written policies and procedures were required to be adopted by LAFCoS by January 1, 2002.

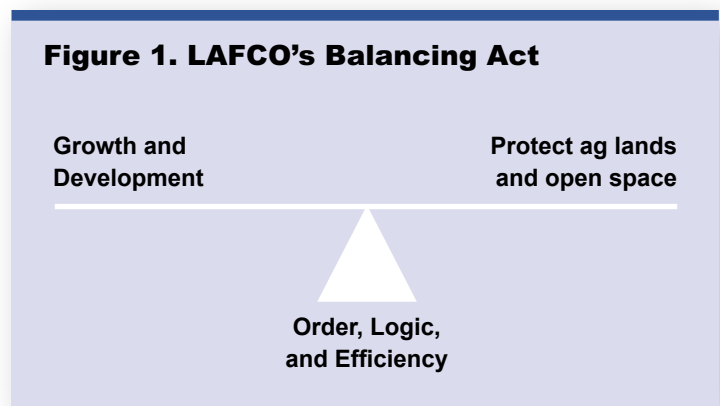
Since 1963, each LAFCo has overseen the growth of its cities and special districts through incorporations, annexations and, since 1973, the establishment of spheres of influence (which were only enforced beginning in 1985). At the time, converting lands once used for agricultural purposes to urban land uses was seen as a necessary part of accommodating the growth of California's cities. It was common for city and county leaders to see agricultural lands around cities as areas for future urbanization, with the assumption that this type of urban development would assure the economic health of the community and provide much needed housing.

Two years after the creation of LAFCoS, the state enacted California Land Conservation Act of 1965 (commonly referred to as the Williamson Act) to address the growing concern that the growth of California cities was coming at the expense of losing agricultural lands. The original purpose of

the Williamson Act was to counteract tax laws that often encouraged the conversion of agricultural land to urban uses (i.e., if you were being taxed at urban rates you might as well sell to urban developers). This act enabled local governments to enter into contracts with private landowners for the purpose of creating agricultural preserves that restrict specific parcels of land to agricultural or related open-space use in exchange for reduced property taxes. Over time, this approach has had mixed success. In an earlier regulatory era, when the subdivision of land far from a city and formation of special districts to provide municipal services was a common practice, creating agricultural preserves under Williamson Act contract was deemed necessary to limit development of those parcels. The likelihood that agricultural land could be converted to urban or rural development was high enough to justify the reduction in property tax revenue in exchange for limiting the land’s development potential.

Today, much of the land under Williamson Act contract in many counties is far from a city’s sphere of influence, where conversion of the most productive farmland most frequently occurs. Yet, the agricultural lands that are under pressure of being converted to non-agricultural uses are most often located on the urban fringe. Due to development speculation of these lands, they are less likely to be protected under a Williamson Act contract, making the role of LAFCo ever more important.

LAFCos were created to implement the state’s growth management and preservation goals. To achieve these objectives, LAFCos were given the sole authority to regulate the boundaries and service areas of cities and most special districts. Though they do not have local land use authority, LAFCos exercise their authority by denying, approving, or conditionally approving expansion proposals by cities and special districts. With this broad authority, each LAFCo uses its own discretion to act in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns. Figure 1 depicts the balance that LAFCos are expected to achieve through their actions.



Varying Definitions of “Prime” Agricultural Lands

As discussed further below, preserving prime agricultural land is a key statutory mandate of LAFCo. To measure and understand the importance of California’s remaining prime agricultural land, this paper defines what constitutes prime agricultural land. This can be a challenge because federal, state, and local agencies, including LAFCos, all operate under different laws and requirements each setting out different definitions of prime farmland.

As defined by the United States Department of Agriculture, prime farmland is

Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses. It has the

soil quality, growing season, and moisture supply needed to produce economically sustained high yields of crops when treated and managed according to acceptable farming methods, including water management. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.”²

AFT relies on the California Department of Conservation’s Farmland Mapping and Monitoring Program (FMMP) definition of prime farmland, which originated from the USDA definition. The FMMP was established by the State of California in 1982 to produce agricultural resource maps, based on soil quality and land use. The FMMP maps are updated every two years using aerial photographs, a computer-based mapping system, public review, and field reconnaissance. The FMMP definition of Prime Farmland is “land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods. Prime Farmland must have been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date. It does not include publicly owned lands for which there is an adopted policy preventing agricultural use.”³ FMMP also maps farmland that is classified as less than prime, such as Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance (which is defined by local jurisdictions and accepted by FMMP), Urban and Built-up Land, and Other Land.

LAFcos operate according to their own definition,⁴ which identifies prime agricultural land as:

an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- (a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
- (b) Land that qualifies for rating 80 through 100 Storie Index Rating.
- (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.
- (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- (e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

Land that would not qualify as Prime under USDA or FMMP definitions of Prime, may qualify as Prime under the LAFco definition; for example, Unique Farmland, and Farmland of Statewide

Importance, and grazing land can still meet the LAFCo definition of prime agricultural land. Although LAFCos monitor the conversion of Prime Farmland within their own jurisdictions, CALAFCO does not monitor that conversion statewide. Therefore, the following section utilizes the FMMP definition of Prime Farmland to illustrate the trends affecting farmland in California, which, from AFT's perspective, demonstrate the urgency of protecting what remains.

An AFT View: Why It Is Important to Preserve What We Have Left—What's at Risk?

California boasts some of the most productive farmland on the planet, as measured in terms of the ratio of agricultural inputs to outputs. This productivity is largely possible because of California's Mediterranean climate and fertile soils, which require fewer inputs and are less subject to unfavorable climate conditions and pest pressures. This is important for many reasons, including state and national food security, California's prospects for economic growth and competitiveness on the agricultural market, and the efficient utilization of scarce resources such as water.

For nearly four decades, AFT has monitored the conversion of agricultural lands to development, and estimates that nationally, we lose approximately an acre every minute. In California, where the state has been monitoring the conversion of farmland to urban development since the early 1980s, the average rate of loss is 40,000 acres per year. At this rate, California will lose an additional two million acres by 2050, most of which will be prime farmland.

Current Trends

Of California's approximately 100 million acres of land, 31 million acres or one-third, are used for agriculture. Of this agricultural land, 19 million acres are used for grazing land and 12 million acres are used to grow crops. That figure may seem significant, but only about 9 million acres of this cropland are considered to be prime, unique or of statewide importance (as defined by the California Department of Conservation's FMMP).⁵ This resource is diminishing and is likely to continue to do so, mostly due to conversion to urban development, but also from other causes. Considering that not all remaining farmland is ideal for agriculture due to current and future water stress, climate and temperature changes, and other constraints such as strong soil salinity, protecting what is left is paramount.

In the last 30 years, California has lost more than one million acres of farming and grazing land, and about half of that loss was prime farmland. Figure 2 below provides a snapshot from the California Department of Conservation of what has happened to farmland over that period.

Economic and Cultural Benefits

California is the leading agricultural producer in the United States. Its agricultural abundance includes more than 400 commodities. Over a third of the nation's vegetables and two-thirds of the nation's fruits and nuts are grown in California.⁶ California is the sole producer of an array of commodities consumed by people all over the world. Nearly all of the domestically grown grapes, pomegranates, olives, artichokes, and almonds are grown in California, and over three-quarters

of the nation's strawberries and lettuce come from the golden state.⁷ Ensuring the protection of the state's agricultural lands is essential to protecting California's agricultural economy, and supports numerous other social and environmental benefits to our communities.

Agriculture plays a significant role in many of the state's regions, fueling local economies, providing employment, and maintaining over a century of cultural heritage. In 2014, the farm gate value of the state's 76,400 farms and ranches was a record \$54 billion, double the size of any other state's agriculture industry. Of the \$54 billion, over \$21 billion was attributed to California's agricultural exports.⁸ Not only is California the country's largest agricultural producer, it is the largest exporter of agricultural products. Agricultural products are one of California's top five exports.⁹

Agriculture creates significant ripple effects (i.e. multipliers) throughout California's economy. Each dollar earned within agriculture fuels a more vigorous economy by stimulating additional activity in the form of jobs, labor income and value-added processes. Farm production is closely linked to many other industries: the production of farm inputs, the processing of food and beverages, the textile industry, transportation and financial services. According to the University of California Agricultural Issues Center, which is located at UC Davis and studies the multiplier effects of California farm industry and closely related processing industries, the combined sectors generated 6.7 percent of the state's private sector labor force (including part-time workers), 1.3 percent of the Gross State Product (GSP) and 6.1 percent of the state labor income in 2009. The Center calculated that during that year, a \$1 billion increase of the value added from agricultural production and processing results in a total of \$2.63 billion of GSP.¹⁰

Including multiplier effects, each job in agricultural production and processing in 2009 accounted for 2.2 jobs in the California economy as a whole, and each farming job generated 2.2 total jobs. Agricultural production and processing are especially significant to the economy of California's Central Valley where, including ripple effects, they generated 22 percent of the private sector employment and 20.1 percent of the private sector labor income in 2009. Excluding ripple effects, agriculture directly accounted for 10.2 percent of jobs and 9.2 percent of labor income that year.¹¹

When California loses productive agricultural lands, it loses the income and jobs associated with those lands. Despite the economic contribution to the state, agricultural lands are under pressure from a variety of forces that have the potential to significantly affect the food production capacity that contributes to the food security of the state, nation and world. Preserving farmland means preserving not only our food security but regional economic productivity, income levels, and jobs throughout the farming and food sectors.

Figure 2. Quick Facts on California Farmland, 1984–2012

Did you know, over the course of 30 years...

- Over 1.4 million acres of agricultural land in California were removed from farming uses (a rate of nearly one square mile every four days)
- Of converted land, 49 percent was prime farmland
- For every 5 acres leaving agricultural use, 4 acres converted to urban land

Source California Department of Conservation, Farmland Mapping and Monitoring Program Farmland Mapping and Monitoring Program, *California Farmland Conversion Summary 1984–2014 and California Farmland Conversion Report, 2015*

In California, agriculture is an important cultural identity to many communities, ranging from large-scale farming operations to small-scale family farms and geographically spanning many regions throughout the state, from coastal metropolitan regions to the heart of the San Joaquin Valley. The expanse of agricultural products that California farmers offer adds to the uniquely California cultural scenery, abundance of fresh food, and greatly contributes to quality of life.

Environmental Benefits

Although agricultural practices may sometimes have environmental downsides, agricultural use of land also contributes numerous benefits to the environment and communities. Agriculture is both vulnerable to climate change, and can help mitigate the impacts of climate change. Protecting agricultural lands will help communities reduce vehicle miles traveled (VMT) and greenhouse gas emission associated with vehicle travel by avoiding sprawl. Agricultural lands also have huge potential to sequester carbon. These two benefits make the preservation of these lands important strategies in meeting the long-term climate change goals under *California's 2017 Climate Change Scoping Plan*.¹² Additionally, their preservation is vital to maintaining groundwater recharge. The areas where our highest quality farmland is located are the areas that provide for the greatest groundwater recharge. Protecting agriculture keeps land porous and helps rebuild aquifers. One of the most important actions leaders and communities can take to address future water stresses is protecting the prime farmland that is best suited to replenishing groundwater supplies.

Accounting for Natural Resources Using a Multiple Benefit Approach

The Bay Area Greenprint is a new online mapping tool that reveals the multiple benefits of natural and agricultural lands across the region. It was designed to help integrate natural resource and agricultural lands data into policies and planning decisions that will influence the future of San Francisco Bay Area's vibrant environment, economy and regional character.

Intact ecosystems can provide important benefits for the human population in the Bay Area and throughout the state. The Bay Area Greenprint is an opportunity to aid planners from cities, counties, and LAFcos in understanding and conveying that protecting agricultural land, as a part of intact ecosystems, can provide important benefits for residents in the Bay Area. By conducting multi-benefit assessments (agricultural + habitat + biodiversity + recreation + groundwater + carbon sequestration), the Greenprint provides a more complete understanding of the costs and tradeoffs of developing the region's natural and working lands. It will also assist stakeholders in understanding and communicating both climate change threats and opportunities as well as the multiple values of the Bay Area landscape.

For more information, please visit the tool at www.bayareagreenprint.org

LAFCos' Mandate to Preserve Agricultural Lands

Cortese-Knox-Hertzberg Local Government Reorganization Act 2000 (CKH Act)

Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, encouraging the efficient provision of government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. (Gov. Code §56301, emphasis added.)

Preserving prime agricultural lands and open space is a key statutory mandate of LAFCos and the CKH Act provides direction to LAFCos on certain policies, priorities, and information that LAFCos should, and/or must consider when analyzing boundary change proposals that could potentially impact agricultural lands. The CKH Act includes policies specific to agricultural preservation, including:

- Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing non-prime agricultural lands, unless the action would not promote the planned, orderly, efficient development of an area. (Gov. Code §56377(a).)
- Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency. (Gov. Code §56377(b).)
- Factors to be considered [by the Commission] in the review of a proposal shall include the effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. (Gov. Code § 56668(e).)

Approaches to LAFCo Agricultural Preservation Policies

Though the CKH Act provides some policies specific to agricultural preservation, these are baseline parameters and guidelines from which individual LAFCos can carry out their mandate. Ultimately, a LAFCo's broad powers will guide and influence annexation decisions and how a LAFCo will respond to the need to balance urban growth and preserving agriculture and open space.

To equip individual LAFCos with the ability to respond to local conditions and circumstances, the CKH Act calls for a LAFCo to:

... establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns. (Gov. Code §56300(a).)

Over the years, LAFcos, on an individual basis, have adopted various local policies and procedures to assist them in their effort to preserve agricultural lands. These policies generally call for the avoidance, minimization, and mitigation of adverse impacts to agricultural lands.

Avoidance consists of anticipating and taking measures to avoid creating adverse impacts to agricultural lands from the outset, such as steering development away from agricultural lands to avoid their conversion to other uses. This most efficiently occurs at the time a city or county is updating its general plan and the issue can be viewed at a regional level and not based on an individual proposal.

Minimization consists of measures to reduce the duration, intensity, and significance of the conversion and/or the extent of adverse impacts to agricultural lands (including direct, indirect and cumulative impacts as appropriate) that cannot be completely avoided.

Mitigation consists of measurable preservation outcomes, resulting from actions applied to geographic areas typically not impacted by the proposed project, that compensate for a project’s significant adverse impacts to agricultural lands that cannot be avoided and/or minimized.

Figure 3. Hierarchy for Agricultural Land Preservation Strategies



LAFco’s unique mandates to preserve prime agricultural lands and discourage urban sprawl, and the fact that agricultural lands are a finite and irreplaceable resource, make it essential to avoid adversely impacting agricultural lands in the first place.

Applying These Approaches

These three approaches form an agricultural preservation hierarchy that should, if followed sequentially—avoid, minimize, and then mitigate adverse impacts. These approaches and the recommended applications below may serve as a guide for LAFCos to adopt an agricultural preservation policy, including criteria to guide LAFCo’s review of boundary change proposals, thereby possibly streamlining the evaluation of proposals. It may also serve as a guide for proactive participation and collaborative discussion during a city’s general plan update. Collaborative planning may help jurisdictions better understand and prepare for the requirements of LAFCo early in the planning process.

Avoidance is preferable because it is the best way to ensure that agricultural lands are not adversely impacted, whereas minimization and mitigation actions include, by definition, some level of residual impact to agricultural lands. Avoidance can also help LAFCos address other important mandates, such as curbing urban sprawl and encouraging the efficient delivery of services by encouraging vacant and underutilized lands within urban areas to be developed before prime agricultural and agricultural land is annexed for non-agricultural purposes. Avoidance is also consistent with the growing recognition at the state level that future development should, when and where possible, be directed into infill areas located within existing urban footprints to limit the amount of transportation related greenhouse gases generated. LAFCos can adopt specific policies and procedures that encourage cities to first utilize their existing vacant and underutilized lands within urban areas for development. What LAFCos can do to **AVOID** conversion of agricultural lands:

- Consider removal of excessive amounts of land from city spheres of influence, (i.e. where SOI is much larger than what is needed over a long-range development horizon).
- Adopt policies that encourage cities to implement more efficient development patterns, adopt stable growth boundaries that exclude agricultural lands, promote infill first, and consider alternative locations within city limits in order to remove development pressure on agricultural lands.
- Encourage continuous communication and collaborative planning and studies between public agencies to ensure that consideration of avoidance begins as early as possible in a jurisdiction’s planning process.
- Participate in city general plan update processes to discourage the premature conversion of agricultural lands and to limit development pressure on agricultural lands.

Case Study: Reducing the Spheres of Influence

In 2007, the Kings County LAFCo reduced its spheres of influence through its Comprehensive City and Community District Municipal Service Review (MSR) and SOI Update. The LAFCo utilized the MSR requirement from the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 to coordinate future urban growth considerations in a more streamlined and accountable manner. In developing the MSRs, Kings LAFCo rewarded the good planning efforts of its four cities by reaffirming well planned areas with planned services, while areas within existing spheres of influence not currently planned for urban growth would require more extensive MSR updates. This approach allowed Kings LAFCo an opportunity to successfully remove almost 11,000 acres from future growth consideration where urban services were not planned and agriculture was the established use.

- Discourage extension of urban services outside city boundaries for new development.
- Request that the Lead Agency CEQA assessment includes analysis of alternatives that do not result in conversion of agricultural lands as defined in the CKH Act.
- Require that the jurisdiction demonstrate that infill or more efficient use of land is not possible *prior* to considering SOI expansion and/or annexation into agricultural lands.

Minimizing adverse impacts to agricultural lands should be considered and applied to the maximum extent practicable if all project alternatives have been considered and avoidance is truly not feasible. Minimization, by definition, means reducing the significance of the conversion and/or reducing the adverse impacts by making changes to a project. In other words, some impacts will be incurred, however, they will be less severe than if changes had not been implemented. Minimization measures must be carefully planned, implemented and monitored to assess and to ensure their long-term effectiveness.

What LAFcos can do to **MINIMIZE** conversion of agricultural lands:

- Encourage continuous communication and collaborative planning and studies between public agencies and LAFCo.
- During a city's general plan update process, encourage jurisdictions to adopt a long-term growth management strategy that provides for more efficient development.
- Encourage jurisdictions to adopt a "Plan for Agricultural Preservation."
- Encourage more efficient use of land to limit development of surrounding farmland. Require that the jurisdiction demonstrate that infill or more efficient use of land is not feasible *prior* to considering SOI expansion and/or annexation into agricultural lands.
- Encourage proposals to show that urban development will be contiguous with existing or proposed development; that a planned, orderly, and compact urban development pattern will result; and that leapfrog, non-contiguous urban development patterns will not occur.
- During a CEQA process, request that jurisdictions demonstrate how a proposal will affect the physical and economic integrity of impacted and surrounding agricultural lands.
- As part of a city's general plan process, encourage jurisdictions to map, analyze, and describe all agricultural lands within or adjacent to land proposed for annexation, including analysis of any multiple land-based values such as

Case Study: Greenbelts and Agreements

Ventura County has established greenbelts around its urban areas. Greenbelts are created through voluntary agreements between the Board of Supervisors and one or more City Councils regarding development of agricultural and/or open space areas beyond city limits. They protect open space and agricultural lands and reassure property owners located within these areas that lands will not be prematurely converted to uses that are incompatible with agriculture.

Cities commit to not annex any property within a greenbelt while the Board agrees to restrict development to uses consistent with existing zoning.

Ventura County LAFCo will not approve a sphere update if the territory is within one of the greenbelt areas unless all parties to the greenbelt agreement are willing to accept an amendment to the agreement.

The Ventura policies generally follow Gov. Code §56377.

agricultural, biodiversity, recreation, groundwater, and carbon sequestration, to identify areas of high natural resource value where development is best avoided.

- Encourage agreements among jurisdictions that outline conditions for expanding boundaries. Agreements can be recognized by LAFCo.
- Recommend project requirements to protect agricultural lands adjoining land covered in applications to LAFCo, both to prevent their premature conversion to non-agricultural uses and to minimize potential conflicts between proposed urban development and adjacent agricultural uses, such as:
 - Agricultural buffers. A buffer is typically an on-site strip of land along the perimeter of a development proposal. These provide a way to minimize conflict by creating spatial separation and other barriers such as walls and landscaping between agricultural operations and urban residents. Buffers may be established through city-county agreements and encouraged under locally adopted LAFCo policies.
 - Encourage the adoption of right-to-farm ordinances. These ordinances are developed to offset the perception that typical farming practices are a “nuisance” by 1) providing dispute resolution mechanisms for neighbors as an alternative to filing nuisance-type lawsuits against farming operations; and 2) notifying prospective buyers about the realities of living near farms before they purchase property.
 - Development of educational and informational programs to promote the continued viability of surrounding agricultural land.
 - Encourage the development of a real estate disclosure ordinance to fully inform all directly affected prospective property owners about the importance of maintaining productive agriculture in the area.

Mitigation of impacts to agricultural lands should be considered and applied to the maximum extent practicable if all project alternatives have been considered and avoidance is truly not feasible and if minimization measures have been applied, but adverse impacts remain significant. Mitigation measures must be carefully planned, implemented and monitored to assess and to ensure their long-term effectiveness. Regardless of the type of mitigation measures pursued, this path will inevitably lead to a net loss of agricultural land if it is converted. Some key agricultural mitigation principles to consider include:

- Is the proposed mitigation a fair exchange for the loss of the agricultural resource?
- Is the proposed mitigation designed, implemented and monitored to achieve

Case Study: Mitigation through Memorandums of Understanding/Agreement

Some LAFCos, including San Luis Obispo and Monterey, have entered into MOUs or MOAs with local land use jurisdictions. Such agreements enable the local jurisdictions to express their intent to jointly pursue orderly city-centered growth and agricultural preservation. In San Luis Obispo, the agreement is with San Luis Obispo County. In Monterey, LAFCo has developed agreements with the County and four of the five cities within the agriculturally rich Salinas Valley (Salinas, Soledad, Greenfield and Gonzales) to encourage development of MOAs and MOUs. Though on one occasion, Monterey LAFCo was a third party to the MOA (with Greenfield), the regular practice has been to encourage each city and the County to enter into the MOA/MOU.

clear, stated and measurable outcomes for agricultural preservation?

- Will the proposed mitigation result in a genuine positive change on the ground, which would not have occurred anyway?
- Will the proposed mitigation result in permanent protection of agricultural land, given that the loss of agricultural land is generally irreversible?

Examples of typical measures include:

- The acquisition and transfer of *ownership* of agricultural land to an agricultural conservation entity for permanent protection of the land.
- The acquisition and transfer of *agricultural conservation* easements to an agricultural conservation entity for permanent protection of the land.
- The payment of in-lieu fees to an agricultural conservation entity that are sufficient to fully fund the cost of acquisition and administration/management of agricultural lands or agricultural conservation easements for permanent protection.

Case Study: A Mitigation Menu

Contra Costa LAFCo recently adopted a policy that allows the applicant to choose from a menu of mitigation measures. Those measures can include a 1:1 policy whereby each acre lost is mitigated by an acre preserved for agricultural use. Other options can include fees in lieu of land, conservation easements, agricultural buffers, compliance with an approved habitat conservation plan, and participation in other development programs such as transfer or purchase of development credits. Under this policy, Contra Costa LAFCo will consider any reasonable proposal. If the applicant does not suggest a measure, the Commission has the option to impose one or deny the project.

CEQA and Agricultural Preservation

Working proactively with local agencies to avoid or minimize impacts to agricultural land in the first place is preferable to mitigation. Agricultural mitigation requirements (for example, protecting other off-site lands at a certain ratio) are beneficial, but do not prevent agricultural land from being converted.

However, as a last resort, CEQA can be a tool to help LAFCos leverage agricultural preservation in furtherance of LAFCos' state-mandated purpose. Even in the absence of locally adopted agricultural preservation policies, agencies are required to consider project impacts on agricultural resources. Therefore, LAFCos can still promote agricultural preservation even when the local political climate may not allow for strong local policies. CEQA does not require LAFCos to adopt local agricultural conservation or mitigation policies, but some LAFCos may find it useful to adopt clear and transparent expectations via a local policy.

Public Resources Code, Section 21002 states (emphasis added):

*The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are **feasible alternatives or feasible mitigation measures available which would***

Note

LAFCo can suggest, request, or require feasible mitigation measures, even in the absence of local agricultural preservation policies.

substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.

Pursuant to CEQA, public agencies shall not approve projects as proposed if there are feasible alternatives or feasible mitigation measures that would substantially lessen the significant environmental effects of the project.

LAFCo as a Responsible Agency

Typically, a LAFCo will review a CEQA document, such as an Environmental Impact Report (EIR) or Negative Declaration as a “responsible agency”. Under CEQA, the “lead agency” means the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment.¹³ A responsible agency is any public agency, other than the lead agency, which has the responsibility for carrying out or approving the project.¹⁴ Normally, the lead agency is the agency with general governmental powers such as a city or a county. Agencies with limited powers such as LAFCos, or agencies providing a public service or utility service, tend to be a responsible agency. However, LAFCos may be the lead agency and typically serve in this role for certain projects such as approvals of sphere of influences or out-of-agency municipal service extensions.

In the role of responsible agency, LAFCos can apply some leverage because LAFCo approval is necessary to implement the project. As a responsible agency, LAFCo has an obligation to address environmental impacts within its jurisdiction. If a LAFCo has adopted local agricultural preservation policies such as required conservation ratios, buffering setbacks, etc., LAFCo can comfortably assert recommendations on a project while the lead agency is still processing the CEQA document because: (1) the lead agency, in desiring LAFCo approval, likely will be amendable to compliance with LAFCo requirements and policies; and (2) the project proponent presumably would prefer to make any project changes and/or revisions to the CEQA document in compliance with LAFCo policy up front rather than waiting until the matter is before the LAFCo, thereby optimizing the time spent securing approvals. However, a LAFCo does *not* have to have formally adopted local policies in order for LAFCo to recommend that the lead agency require a given mitigation measure such as a conservation easement to mitigate for conversion of agricultural lands. CEQA’s mandate requires the lead agency to implement feasible alternatives and mitigation measures whether or not a LAFCo has a locally adopted policy. Further, even if a lead agency or project proponent is not amenable to complying with LAFCo recommendations, if LAFCo believes that a project would have a significant impact to agricultural lands that the lead agency has not identified, the LAFCo, as a responsible agency, could require subsequent environmental review. In the context of that subsequent environmental review, a LAFCo could impose its own mitigation measures to protect agricultural lands if necessary to protect against a true threat to its resource.

Notice of Preparation (For EIRs only, not Negative Declarations)

If a LAFCo is a responsible agency on a project, it should respond in writing to the Notice of Preparation. The response should identify the significant environmental issues and reasonable alternatives and mitigation measures that the responsible agency will need to have explored in the draft EIR.¹⁵ This is LAFCo's opportunity to notify the lead agency of any relevant policies and potential concerns with a project that should be included in the EIR analysis. The LAFCo should be clear and forthright about project issues and LAFCo policies and requirements at the outset in the interest of providing the earliest possible notice to the interested parties. This will enhance the LAFCo's long-term credibility in the community and help keep political and other relationships in a positive state.

The intent is to avoid, minimize, and mitigate project impacts to agricultural land. Questions to consider during the NOP process include: Do options exist to minimize or avoid impacts to agricultural land? Should project alternatives be considered? What mitigation measures should be included?

Here are a few code sections to keep on hand. The following statutes can be cited to provide support when promoting LAFCo agricultural preservation goals:

- CKH Act, California Government Code, Section 56377: In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider . . . (a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.
- CEQA Guidelines, Title 14, California Code Regulations, Section 15041: The responsible agency may require changes in a project to lessen or avoid only the effects, either direct or indirect, of that part of the project which the agency will be called on to carry out or approve.
- CEQA Guidelines, Title 14, California Code Regulations, Section 15096(g)(2): When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment. With respect to a project which includes housing development, the Responsible Agency shall not reduce the proposed number of housing units as a mitigation measure if it determines that there is another feasible specific mitigation measure available that will provide a comparable level of mitigation.

Draft EIR or Negative Declaration

At the draft EIR or Negative Declaration stage of the process, a LAFCo may comment on the adequacy of the draft environmental document's analysis, mitigation measures and conclusions. The

A Note About Ag Mitigation Ratios

Conservation easements are effective and commonly used mitigation strategies. However, they do not make up for the loss of agricultural land and may not necessarily reduce the impact of agricultural land loss to a less than significant level.

lead agency is required to consult with LAFCo if it is a responsible agency. Among questions to think about during either draft EIR or Negative Declaration review: Are the analysis and stated impacts to agricultural land sound, reasonable and acceptable to LAFCo? Have all feasible project alternatives and mitigation measures been considered and required?

A LAFCo should ordinarily only make substantive comments regarding those activities involved in the project that are within LAFCo's scope of authority under the CKH Act, or aspects of the project required to be approved by LAFCo, and should be supported by specific documentation when possible. In a CEQA responsible agency role, LAFCos are required to advise the lead agency on environmental effects, and shall either submit to the lead agency complete and detailed performance objectives for mitigation measures addressing those effects or refer the lead agency to appropriate, readily available guidelines or reference documents concerning mitigation measures. If the responsible agency is not aware of mitigation measures that address identified effects, the responsible agency must so state.¹⁶

Examples of potential project alternatives to reduce impacts to agricultural lands include, among others: reduced footprint, clustered density, setbacks and buffers. Examples of feasible mitigation measures include: right to farm deed restrictions, setbacks and buffers, and conservation easements on a 1:1, 2:1 or 3:1 ratio.

Evaluation of and Response to Comments/Final EIR (For EIRs only, not Negative Declarations)

After the public comment period closes, the lead agency then evaluates and provides a written response to comments received. The written response by the lead agency must describe the disposition of the issues raised, detailing why any specific comments or suggestions were not accepted. There must be a good faith, reasoned analysis in the response. Unsupported conclusory statements will not suffice. The lead agency cannot simply make generalizations stating that requiring conservation easements is not economically feasible, for example. As a responsible agency, LAFCo should review the written response provided and determine if it adequately resolves the issues raised in its Draft EIR comment letter. If not, LAFCo should reiterate its remaining concerns via letter and/or orally at the public hearing to certify the EIR.

Approval of a Negative Declaration or EIR

When approving a project, the lead agency must find that either (1) the project as approved will not have a significant effect on the environment; or (2) the agency has eliminated or substantially lessened all significant effects where feasible, and determined that any remaining significant effects are found to be unavoidable. Therefore, even if the lead agency is adopting a Statement of Overriding Considerations, it does *not* relieve the agency from the requirement to adopt all feasible mitigation measures. In other words, an EIR Statement of Overriding Considerations is not a "free pass" to avoid mitigation. As a responsible agency, LAFCos should be involved in the CEQA process to ensure, as much as possible, the lead agency has implemented all feasible mitigation measures.

Mitigation Monitoring and Reporting Program

Although mitigation monitoring is the lead agency's responsibility (and LAFCo should ensure mitigation language is written to ensure the responsibility for monitoring and tracking clearly lies with the lead agency and the timing mechanism is clear), as a responsible agency it is good practice to keep tabs on local development timing to follow up and ensure any required mitigation actually occurs.

LAFCo as a Lead Agency

At times, LAFCos may act as the lead agency on a CEQA document. Examples include adoption of SOIs or approval of service extensions. However, often times LAFCos choose to not serve as the lead agency on a project where significant impacts may occur. For example, a LAFCo may choose not to enlarge a city's SOI until a development project has been proposed (and the land use authority as lead agency has conducted CEQA review instead) so that the LAFCo can process the SOI update concurrent with annexation. However, if a LAFCo finds itself as the lead agency on a project, the discussion above regarding lead agency requirements now would apply to LAFCo.

Caution Regarding Reliance on Habitat Conservation Plans as Agricultural Mitigation

Habitat Conservation Plans (HCPs) often permit developers to pay an in-lieu fee for the purchase of comparable habitat to mitigate for a development's impact to sensitive species. Generally, the priority under HCPs is to mitigate for special status species, not necessarily agricultural land. An HCP would not necessarily address loss of agricultural land as an agricultural resource itself, but would rather address the loss of agricultural land in terms of the associated impacts to special-status species and sensitive habitats. This is a generalization as there is no "one size fits all" answer whether an HCP can or should be used as a mitigation strategy to mitigate for project impacts to agricultural land. Thus, LAFCos cannot automatically assume that HCPs will provide adequate mitigation for the loss of agricultural lands and fact-specific analysis would be required.

If use of an HCP for mitigation is proposed by the lead agency, that HCP needs to be reviewed to determine how the fees will be used and if comparable, compensatory mitigation will be provided. In other words, question how the HCP will use the fee. Does the fee get used just to place the land into a conservation easement that prohibits future development or will it be used for habitat restoration that will eliminate agricultural uses (such as mitigation for wetland or vernal pool mitigation)? The second key question is how the fee relates to the impact. Does it result in an appropriate ratio that compensates for the lands to be developed or is the proposed conservation easement "stacked" with other easements? Many conservation easements used for raptor habitat, for example, will prohibit vineyards and orchards, thereby limiting a raptor's ability to hunt, thus placing constraints on agricultural productivity. If the lead agency cannot demonstrate that the HCP fee would fully mitigate for the loss of agricultural land, other mitigation options should be explored outside of the HCP.

Working with Cities and Counties

City and county planning processes directly influence whether local agriculture is sustainable and viable. LAFCos can play an important role early on in a jurisdiction's planning processes and can encourage continuous communication and collaborative planning between agencies.

In addition to adopting their own local LAFCo policies, LAFCos can help cities and counties adopt meaningful agricultural preservation policies in their general plans. By taking the initiative to engage and build relationships with cities and counties, LAFCo can influence local agencies in their planning processes and advocate for the protection of farmland and the farming economy. The Governor's Office of Planning and Research considers early consultation and collaboration between local agencies and LAFCo on annexations to be a best practice. This includes coordinating on CEQA review, general process and procedures, and fiscal issues.

By providing feedback throughout the general plan adoption process, LAFCos are able to coordinate with and encourage local agencies to adopt strong farmland protection policies in their general plans, specific plans, plans for development in unincorporated areas, and even within city limits. By engaging in a dialogue over plan development with cities and counties long before those agencies submit formal applications, LAFCo can help ensure that applications will be successful.

LAFCos can formalize this kind of proactive participation in local planning processes by tracking city and county agendas and planning cycles, anticipating when such jurisdictions will pursue plan updates or make amendments, and including general plan participation in LAFCo annual work plans. Formalizing this participation through the LAFCo annual work plan provides structure for ongoing engagement, and over time, normalizes the interaction so that cities and counties will come to expect LAFCo to be actively engaged.

Not only can LAFCos engage in early, informal discussions about what kinds of policies would be useful and compatible with LAFCo policies and mandates, but they can also submit formal comments as part of the public planning process. The executive officer can submit these formal comments on behalf of the commission.

To help local agencies assess the impacts of their plans on agricultural resources, LAFCos can draw information from many sources. The California Department of Conservation's Farmland Mapping and Monitoring Program can provide information about valuable farmland, including statistical trend data that can be used for analyzing impacts on agricultural resources. Storie index maps can help LAFCos understand the location of the best soils, so that urban growth can be directed away from those areas. LAFCos should also track the location of agricultural conservation easements, and properties under Williamson Act contracts. The county agricultural commissioner's office can help other local agencies understand local agriculture and how planning decisions will have an effect.

LAFCos can help cities make good decisions with regard to annexations, following the avoid-minimize-mitigate protocol mentioned earlier in this white paper. LAFCos have the power to review and approve annexations with or without amendment, wholly, partially, or conditionally, or disapprove proposed annexations, reorganizations, and incorporations, consistent with written policies, procedures, and guidelines adopted by the commission. By working with a city early on in

the process, LAFCo can provide ongoing guidance in the development of an annexation proposal, encouraging attributes that will lead to its success.

LAFCo can also influence county planning processes via the formation or expansion of special districts.

Best Practices for LAFCos

When considering an agricultural preservation policy, the following actions provide background operational context:

1. *An appropriately-scaled policy framework is necessary.*

A policy framework implements a goal, which ideally describes the end-state desired by a LAFCo. Each policy implemented over time, and as applicable, incrementally fulfills a LAFCo's goal. The end-state should reflect the LAFCo's values and by extension the values of the greater community of local agencies that it serves.

A policy adopted without a corresponding over-arching goal is less effective.

2. *The agricultural preservation policy must be consistent with the authority and limitations of a LAFCo.*

LAFCos have broad statutory authority to approve, approve with conditions, or deny proposals for a change of organization or reorganization initiated by a petition or by resolution of application.¹⁷ However, LAFCos shall not impose any conditions that would directly regulate land use density or intensity, property development, or subdivision requirements.¹⁸

3. *LAFCos should have commitment from the local agencies involved in the implementation of the policy.*

LAFCo policies should be developed in consultation with the affected local agencies and stakeholders in the county. Also, policies should be developed so that they work in coordination with the local agencies' approval process. Preferably, LAFCo policies are consistent and complementary with cities' general plans and the master plans of special districts under LAFCo's jurisdiction.

4. *The policy should be simple, uncomplicated, and easy for the local agency staff to administer and the public to understand.*

Over 78 percent of LAFCos are staffed with four or fewer employees.¹⁹ This means that most LAFCos have very limited resources with which to implement and monitor complicated policies, implementation or mitigation measures.

5. *The policy should include a programmatic incentive for proposal applicants to either agree with the effect of the policy or not protest implementation.*

Once adopted, the policy should influence how local agencies implement their growth plans.

6. *Importantly, local agencies, stakeholders and the public must know about and understand the agricultural preservation policy and its potential use. In other words, a public education program is essential.*

Community involvement in the development of the goal and its supporting policy is critical. Such input should be requested, synthesized, and reflected in the goal to represent the community's interest. LAFCo interests are best served when the community's understanding is clear about how that goal is achieved, how long it should take to reach, and how one or more policies is used to reach it.

7. *There should be flexibility in the specific details of how a given proposal can implement overarching policy goals.*

Individual LAFCo policies can lay out a LAFCo's statutory mandate to balance the state interest in the preservation of open space and prime agricultural lands against the need for orderly development. A policy can state that a proposal provide for planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns. But the policy does not have to prescribe a specific course of action that an applicant should take in order to be considered satisfactory in addressing this overarching policy goal. The policy places the onus on the applicant to explain or justify how the proposal balances the state interest in the preservation of open space and prime agricultural lands against the need for orderly development. The policy can be explicit in asserting a LAFCo's authority to deem incomplete and/or deny proposals that do not adequately put forth a rationale for a LAFCo to weigh against the policy goals.

Endnotes

1. California Public Resources Code, Section 21000 et seq.
2. SSM, USDA Handbook No. 18, October 1993. United States Department of Agriculture. Accessed on August 9, 2017: https://www.nrcs.usda.gov/wps/portal/nrcs/detail/null/?cid=nrcs143_014052.
3. California Department of Conservation Farmland Mapping and Monitoring Protection Program. Accessed January 15, 2018: http://www.conservation.ca.gov/dlrp/fmmp/Documents/soil_criteria.pdf.
4. California Government Code Section 56064.
5. California Department of Conservation, Farmland Mapping and Monitoring program (FMMP).
6. California Department of Food and Agriculture, 2015.
7. U.S. Census of Agriculture, [National Agricultural Statistics Service](#), 2015.
8. California Department of Food and Agriculture, 2015.
9. U.S. Census Bureau, 2016.
10. *The Measure of California Agriculture*, 2012 update. University of California Agricultural Issues Center. Accessed on December 13, 2017: <http://aic.ucdavis.edu/publications/moca/MOCABrochure2013.pdf>.
11. Ibid.
12. California Air Resources Board. *California's 2017 Climate Change Scoping Plan*. Accessed on December 15, 2017: <https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>.
13. California Public Resources Code, Section 21067.
14. California Public Resources Code, Section 21069.
15. CEQA Guidelines Section 15082 (b).
16. CEQA Guidelines Section 15086 (c) and (d).
17. California Government Code Section 56375 (a)(1): The commission shall have the powers and duties to review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, consistent with written policies, procedures, and guidelines adopted by the commission.
California Government Code Section 56021: "Change of organization" means any of the following:
 - (a) A city incorporation.
 - (b) A district formation.
 - (c) An annexation to a city.
 - (d) An annexation to a district.
 - (e) A detachment from a city.
 - (f) A detachment from a district.
 - (g) A disincorporation of a city.
 - (h) A district dissolution.
 - (i) A consolidation of cities.
 - (j) A consolidation of special districts.
 - (k) A merger of a city and a district.
 - (l) Establishment of a subsidiary district.
 - (m) The exercise of new or different functions or classes of services, or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district.
18. California Government Code Section 56375 (a)(6).
19. CALAFCO survey, CaLAFCO.org, 2015.



Creating Sustainable Communities and Landscapes

Recommended practices and tools for local collaboration on climate-smart growth



CALIFORNIA
STRATEGIC
GROWTH
COUNCIL



OCTOBER 2018

EXHIBIT F

INTRODUCTION

The State of California has a rich history of environmental leadership. With some of the most beautiful landscapes and fertile soils in the country, we have much to protect and conserve. As the State's population grows towards fifty million people, infrastructure demands place intensified levels of stress on California's agricultural and natural wealth. In order to address these challenges, California has led the charge nationally to reduce harmful greenhouse gas emissions, because we recognize that this battle is not only about the environment – it is also about protecting the well-being of our families and communities. To ensure the prosperous future of our State, we must shift to a more conscientious approach to land use planning in California – one that balances the needs of conservation and development¹. In order to balance these priorities, the State has put new laws in place for new housing and infill development, community resilience, economic growth in urban and rural areas, and set an ambitious target for carbon neutrality by 2045 that relies upon efficient and orderly growth across California.

Reaching California's climate goals will require implementing a variety of strategies including **shifting to more efficient and sustainable land use patterns**. This means focusing our efforts on compact growth in existing neighborhoods, while conserving wildlife habitat, farmland, and open space, also known as natural and working lands. There are many economic, environmental, and health benefits to this kind of focused growth, but the climate-specific benefits are two-fold. First, infill development reduces personal vehicle use by enabling Californians to walk, bike, use transit, engage in shared mobility, or drive only short distances to get where they need to go. This compact development also facilitates

1 This vision is outlined in the State Planning Priorities, which were codified into law in 2002 (Government Code §65041.1).

energy and water savings by using these resources more efficiently. Second, protecting farmland and open space is beneficial because these lands can serve to sequester carbon and provide nature-based services to support urban areas, including **natural infrastructure**². Meanwhile, protection of natural and working lands helps to fuel California's agriculture and tourism economies, all the while providing food security and myriad ecosystem services for local communities. This kind of land use is often referred to as smart growth, and it has become a priority in California to plan for such focused development throughout the State.

Cities, counties and special districts are on the front lines of implementing infill development and protecting natural and working lands at the local level. In support of these goals, they can benefit by building strong relationships with Local Agency Formation Commissions (LAFCo), which can also play a critical role in promoting efficient growth. Among many other things, LAFCos have authority to determine the most efficient growth patterns and service areas in a county through the adoption of Spheres of Influence (SOI), the Municipal Service Review (MSR) process, and other LAFCo policies and functions. MSRs can help support better decision-making for service area expansion for when applications from cities and special districts are received or, more pro-actively, when countywide or local general

2 Natural infrastructure is now a statutorily recognized preference for State agencies and communities, responding to new mandates on addressing climate risk. It is defined as the preservation or restoration of ecological systems, or utilization of engineered systems that use ecological processes, to increase resiliency to climate change, manage other environmental hazards, or both. This may include, but is not limited to, floodplain and wetlands restoration or preservation, combining levees with restored natural systems to reduce flood risk, and urban tree planting to mitigate high heat days. See General Plan Guidelines Chapter 4: Safety for additional information. <http://opr.ca.gov/planning/general-plan/>

plan updates are prepared. This can help support more urban-focused growth by reducing sprawl and set the stage for determining which areas are conserved as natural or working lands. LAFCoS also have a unique opportunity to help facilitate relationships among local agencies and raise awareness of best practices around growth management in support of local efforts to create sustainable communities.

ABOUT LAFCoS

Created by the Knox-Nisbet Act of 1963, LAFCoS are county-level agencies whose commissions are composed of local city and county elected officials, special district elected officials (in 30 of the 58 LAFCoS), and public members. They were established in response to rapid and disorderly development in California during the post-WWII housing boom – so disorderly that some have referred to this era as the “annexation wars.” At the time, there was a great deal of competition among cities to incorporate quickly and annex as much land as possible, which the legislature recognized as detrimental to the public interest. For this reason, LAFCoS are often called the “watchdogs” of the legislature in promoting orderly development and provision of services.

Local Agency Formation Commissions are becoming more important as a partner in the implementation of State and local goals related to infill development, greenhouse gas emissions reductions, and climate change resilience. In light of California’s commitment to reducing greenhouse gas emissions, smart growth and protection of natural and working lands are crucial. These commitments can also allow a community to become more

resilient to the changing climate and to better prepare for the extreme weather events that are increasingly facing the State. Working together, local governments and LAFCoS have a unique opportunity to advance smart growth policies and practices in every county of the State. Many LAFCoS have recognized their ability to support efficient growth at the city and county level, and are implementing innovative policies that help to preserve agricultural land and open space while also encouraging infill development. Yet LAFCoS also face many challenges, including resource and capacity constraints as well as local political pressure.

LAFCoS AS PARTNERS IN SMART GROWTH

This paper highlights case studies in which LAFCoS, cities, counties and special districts successfully partnered to reduce suburban sprawl and increase the conservation of natural and working lands, while also considering how to improve community resilience. Developed through a collaboration among the Strategic Growth Council, the Governor’s Office of Planning and Research and the California Association of Local Agency Formation Commissions (CALAFCo), this paper is intended to help support coordination among local entities to advance efficient growth and conservation of natural resources. It also aims to raise awareness of available tools and resources that can be used to create more environmentally and economically sustainable communities throughout California.

PART I

CALIFORNIA PLANNING AND CONTEXT: LAY OF THE LAND

California has long been a pioneer on environmental issues, and continues to lead the charge on climate efforts both nationally and internationally. The State had developed a coordinated suite of laws, policies and guiding documents that set the path to reaching our climate goals. The State Planning Priorities – to conserve natural and working lands, promote infill development and equity, and support efficient development patterns – were codified into law in 2002 and support climate and conservation goals concurrently. In 2006, the State adopted the Global Warming Solutions Act (Assembly Bill 32), setting the goal to reduce greenhouse gas (GHG) emissions to 1990 levels by 2020, a reduction of approximately 15% compared to a “business as usual” scenario. This legislation was followed by Senate Bill 32, Executive Order B-30-15, Senate Bill 350, and Executive Order B-55-18 that specify targets beyond 2020, including reducing GHG emissions to 40% below 1990 levels by the year 2030 and carbon neutrality by 2045. These are ambitious goals, particularly in light of the fact that the State’s population is projected to grow to more than 50 million residents by 2050. The Scoping Plan is the State’s roadmap to reach these targets, setting the main strategies that California will use to reduce GHG emissions. Among other strategies, including the use of renewable energies and improving energy efficiency, the Scoping Plan prioritizes infill development to protect natural and working lands.

Another important piece of legislation, The Sustainable Communities and Climate Protection Act of 2008 (Senate Bill 375) has helped set a long-range planning framework for meeting GHG emission reductions through regional land use strategies. This bill requires Metropolitan Planning Organizations (MPOs) or Councils of Government (COGs) for each region of California to create a “Sustainable Communities Strategy,” combining the

The 1978 Urban Strategy first set state planning priorities for California, which were adopted into law in 2002 (Government Code §65041.1). OPR released a second Environmental Goals and Policy Report in November 2015 entitled “A Strategy for California @ 50 Million: Supporting California’s Climate Change Goals.” Briefly, the priorities are to:

- a. Promote infill development and rehabilitation and utilization of existing infrastructure, including water, sewer, and transportation.
- b. Protect the state’s natural and working lands, including agricultural land, lands of cultural and historic significance, wetlands, and wildlands.
- c. Develop in an efficient manner that limits sprawl and minimizes costs to taxpayers.

Regional Transportation Plan and the Regional Housing Needs Assessment into one document that sets guidance for where development should be directed regionally in order to maximize emissions reductions. As a 2016 paper by The Nature Conservancy highlights, the framework established by Senate Bill 375 contributes to reducing GHG emissions in at least three important ways. First, by defining resource areas and farmland where development should be avoided, helping to increase carbon sequestration; second, by encouraging more compact development that can help Californians avoid driving long distances for day-to-day necessities; and third, by promoting investments to encourage infill development.

Not every area of the state is represented by an MPO or a COG³, and even for those that are, regional governments' power to enforce these land use strategies is limited, as that power resides in county and city governments. However, MPOs can use their authority over transportation spending to provide incentives for strategy implementation. For example, the Metropolitan Transportation Commission (MTC) has identified priority development areas and priority conservation areas in its Sustainable Communities Strategy known as Plan Bay Area. The MTC provides incentive funding for a city or county to focus activities in these areas. Sustainable Communities Strategies provide useful information for LAFCOs that can be helpful in deciding which land within their jurisdiction should be developed, and which areas should be conserved as agricultural land and open space.

While all land use is local – as the saying goes – State agencies can provide guidance to help create successful growth management policies and practices. The Governor's Office of Planning and Research (OPR) and the Strategic Growth Council (SGC) work together closely to provide resources for local and regional agencies on topics related to land use. OPR develops and manages the General Plan Guidelines, an important “how to” resource for local jurisdictions drafting a general plan and managing urban and suburban growth. This resource includes statutory mandates, guidance, case studies, and best practices to help support local planning initiatives. The most recent version of these guidelines, released in 2017, includes guidance to implement new mandates on climate change, housing, environmental justice, health, air quality, as well as information on legislative changes, policy recommendations, and additional resources. This document will be discussed in more depth in Part V of this paper, in addition to other State resources and tools available to facilitate infill development.

³ According to Federal law, urbanized area with population of at least 50,000 must be guided and maintained by a regional entity such as an MPO or a COG

PART II

THE BENEFITS OF GROWTH MANAGEMENT PRACTICES

Smart growth is a framework for planning that encourages mixed-use development within existing neighborhoods. This model for growth aims to cultivate compact communities that require less driving to reach daily destinations while protecting nearby farmland and open space from development. There are many compelling reasons to shift land use patterns to a smart growth model – reasons that span economic, social, and environmental considerations.

The economic argument for smart growth is twofold. First, smart growth spurs the economic vitality of cities, and second, preserving agricultural and natural lands protects California's strong agricultural economy, contributes to local and regional food security, and supports ecosystem health. Research has shown that vibrant, walkable downtown centers are engines for economic growth, and that demand is increasing for housing in walkable, transit-rich places in cities across California and throughout the country. A study by Smart Growth America found that directing growth to existing neighborhoods saves up to 38% on upfront costs for construction of new roads, sewers, water lines and other infrastructure and saves 10% on provision of services such as police, ambulance and fire service costs. Additionally, this study found that on an average per-acre basis, smart growth development provides 10 times more tax revenue than conventional suburban development (Smart Growth America, 2013).

Conserving agricultural lands also has significant benefits. The State of California has some of the most productive agricultural lands in the world and is the country's largest producer and exporter of agricultural products. Additionally, agriculture plays an important role in fueling local economies, providing jobs and improving local and regional food security. It is also a central piece of California's cultural heritage and way of life. CALAFCO and American Farmland Trust published a

paper entitled “[State of the Art on Agricultural Preservation](#)” in February 2018 that provides more detail about the benefits of protecting farmland in California and outlines successful strategies for LAFCOs to do so.

Protecting natural landscapes provides myriad benefits as well. Intact ecosystems support the State's abundant biodiversity while also providing benefits in the form of clean water and air, climate stability, increased resiliency to storm events, conservation of wildlife habitat, and valuable recreation opportunities – just to name a few examples. Natural landscapes can also serve as natural infrastructure, now a statutorily recognized preference for State agencies and communities responding to new mandates on addressing climate risk. These healthy systems improve the quality of life of those who live in California, and draw tourists from around the country and the world.

As already emphasized in this paper, the environmental benefits of infill development are also compelling. Compact cities, towns and neighborhoods make walking, biking and transit use more viable and make it easier for residents to drive less frequently. Minimizing personal vehicle use has significant air quality benefits, reducing both GHG emissions and congestion for those who do opt to drive. Reducing traffic and parking demand themselves can have important air quality benefits because people spend less time running their engines on clogged highways or circling around to find parking. Further, working and natural landscapes – particularly forests – are instrumental in the fight against climate change because they serve as carbon sinks by absorbing and removing carbon dioxide from the air.

Lastly, there is strong evidence that smart growth has meaningful social and health benefits as well. The public health impacts of improved air quality and neighborhood design that is conducive to walking and biking are significant and well-documented. A recent California

Department of Public Health study used the Integrated Transport and Public Health Impacts Model to estimate a variety of health-related outcomes if the State is able to meet its ambitious mobility and health goals. The findings indicate that California could avoid over 2,000 deaths due to chronic disease each year by doubling walking and transit trips and tripling trips taken by bicycle (Maizlish, 2016). The availability of parks and open spaces is another boon for the physical and mental health of individuals, while also providing neighborhood gathering spaces that can help build community. There are some more hidden social benefits as well, such as reducing commute times for families, allowing parents more time to spend with their children; increased transit access, which can have economic benefits for low-income families; and even increased social interaction between residents of walk- and bike-friendly neighborhoods. Researchers have found that social cohesion can be a crucial component determining community resilience in the wake of natural disasters (Klinenberg, 2003; Aldrich and Meyer, 2014). As the intensity and frequency of such disasters increases, the importance of building community must not be overlooked.

For all of these reasons, the State of California is taking steps to encourage smart growth land use patterns, working in concert with local jurisdictions such as cities, counties and special districts. These agencies are at the forefront of the shift towards smart growth because they set local policies to preserve open space and encourage efficient growth. LAFCo's play a critical role in helping to guide city boundary and service provision expansion. They can also take a leadership role in educating and

“Directing growth to existing neighborhoods saves up to 38% on upfront costs for construction of new roads, sewers, water lines and other infrastructure and saves 10% on provision of services such as police, ambulance and fire service costs. “

informing local agencies regarding growth management best practices and encouraging collaboration around these issues. As highlighted in the case studies to follow, LAFCo's have many opportunities to support and uphold strong city and county policies such as urban growth boundaries, urban service area boundaries, greenbelts, or community separators. They can also require agricultural land preservation plans, vacant land analysis and absorption studies, as well as agricultural land mitigation, in cases of land annexation or SOI expansion proposals that would allow farmland to be developed. Cities, counties, and special districts are also benefitted by building strong partnerships with LAFCo's, as these relationships can result in increased capacity and better decisions vis-à-vis local development patterns.

PART III

LOCAL AGENCY FORMATION COMMISSIONS

Given the important role of LAFCoS in local land use decisions, it is important to understand a bit of their history and mandate. As mentioned earlier, LAFCoS were established in 1963 by the Knox-Nisbet Act. They are State-mandated county-level entities whose mission is to encourage orderly growth, preserve agricultural land resources, and discourage urban sprawl. LAFCoS have both planning and regulatory authority to determine city boundary changes, define city spheres of influence, and manage the creation, consolidation and dissolution of special districts. Their commissioners include local city and county elected officials, public members and, in many cases, special district elected officials. In this role, LAFCoS have a unique opportunity to help align local development patterns with statewide goals for sustainability, including improvements in public health, community resilience, economic opportunity, and food security.

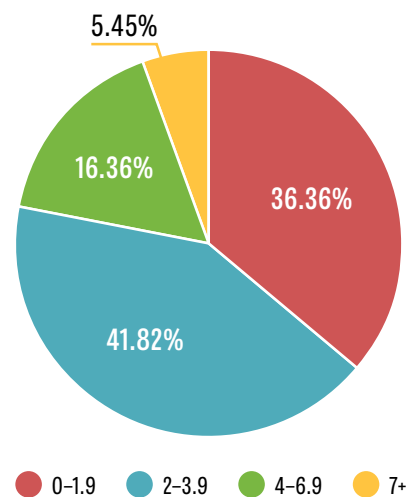
The roles and responsibilities of LAFCoS have evolved and expanded over the years. Originally, LAFCoS only had power over the incorporation of cities and the creation of special districts. However, the legislature has significantly expanded those initial responsibilities to include the following (CALAFCo Testimony, 2016):

- » Processing city and district annexations and detachments, as well as proposals to dissolve or reorganize the structure of cities and special districts;
- » Determining property tax revenue exchange amounts for agencies in cases of revised city and special district boundaries;
- » Addressing the activation or divestiture of latent services or powers;
- » Conducting sphere-of-influence updates and municipal service reviews;

- » Mapping and planning for disadvantaged unincorporated communities;
- » Complying with the California Environmental Quality Act (CEQA) and Sustainable Communities Strategies created by SB 375; and
- » Conducting special studies.

Despite these expanded responsibilities, LAFCoS often operate on small budgets and with limited staff. According to a 2015 CALAFCo survey, more than 36% of these commissions have fewer than two staff members, while only three (5.5%) have seven or more staff. Most LAFCoS employ part-time contractual personnel or county staff to help complete tasks on a tight budget. In fact, CALAFCo's survey found that more than 32% of LAFCoS have staff members that also work for the county, including some executive officers. This is most common in rural counties. Thus, while these entities are meant to be independent

FIGURE 1: NUMBER OF LAFCO STAFF



CREDIT: CALAFCO TESTIMONY, 2016

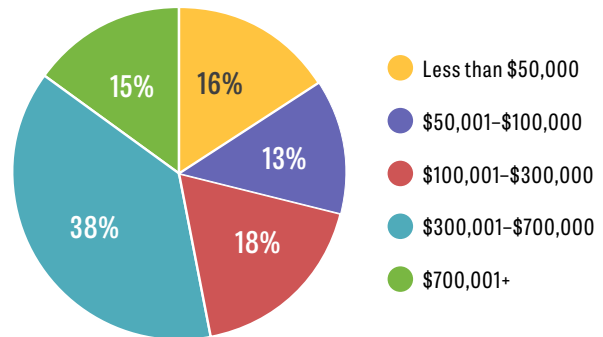
from counties, financial barriers often impede their ability to act independently. See Figure 1 (on previous page) for more details on LAFCo staffing around the state.

LAFCos receive revenues from the counties, cities, and special districts that are eligible to be represented on the commissions. State law requires that the funding be split evenly among the represented agencies (for example, if cities, the county and special districts are all represented on the commission, each will pay a one-third share of the budget). Individual LAFCos are also allowed to modify this funding formula if they so choose. For example, Butte LAFCo has special district representation and all parties involved agreed that special districts pay less than the one-third apportionment. The LAFCo funding structure is one explanation for the considerable diversity in size and capacity of LAFCos across the State. They have so far been ineligible for State grant funding as primary applicants and thus their budgets are highly dependent on the revenue of local agencies and the extent to which funding for LAFCos is prioritized locally. In some cases, local agencies may be reluctant to devote sufficient funds to LAFCos due to political pressure to minimize government functions or to relax regulation on sprawl development.

In light of these challenges, it is perhaps unsurprising that LAFCo budgets vary widely across the State and that most LAFCos are operating on very tight budgets. For example, 16% of LAFCos have an annual budget below \$50,000. As an extreme example, Mono LAFCo adopted a budget of only \$10,869 for FY 2018-2019, and contracts all of its staff through the County. On the other end of the spectrum, 15% have an annual budget that exceeds \$700,000. San Diego LAFCo adopted a budget of \$1,906,694 for FY 2018-19. In CALAFCO's 2015 survey, 34% of LAFCos reported that their budgets were barely sufficient to meet statutory requirements and 11% indicated that their budgets were insufficient to do so (CALAFCO Testimony, 2016).

In addition to funding and capacity challenges, local political pressure can often complicate commission decision-making processes. Considering that most commissioners are locally elected officials, it can be challenging for them to make unpopular decisions

FIGURE 2



CREDIT: CALAFCO TESTIMONY, 2016

regarding annexation proposals or sphere-of-influence extensions, even when proposals are in conflict with the mission and/or policies of the LAFCo. Similarly, when LAFCos do reject popular proposals in order to enforce their policies, they may risk a negative backlash and even efforts to change commission leadership. Since LAFCos tend to have little name recognition and understanding of their mission and goals among the general public, they are particularly vulnerable to negative public opinion in the case of controversial decisions. This is not only concerning for individual commissioners; it can also impede the efficacy of LAFCos, and by extension, of growth management efforts around the State.

In spite of these challenges, LAFCos can be successful in meaningfully influencing land use patterns in their counties, especially through strong and positive partnership with other local bodies. Through the promotion of strong policies, they can help protect farmland and encourage the development of compact, walkable cities. Not only does well-planned growth have important environmental benefits, it can also improve public health, advance equity and drive economic growth. While LAFCos share some significant challenges, many of them have developed strong policies and creative strategies to manage growth in their counties, as outlined in the case studies described in the following section.



PART IV
CASE STUDIES



CASE STUDY: SANTA CLARA COUNTY

PHOTO CREDIT: SANTA CLARA LAFCo

BACKGROUND

Throughout the 1940s and 1950s, Santa Clara County was in the throes of the so-called “annexation wars,” in which a variety of local agencies and communities were competing to incorporate or annex as much land as possible. For example, in Santa Clara County, seven new cities were incorporated between 1952 and 1957, and the boundaries of existing cities also grew substantially. By the early 1960s, the County was a sprawling patchwork of development that was difficult and expensive to serve, while a significant amount of valuable farmland had been transitioned to urban or suburban land uses. Many other regions in California were experiencing the same problems, which led the State Legislature to create LAFCos in 1963.

UNIQUE GROWTH MANAGEMENT FRAMEWORK

By the late 1960s, it became clear that a countywide framework for managing urban growth was necessary to address these issues. In the early 1970s, Santa Clara LAFCo, the County, and the 15 cities jointly developed and adopted a set of policies known as the *Countywide Urban Development Policies*. These policies define the roles and responsibilities of local agencies regarding the timing and location of urban development in the County. Two key aspects of these policies are that:

- » Urban development should occur only on lands annexed to cities – and not within unincorporated areas

- » Urban expansion should occur in an orderly, planned manner – with cities responsible for planning, annexing, and providing services to urban development, within boundaries called “urban service areas.”

Subsequently, each of the 15 cities proposed, and LAFCo adopted, urban service area (USA) boundaries delineating lands the cities intended to annex, develop, and provide urban services – while conserving lands not suitable for urban development such as natural and working lands. LAFCo approval is required in order to amend the USAs.

Because USA boundaries determine where and when future growth will occur and services will be provided, LAFCo staff reviews each USA expansion request very carefully.⁴ In recognition of this unique growth management framework, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 includes a special provision for Santa Clara County (Government Code §56757), which allows a city to annex land within its USA without Santa Clara LAFCo’s further review and approval.

⁴ LAFCo evaluates whether there are infill development opportunities and whether the city has used its existing supply of vacant land before seeking to expand its USA, whether the expansion would result in conversion of agricultural or open space lands, whether the services and infrastructure needed to support the proposed growth can be financed and provided without negatively impacting current city services, and whether there is an adequate water supply available, among other considerations.

OUTCOMES

Santa Clara LAFCo's consistent implementation of the growth management framework over the last 45 years has facilitated compact growth and continued economic prosperity in the County. This has enabled the preservation of a vast network of open space lands in close proximity to the cities and the sustained economic viability of farmland outside of the cities. Executive Officer Neelima Palacherla says that Santa Clara LAFCo's USA policy has "stood the test of time." Over the last 20 to 25 years, many cities in the county have accommodated large population increases without outward expansion. The largest city in the County, San Jose, is projected to add 200,000 in population over the next 20 years – all of which the City's Envision 2040 General Plan intends to accommodate within its existing boundaries. This is consistent with the Bay Area's Sustainable Communities Strategy and the growing statewide recognition that reduction of transportation-related GHGs is best accomplished by directing growth into existing infill areas.

However, growth management in Santa Clara County is not always easy and Santa Clara LAFCo has faced many challenges in maintaining orderly and efficient growth. Its recent decisions on two proposals seeking to transition nearly 1,000 acres of prime farmland to suburban and urban uses have affirmed its strength in preventing sprawl and protecting farmland in the face of opposition.

In 2015, the City of Gilroy proposed a USA expansion that would have converted 721 acres of mostly prime farmland to urban uses, just north of the city. When reviewing the City's Environmental Impact Report (EIR), Santa Clara LAFCo found that the City had not adequately analyzed the project's impacts (e.g. water supply, police and fire services, growth inducement, and cumulative impacts), and had neglected to adopt adequate mitigation measures. When the City failed to address the LAFCo's concerns, communicated through multiple comment letters, the LAFCo responded by initiating litigation against the City, which resulted in the City rescinding its certification of the EIR and application. This sequence of events raised the community's awareness of the importance of farmland preservation and curbing sprawl to such an extent that Gilroy voters subsequently approved

a ballot initiative in 2016 to create an urban growth boundary around the city, protecting an additional 2,000 acres of farmland and signaling a long-term positive change in this community's vision.

In 2016, the City of Morgan Hill proposed a USA expansion that would have converted 229 acres of prime farmland to urban uses, just southeast of the city. Prior to the City submitting the proposal, LAFCo staff formally expressed its concerns about the project and worked with the City and other affected local agencies in hopes of developing an alternative plan. However, the City decided to move forward with their original proposal, in spite of the existence of vacant lands within the existing USA and opposition from many members of the local community. Since the proposal did not meet many of the criteria that LAFCo uses to evaluate USA amendment requests, the Commission made the difficult decision to deny the proposal. LAFCo's action, along with local agencies' renewed interest in agricultural preservation, helped spur the County of Santa Clara and Santa Clara Valley Open Space Authority to work together to create a Santa Clara Valley Agricultural Plan that highlights the importance of preserving agricultural land and open space as a climate change mitigation and economic development strategy.⁵ The Plan has prompted new local, regional, and state partnerships for the creation of an agricultural conservation program to enable permanent protection of farmland.

TOOLS UTILIZED

- » Countywide urban development policies
- » Urban Service Area boundaries and policies
- » Early and consistent communication with cities during General Plan update and policy development processes
- » Ensuring adequate environmental impact analysis as a Responsible Agency under CEQA

⁵ The Agricultural Plan was funded in part through a Strategic Growth Council Sustainable Agricultural Lands Conservation Grant

DRIVERS OF SUCCESS

- » Long-standing countywide urban development policies and a tradition of protecting natural lands
- » Commission's willingness to take bold and politically challenging actions
- » Careful review and detailed analysis of expansion proposals
- » Successful partnerships with local agencies and organizations
- » Presence of a strong constituency who support smart growth and conservation

CHALLENGES AND LESSONS LEARNED

In spite of its history of strong growth management policies in Santa Clara County that protect its agricultural heritage and open space, recent attempts by cities to significantly extend their Urban Service Areas (USAs) show that there remains pressure for urban sprawl development to occur in the County. Additionally, as time passes and there is staff turnover at local agencies, there is less institutional knowledge of the history of the countywide urban development policies and their role in growth management and relevance to current day planning. As a result, LAFCo recognizes a need to conduct more education and outreach to affected agencies and the community in order to maintain and increase its effectiveness. Recently LAFCo retained a consultant to prepare a Communications and Outreach Plan and help expand an understanding of its mandate and policies among local agencies and the community. Lastly, Santa Clara LAFCo, like many other LAFCos, struggles to build capacity on a tight budget. The LAFCo has recently hired a new staff member, which will help lighten staff workload a bit, but it remains challenging for the LAFCo staff to carry out important research, analysis and communication with few resources.

95% OF THE COUNTY'S
POPULATION

lives within cities' Urban Service Areas

REPRESENTING

LESS THAN **25%**
OF THE COUNTY LAND AREA

ALMOST **250,000 ACRES**

is protected open space land or
under conservation easements

USEFUL LINKS

- » CALAFCO Conference Presentation on Urban Growth Boundaries, 2015: https://CALAFCO.org/sites/default/files/resources/Urban_Growth_Boundaries_all_in_one.pdf
- » San Jose's Envision 2040 General Plan: <http://www.sanjoseca.gov/index.aspx?NID=1737>
- » Santa Clara Valley Agricultural Plan: <https://www.openspaceauthority.org/conservation/current-projects/santa-clara-valley-agricultural-plan.html>
- » Santa Clara Valley Greenprint: <https://www.openspaceauthority.org/conservation/conservation-priorities/santa-clara-valley-greenprint.html>
- » How Urban Development Policies Have Made a Difference in Santa Clara County: 40 Years Later, Policies Still Cutting-Edge and Vital: http://www.santaclaralafco.org/file/UD_Policies_in_SCC_by_Don_Weden.pdf
- » LAFCo of Santa Clara County Integrating Growth and Conservation: <http://www.santaclaralafco.org/file/Policies/IntegratingDevAndConsv-RevJul2017.pdf>
- » LAFCo Staff Report for Morgan Hill Urban Service Area Amendment 2015 https://santaclaralafco.org/images/resumes/agenda_packet/StaffReport_20160215.pdf



CASE STUDY: STANISLAUS COUNTY

PHOTO CREDIT: STANISLAUS LAFCO

BACKGROUND

Stanislaus County is a relatively rural county containing nine cities, located in California's Central Valley. Its largest city is Modesto, with a population of 212,175 in 2016. Recognizing the diversity in population size and growth management policies among the County's nine cities, the LAFCo Executive Officer, Sara Lytle-Pinhey explains that the Commission employs a "menu approach" to growth management practices. For example, the City of Hughson has a 2-to-1 agricultural mitigation policy in place, while the City of Newman has drawn an urban growth boundary. The County also requires a countywide vote to approve zoning changes from agricultural to residential use, and requires 1-to-1 mitigation for the loss of agricultural land when such developments are approved in the unincorporated areas. The LAFCo recognizes and upholds each of these policies and requires cities to provide a plan for agricultural land preservation as well as an absorption study⁶ and a vacant land inventory with each request for a land annexation or SOI expansion.

In addition to upholding growth management policies held by each of the cities and the County, Stanislaus LAFCo establishes SOIs within its jurisdiction that are intended to reflect where growth may occur in a 20-year timeframe. Cities are expected to maintain this planning

boundary and any modifications require careful review by the LAFCo. Additionally, the LAFCo sets a primary area around cities that represents the near-term growth area within the first 10 years of that period.

AGRICULTURAL PRESERVATION PLAN

The LAFCo's role of ensuring orderly development is not easy considering that the cities in the County have varying degrees of growth management policies in place. Furthermore, each of the cities is surrounded by prime agricultural land (as defined by the California Department of Conservation), in some cases making it difficult for cities to grow in size at all without developing over fertile farmland. In an effort to address this challenge, the LAFCo set in place a policy in 2012 requiring cities to provide an agricultural preservation plan along with their requests to annex land or expand their SOI. These plans must include an analysis of the extent to which local agricultural resources would be impacted by the proposed development, a vacant land inventory and absorption study, and an analysis of possible agricultural land mitigation, among other items. The preservation plan must also demonstrate consistency with the region's Sustainable Communities Strategy, as well as other regional, local and countywide plans.

While various factors make it challenging to completely avoid the development of prime agricultural land, the LAFCo published a report in 2014 that mapped prime agricultural lands (as defined by the California Department

6 The absorption study is expected to include information about the city's demand for various land uses, its current supply, and the rate of expected growth or absorption of lands.

DRIVERS OF SUCCESS

- » Strong agricultural heritage of the region
- » Individual commissioners who prioritize agricultural land conservation
- » Frequent meeting and communication
- » Transparent and informative website

CHALLENGES AND LESSONS LEARNED

Stanislaus' rural geography and strong agricultural heritage are emblematic of the region. While this is a boon for farming in the County, it also presents the challenge that nearly any development on the fringes of Stanislaus County's nine cities is likely to threaten prime farmland. Thus the stakes for growth management in the County are particularly high.

The cities in Stanislaus County have varying degrees of growth management policies currently in place. For example, while the City of Newman passed a voter-approved urban growth boundary in 2014, a similar measure failed to pass in the City of Modesto the following year. Additionally, the County's growth management policies require one-to-one mitigation for agricultural land, but only when the land is developed for residential use. The policy does not apply to industrial or commercial uses, leaving farmlands vulnerable to development in many cases.

While these factors all present challenges for implementing effective growth management, Stanislaus LAFCo's policies help minimize the loss of farmland and promote orderly growth. By encouraging communication and collaboration among various actors in the County and promoting transparency through clear reporting on growth patterns of cities in the county, the LAFCo has taken initiative to influence the factors within its control.

USEFUL LINKS:

- » Stanislaus LAFCo's agricultural land preservation policy: <http://www.stanislausLAFCo.org/info/PDF/Policy/Final.AgPolicy.3252015.pdf>
- » City of Newman's Urban Growth Boundary Measure: <http://www.cityofnewman.com/docman/administration/662-measure-z-information/file.html>
- » City Spheres of Influence Report: <http://www.stanislausLAFCo.org/info/PDF/SOI/SOIRReport2014.pdf>
- » 50-Year Annual City Annexation Summary: <http://www.stanislausLAFCo.org/info/PDF/Staff%20Rpts/AnnualCityAnnex12.31.10.pdf>



CASE STUDY: VENTURA COUNTY

PHOTO CREDIT: VENTURA LAFCO

BACKGROUND

Ventura County has a long history of enacting measures aimed at protecting its agricultural character from sprawl development. As early as 1967, the County approved a Greenbelt Agreement between the cities of Ventura and Santa Paula under which parties agreed to a policy of non-annexation and non-urban development in the agricultural lands located between the two cities. By 1986, five more agreements had been passed by other cities and the County (Fulton et al., 2003). While these greenbelts are not legally binding, Ventura LAFCo has endorsed these agreements and made a commitment to reject a proposal from a city that is in conflict with a greenbelt agreement, “unless exceptional circumstances are shown to exist” (Commissioners Handbook Section 3.2.4.4).

Another important element of Ventura County’s success in protecting agricultural land is its *Guidelines for Orderly Development (GOD)*, which was first adopted in 1969⁷ by the LAFCo, the County and each of the cities within the County. This document is a unique effort to encourage urban development within cities, enhance the regional responsibility of County government, and facilitate orderly planning and development. The *GOD* was influential in setting a County policy that discouraged development outside of city limits, providing an important precedent for later initiatives. Ventura LAFCo’s Executive

7 The document was updated in 1996

Officer, Kai Luoma, pointed out that “The Guidelines have been, and still remain, very influential and are routinely applied throughout the County.” He explained that County staff routinely refer proposed developments to LAFCo and city staff to advise on their compliance with the Guidelines.

THE SOAR MOVEMENT

Momentum to protect agricultural land increased in the 1980s with Ventura County’s Save Open Space and Agricultural Resources (SOAR) movement. This grassroots campaign was led by local residents concerned about environmental degradation, sprawl, and increased traffic in their communities (Ryan et al. 2004). The first SOAR initiative was approved by the City of Ventura in 1995, building on the existing growth management policies described above. Since then, seven others have been enacted around all of the major cities in Ventura County, as well as in the County’s unincorporated areas. The County’s SOAR initiative requires approval from a majority of County voters in order to rezone unincorporated open space, agricultural or rural land for development. The eight voter-approved SOAR initiatives passed by the cities of Camarillo, Fillmore, Moorpark, Oxnard, Santa Paula, Simi Valley, Thousand Oaks and Ventura, made it necessary to obtain approval from city voters before allowing most types of urban development beyond a City Urban Restriction Boundary (CURB). In the case of the City of Ventura, a vote is required in order to

rezone land designated as agricultural land in the City's general plan. All of the existing SOAR initiatives were recently reaffirmed through 2050 by voters in November 2016.⁸ The renewed County initiative added an exemption for processing of locally grown food to support the agricultural industry. The LAFCo plays an important role through supporting and upholding voter-approved SOAR policies in its decision-making.

Another, more recent, example of the LAFCo's role in natural and working land conservation is its development of *Informational Guidelines for the Consideration of Agricultural Mitigation Measures*, providing guidance to lead agencies on mitigation strategies for projects that are likely to result in the conversion of prime agricultural land. The document lists the four following recommended measures: agricultural conservation easements, agricultural land mitigation bank and credits, fee title (ownership), or fees in lieu of the three previously mentioned strategies.

OUTCOMES

The SOAR initiatives and GOD document have been largely successful in directing development towards cities and existing urban areas. As they are not outright prohibitions on development, these policies have led to more thoughtful deliberations among disparate interests, as developers have had to convince voters directly of the benefit of each project.

Santa Paula's East Area 1 Specific Plan is a good example of the City's SOAR initiative in action. In 2004, the City of Santa Paula signed an MOU with the agribusiness Limoneira for the development of Teague McKeveatt Ranch, a 501-acre ranch contiguous to the City's eastern boundary. The MOU required robust community engagement in the creation of a specific plan to ensure that the project responded to community needs. Taking into account community feedback, the specific plan included both neighborhood and community parks and trails, in addition to local schools and new residences. The plan was unanimously approved by the City Council and

“Because of SOAR, residents have found a new, sustainable way to grow that bucks the trend of urban sprawl.”

Planning Commission, at which point the annexation was submitted to a City-wide vote and was overwhelmingly approved by 83% of voters. Since the project site was located in an existing greenbelt, Limoneira was required to mitigate impacts by purchasing a 34-acre agricultural easement located within the City's Area of Interest. The annexation was approved by Ventura LAFCo in 2011.

As shown in this example, SOAR initiatives in the County are strengthened by LAFCo policies that reinforce earlier efforts of Ventura County and its cities to preserve agricultural lands and focus urban growth inside of existing communities. This alignment of efforts results in orderly growth that responds to community needs. In the words of Supervisor Linda Parks, who is on the Ventura LAFCo Commission as well as the board of SOAR, “Because of SOAR, residents have found a new, sustainable way to grow that bucks the trend of urban sprawl.”

TOOLS UTILIZED

- » Greenbelts
- » City Urban Restriction Boundaries
- » SOAR Initiatives
- » Guidelines for Orderly Development
- » Informational Guidelines for the Consideration of Agricultural Mitigation Measures

⁸ SOAR Website.

<http://www.soarvc.org/what-is-soar/> [accessed 2/26/2018]

DRIVERS OF SUCCESS

- » Strong agricultural history of the region
- » Active local advocates and community organizers
- » Prioritization of agricultural land conservation among LAFCo commissioners
- » Strong early growth management policies set the foundation for later ones
- » Alignment of policies across jurisdictions
- » Successful relationships with cities, special districts and the County

CHALLENGES & LESSONS LEARNED

Jurisdictions' ability to pass local SOAR initiatives depends on the extent to which the electorate prioritizes the conservation of agricultural land. Thus, local education about the issue is crucial to success. The presence of strong environmental advocates and community organizers combined with the significant agricultural history of Ventura County were instrumental in passing these SOAR initiatives in the 1990s, and in successfully campaigning for their renewal to 2050. While SOAR does not keep a city from annexing land, it does require a vote of the people to change a City Urban Restriction Boundary and allow for development. Ventura LAFCo has a policy to not accept applications for annexation unless voters have approved amending the City Urban Restriction Boundary. This LAFCo policy, along with enforcement of greenbelt agreements, complements SOAR initiatives well. Lastly, since the LAFCo only has jurisdiction over boundary changes, agricultural land conversion does not always fall under its purview. To address this challenge, the LAFCo's guidelines for agricultural land mitigation encourage lead agencies to consider mitigation in cases of agricultural land conversion when reviewing environmental impact assessments.

1,023,473 TOTAL ACRES
unincorporated land protected by
SOAR initiatives in Ventura County

92,635 ACRES
Agricultural / Agricultural – Urban Reserve

921,770 ACRES
Open Space / Open Space – Urban Reserve

9,068 ACRES
Rural / Rural – Urban Reserve

USEFUL LINKS

- » Ventura County Guidelines for Orderly Development: <http://www.ventura.LAFCo.ca.gov/wp-content/uploads/2005-GuidelineOD-1.pdf>
- » Informational Guidelines for the Consideration of Agricultural Mitigation Measures: <http://www.ventura.LAFCo.ca.gov/wp-content/uploads/Final-Version-of-Mitigation-Guidelines.pdf>
- » Ventura County SOAR website: <http://www.soarvc.org/>
- » Commissioners Handbook: <http://www.ventura.LAFCo.ca.gov/wp-content/uploads/Ventura-LAF-Co-Commissioners-Handbook-Revised-7-19-17.pdf>
- » Ventura County website: <http://www.ventura.org/>
- » Ventura County Resource Management Agency website: <https://vcrma.org/>
- » Santa Paula's East Area 1 Specific Plan <https://www.scribd.com/document/50982927/Santa-Paula-s-East-Area-1-Specific-Plan>



CASE STUDY: SONOMA COUNTY

BACKGROUND

Given its location in the northern San Francisco Bay Area and desirable climate, Sonoma County has long grappled with development pressures. In order to preserve its natural heritage, the County set forth a visionary and highly controversial General Plan in 1978 to focus growth in cities while conserving farmlands and natural resource areas. Then, beginning in 1989, Sonoma County also created Community Separators, which serve as green buffers between cities. While Community Separators do not affect underlying land use designations for the area they cover, they are generally located outside of USAs and are designated with agricultural, resource or rural residential land uses. In the 1990s, voters approved the creation of an Agricultural Preservation and Open Space District as well as the strengthening of Community Separator policies to require a vote of the people in order to change the zoning or modify the boundaries of these areas. In 2016, Sonoma County voters overwhelmingly approved a measure to renew and expand the eight existing Community Separators in the County.

The nine cities in the County have also done their part to manage growth. In 1996, the overwhelming voter approval of urban growth boundaries (UGBs) in Santa Rosa and Sebastopol began a wave of similar policies in the remaining cities in the County. Cloverdale was the last to pass its own UGB in 2010. Most of these voter initiatives expire after 20 years (Cloverdale's in 15 years) and have so far been overwhelmingly reapproved by voters.

LOCAL PARTNERSHIPS

Sonoma LAFCo plays an important role in supporting these local growth management policies. The LAFCo often gets requests from landowners wanting to subdivide their property and asking for an outside service area agreement, but the LAFCo upholds State law (Government Code §56133) that only allows for such extensions of services in the case of an “existing or impending threat to the health or safety of the public or the residents of the affected territory.” Executive Officer Mark Bramfitt also emphasizes that approving ad-hoc service area expansions would likely lead to increased development on the outskirts of Sonoma County’s cities, which would undermine local growth management goals.

The LAFCo also upholds local UGBs and Community Separators in the case of proposals that would not be consistent and maintains close relationships with the local cities and the County. Annexation or SOI expansion proposals that are inconsistent with its policies rarely make it through an initial screening process and on to the LAFCo Commissioners. Instead, such proposals are determined inconsistent with local land use policy by the cities or the County at a much earlier stage. Sonoma County Comprehensive Planning Manager Jane Riley explained that the County’s relationship with the LAFCo is beneficial, explaining that working closely together over the years has ensured smooth communication and a consistent approach.

Sonoma LAFCo also has a strong relationship with the cities within its countywide jurisdiction. The LAFCo's executive officer explains the issues that he works on with cities are fairly minor; cities and special districts sometimes have questions about process, but they all share the same goals of focusing growth within existing cities. The LAFCo's relationship with the County, cities and special districts also includes a good deal of day-to-day education and collaboration. This interaction is largely informal and happens when LAFCo staff consult these local entities on specific projects, proposals and applications. In addition to this daily communication, the LAFCo held a two-hour "LAFCO 101" training for city and County planning staff members in 2017, which was well-received.

OUTCOMES

The County's Community Separator and the UGBs implemented by every city in the County have created a strong framework for efficient development that can be an instructive practice for cities and counties across the State. This strong foundation is reinforced by Sonoma LAFCo's commitment to uphold these policies, as well as its close relationship with the County, cities and special districts. Its role in providing day-to-day education about the importance of growth management, and the policies in place to that end, is also instrumental in promoting infill development and the protection of natural and working lands in Sonoma County. According to Teri Shore, North Bay Regional Director at the Greenbelt Alliance, "Sonoma LAFCo is a strong model for other LAFCos around the state in terms of working with cities and counties and acting when needed to prevent sprawl and loss of farmland and open space to inappropriate development."

TOOLS UTILIZED

- » Urban Growth Boundaries
- » Community Separator Ordinance
- » Agricultural Preservation and Open Space District
- » Communication and Relationship Building

"Sonoma LAFCo is a strong model for other LAFCos around the state in terms of working with cities and counties and acting when needed to prevent sprawl and loss of farmland and open space to inappropriate development."

DRIVERS OF SUCCESS

- » Agricultural heritage of the region
- » Constituents that prioritize the preservation of natural and working lands
- » Strong relationships with the County, cities, and special districts
- » Strong city and county growth management policies

CHALLENGES AND LESSONS LEARNED

In the wake of the fires that tore through Sonoma County in 2017, destroying approximately 6,000 housing units in the County, the LAFCo's role has become more important than ever. As the County looks to rebuild, this increased demand for housing need presents a formidable challenge in a region that, like most areas in California, had already struggled to meet local housing needs. The County Board of Supervisors is calling for the construction of 30,000 new units in the next five years to rebuild the homes that were lost while also addressing the housing shortage that pre-dates these historic fires. While the County and cities are committed to concentrating this growth within city limits, it is an unprecedented level of growth for the County and may not be easy to contain. So far, the County plans to meet this target without substantially changing current policies, but community opposition may complicate dense development of some areas, making it harder to achieve

this goal. The LAFCo can be a key player in ensuring that growth management policies are followed even – and especially – in the face of significant growth.

USEFUL LINKS

- » Sonoma LAFCo: <http://www.sonomaLAFCo.org/>
- » Map of Sonoma County Protected Lands:
<http://www.sonomaopenspace.org/lands/>
- » Sonoma County General Plan: <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/>
- » Sonoma County Agriculture and Open Space District:
<http://www.sonomaopenspace.org/>
- » Bay Area Greenprint:
<https://www.bayareagreenprint.org/>

PART V

RECOMMENDED PRACTICES

As highlighted in these four case studies and doubtless many other examples of local best practices, there are a number of ways for LAFCoS, cities, counties and special districts to work together to implement effective smart growth practices on the local level. For example, setting up regular meetings between local city and county planning departments that include educational presentations and trainings like Stanislaus County does is a powerful technique. The State General Plan Guidelines, and CALAFCO and American Farmland Trust's "State of the Art on Agricultural Preservation," provide detailed policy guidance on best practices to encourage efficient growth management that may provide a useful starting point for discussing appropriate policies to implement locally. Sonoma LAFCo's efforts to educate local agencies on what LAFCoS do and clarify roles between LAFCo staff and city and county staff can also help streamline collaborative efforts and help conserve precious staff time.

In addition to regular meetings and trainings for planning staff of all local agencies, frequent conversation and collaboration can help build a culture of trust across agencies and make it easier to achieve common goals. Working at the intersection of cities, counties, special districts and regional governments, LAFCoS have the opportunity to help facilitate relationship building and collaboration on growth management among these entities.

MPOs and COGs are critical players that have much to gain from deepening relationships with LAFCoS and local agencies. By engaging these local agencies in the development and updates to the SCS for the region, regional governments can ensure local buy-in and build momentum around smart growth practices. For local agencies, collaborating with MPOs on the development of these plans can help align local and regional goals and make it easier for cities, counties, special districts and LAFCoS to adhere to SCSs in their decision-making.

Another strategy that can help local agencies and LAFCoS meet their smart growth goals is education of the general public about the importance of growth management through building relationships with non-traditional partners. These entities may include community-based organizations, advocacy organizations, land trusts, farmer's unions, open space authorities, small businesses and other organizations whose missions align with the implementation of infill development and protection of agricultural land. This type of coalition-building is important for building consensus and momentum around strong agricultural land protection and smart growth.

Local agencies and LAFCoS also have much to gain by creating accessible websites, along with publications and communications documents that clearly explain the benefits of smart growth in everyday parlance and highlight local efforts to encourage sustainable development patterns. In addition, sharing data on the amount and location of prime agricultural land in the county, land area that has been protected through agricultural easements or the Williamson Act, city growth rates over time, and other key data points can empower local advocates and organizations to promote growth management efforts.

Developing relationships with press and communicating with them about local efforts to create more vibrant, walkable cities while protecting natural and working lands is another meaningful way to educate the public about the importance of this work. Many of the strongest growth management policies highlighted in the case studies were voter initiatives, or were passed by elected leaders who are responsible for representing their constituents. Without convincing the public of the value of encouraging infill development and protecting open space, local agencies and LAFCoS will struggle to meet their goals of effective growth management.

Many of the stakeholders that were interviewed for this paper indicated that the vital role LAFCoS play in their counties is not often understood by the general public – and is sometimes even misunderstood by the organizations and individuals that LAFCoS interact with regularly. This presents an opportunity for LAFCoS and their local agency partners to take an active role in educating stakeholders on LAFCoS' mission, explaining how their vision for efficient growth management aligns with the sustainable land use policies and decisions of local cities, counties and special districts.

PART VI

STATE TOOLS AND SUPPORT FOR CLIMATE SMART GROWTH

The State of California has created a variety of strategic plans and guidance documents that can help provide a framework for local growth management strategies. The Scoping Plan is California's roadmap for meeting our ambitious climate goals. In addition to setting the path forward to meeting 2030 climate targets, it also highlights the key strategies that are needed in order to reach these goals. Preservation of farmland and open space, including forests and wetlands, and promoting infill development are integral components of the State's climate strategy.

While the Scoping Plan provides the overarching framework for reaching the State's Climate goals, it does not address the more granular details of what that might look like on the local level. The Office of Planning and Research provides more applied guidance to local jurisdictions on how to implement these goals through its *General Plan Guidelines*. This document is a primary resource for local governments to prepare their general plans and update local land use goals, policies, and actions. Statutory mandates, guidance, and recommendations are all included in the document and recent updates in 2017 include recommended policies and mapping tools. Smart growth is a critical part to successful land use management in California. The newest version of the General Plan Guidelines highlights this as a priority in a number of sections, including in land use, transportation, air quality, healthy communities, climate change, and implementation. Importantly, these Guidelines include examples of counties where specific practices are being implemented, to encourage effective leverage of these practices. LAFCo are an important local player who should be consulted during General Plan updates. By encouraging jurisdictions to utilize the General Plan Guidelines and suggesting the use of best practices they highlight, LAFCos can advance strong local and countywide planning practices. It is important to note

that the Scoping Plan and General Plan Guidelines are non-regulatory documents – they are meant to be helpful resources that can assist local agencies in planning for a sustainable, resilient, and prosperous future.

Another way for LAFCos to engage with local agencies to meet common goals is through educating and potentially partnering with local jurisdictions to attract State grant funding to help meet smart growth goals. These funds include the suite of *California Climate Investments* programs that are funded through the State's Cap-and-Trade program, as well as funding available for water investments through the *Water Quality, Supply and Infrastructure Improvement Act* (Proposition 1); dollars for transportation investments through the *Road Repair and Accountability Act*⁹ (Senate Bill 1); and new funds for parks and environmental protection available through the *Parks, Environment, and Water Bond* (Proposition 68). Cities and counties would be well served to partner with LAFCos on relevant grant proposals to help build LAFCo capacity and improve local coordination to meet collective goals. For example, it may be helpful to include LAFCo as a subgrantee on a planning grant to update a local Municipal Service Review or to help with planning for a disadvantaged unincorporated community.

The State's Cap-and-Trade program in particular has a number of programs aimed at reducing GHG emissions through smart growth. Programs such as the *Sustainable Agricultural Lands Conservation Program*, the *Affordable Housing and Sustainable Communities Program* and the *Transformative Climate Communities Program* can help local jurisdictions employ agricultural land preservation and infill development strategies to help reduce GHG emissions. The Strategic Growth Council's *Technical Assistance Program* is also available to

⁹ A measure to repeal this bill is slated to be on the November 2018 ballot. If passed, this funding source would no longer be available.

help local jurisdictions – particularly those that classify as disadvantaged or low income communities¹⁰ – identify grant programs that could be a good fit for community needs and provide direct application assistance. See the resources section of this paper for more information about these programs and others.

Senate Bill 73, an element of the 2017 legislative Housing Package allows local governments to create Housing Sustainability Districts. These districts will be located in areas with existing infrastructure and transit and zoned at higher densities to encourage more infill development. Environmental review must be conducted prior to the approval of the district designation, allowing for ministerial approval once the new zoning is in place. Cities will be provided funding incentives to establish these districts. The Housing Package also included *Senate Bill 35*, which creates a streamlined approval process for infill housing developments in localities that have failed to meet their regional housing needs assessment targets. While these pieces of legislation do not affect LAFCoS directly, they provide powerful incentives for cities to focus efforts on smart growth and may be helpful in convincing cities to address the growing housing pressures in California through increased infill development rather than suburban sprawl.

Additionally, State legislation (AB 2087) creating *Regional Conservation Investment Strategies* went into effect in January 2017, encouraging voluntary regional planning processes which are intended to result in higher-quality conservation outcomes. One goal is to direct the placement of development and infrastructure, as well as identify optimal locations for habitat mitigation. Several pilots are nearing completion around the State, including in Santa Clara County. LAFCoS and counties in particular should be involved in these planning processes and/or aware of the resulting conservation strategies, which can support them in their own efforts to guide development.

Lastly, the State of California has partnered with the land use scenario planning software company *UrbanFootprint* to make this scenario planning tool available to all

cities, counties and metropolitan planning organizations in the State free-of-charge. This tool provides planners with informative projections of how land use scenarios will affect a variety of economic and environmental indicators, such as tax revenue, infrastructure costs, energy costs, agricultural land conservation, protection of biodiversity, water use, GHG reductions and air pollution, and more. Not only can UrbanFootprint be a powerful tool to help planners draft effective General Plans, it can also help with local decision-making around development and conservation of land, thereby supporting a stronger relationship between LAFCoS and local jurisdictions. When decision-makers and the public alike are presented with strong data showing that decisions to annex land or expand urban services to undeveloped areas may not only have negative environmental impacts, but economic ones as well, it can be much easier to refuse development that runs contrary to the public's interest.

CONCLUSION

In spite of some clear challenges, cities, counties, and special districts, supported by LAFCoS and regional agencies, have an opportunity to move the needle on building a healthier and more sustainable California. By educating local decision-makers, local agencies and the public about the importance of focusing development in existing communities while protecting farmlands and open space, they can build local support for smart growth policies. Looking to non-traditional partners in this effort may be a helpful way to reach new audiences and strengthen existing efforts that share similar goals. LAFCoS can also work as conveners and facilitators, bringing together local agencies and helping to foster a culture of trust in their counties. Strong, well-reasoned policies that enjoy broad-based support are also a critical ingredient. In this paper, we have highlighted a number of successful best practices from around the State, but there are doubtless many more. We hope that the State tools and resources offered here will provide LAFCoS, cities, counties, special districts and other local agencies with the information they need to protect Californians from the effects of climate change, while improving public health, the economy, and quality of life in our beautiful State.

¹⁰ Disadvantaged Communities are designated according to their CalEnviroScreen scores. Low-income communities are determined according to the Assembly Bill 1550 definition.

RESOURCES

LEGISLATION CITED

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Assembly Bill 743): Establishes procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations.

California’s Global Warming Solutions Act of 2006 (Assembly Bill 32): Requires California to reduce its greenhouse gas emissions to 1990 levels by 2020 — a reduction of approximately 15 percent below emissions expected under a “business as usual” scenario.

Senate Bill 375: Directs the Air Resources Board to set regional targets for the reduction of greenhouse gas emissions and for Metropolitan Planning Organizations or Councils of Government to create Sustainable Communities Strategies that plan for the attainment of these targets.

Senate Bill 535: Directs State and local agencies to make investments that benefit California’s disadvantaged communities. It also directs the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities for the purposes of these investments based on geographic, socio-economic, public health, and environmental hazard criteria.

Assembly Bill 1550: Increased the percent of funds for projects located in disadvantaged communities from 10 to 25 percent and added a focus on investments in low-income communities and households.

Assembly Bill 2087: Creates Regional Conservation Investment Strategies, which encourage voluntary regional planning processes which are intended to result in higher-quality conservation outcomes.

Assembly Bill 73: Provides local governments the option of creating “Housing Sustainability Districts,” which operate as overlay districts to streamline the residential development process in areas with existing infrastructure and transit.

Senate Bill 35: Creates a streamlined, ministerial approval process for infill developments in localities that have failed to meet their regional housing needs assessment (RHNA) targets.

USEFUL TOOLS AND RESOURCES

CalEnviroScreen 3.0:

<https://oehha.ca.gov/calenviroscreen>

California Climate Investments:

<http://www.caclimateinvestments.ca.gov/>

2015 Environmental Goals and Policy Report:

http://www.opr.ca.gov/docs/EGPR_Nov_2015.pdf

General Plan Guidelines:

<http://opr.ca.gov/planning/general-plan/>

LAFCOs, General Plans and City Annexations:

http://opr.ca.gov/docs/LAFCOs_GeneralPlans_City_Annexations.pdf

Municipal Service Review Guidelines:

<http://opr.ca.gov/docs/MSRGuidelines.pdf>

UrbanFootprint: <https://urbanfootprint.com/>

Scoping Plan:

<https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>

WORKS CITED

Aldrich, Daniel P., and Michelle A. Meyer. "Social capital and community resilience." *American Behavioral Scientist* 59.2 (2015): 254-269.

Bui, Tami and Bill Ihrke. *It's Time to Draw the Line: A Citizen's Guide to LAFCOs*. May, 2003. <https://CALAFCO.org/resources/introduction-LAFCo/citizens-guide-LAFCos>

CALAFCO and American Farmland Trust. *State of the Art on Agricultural Preservation*. February 2018. https://CALAFCO.org/sites/default/files/documents/CALAFCO_AFT%20White%20Paper%20on%20Ag%20Preservation_Feb%202018%28REV%29.pdf

Fulton, William et al. *Recent Growth Trends And Future Growth Policy Choices For Ventura County*. Southern California Studies Center. 2003. <http://www.solimar.org/pdf/growpolicyventura.pdf>

Fulton, William & Paul Shigley. *Guide to California Planning*, 4th edition. 2012. Solano Press Books.

Golding, Susan et al. *Growth Within Bounds: Planning California Governance for the 21st Century*. Commission on Local Governance for the 21st Century. January 2000. <http://opr.ca.gov/docs/79515.pdf>

Klinenberg, Eric. *Heat wave: A social autopsy of disaster in Chicago*. University of Chicago Press, 2015.

Livingston, Adam. *Sustainable Communities Strategies and Conservation: Results from the First Round and Policy Recommendations for Future Rounds*. The Nature Conservancy. January, 2016. <https://www.nature.org/ourinitiatives/regions/northamerica/unitedstates/california/sustainable-communities-strategies-and-conservation.pdf>

Maizlish, Neil. *Increasing Walking, Cycling, and Transit: Improving Californians' Health, Saving Costs, and Reducing Greenhouse Gases*. Final Technical Report to the California Department of Public Health. 2016. <https://www.cdph.ca.gov/Programs/OHE/CDPH%20Document%20Library/Maizlish-2016-Increasing-Walking-Cycling-Transit-Technical-Report-rev8-17-ADA.pdf>

Miller, Pamela, CALAFCO. *Written Testimony for Hearing on Special Districts*. Little Hoover Commission. August, 2016. https://CALAFCO.org/sites/default/files/documents/CALAFCO%20LHC%20Testimony%20Final_08_08_16%282%29.pdf

Pendall, Rolf; Jonathan Martin; and William Fulton. *Holding the Line: Urban Containment in the United States*. 2002. The Brookings Institution Center on Urban and Metropolitan Policy, Discussion Paper.

Ryan, Christine M., John P. Wilson, and William Fulton. "Living on the edge: growth policy choices for Ventura County." *Up against the sprawl: public policy and the making of southern California*. Minneapolis: University of Minnesota Press. 309-342 (2004).

Smart Growth America. *Building Better Budgets: A National Examination of the Fiscal Benefits of Smart Growth Development*. May 2013. <https://www.smartgrowthamerica.org/app/legacy/documents/building-better-budgets.pdf>

CONTRIBUTING ORGANIZATIONS

The **Strategic Growth Council (SGC)** was established in 2008 to coordinate state agency activities in supporting the planning and development of sustainable communities. The SGC also administers a suite of grant programs funded through the California Climate Investments - a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions while providing a variety of other impactful benefits - particularly in disadvantaged communities.

The **California Governor's Office of Planning and Research (OPR)** was established in 1970 to serve the Governor and their Cabinet as staff for long-range planning and research, and constitutes the comprehensive state planning agency. OPR is required to develop long-range policies to assist the state and local agencies in meeting the problems presented by the growth and development of urban areas and defining the complementary roles of the state, cities, counties, school districts, and special districts with respect to such growth. OPR is also charged with assisting local government in land use decisions, conflict resolution among state agencies, creation and adoption of general plan guidelines, operation of the State Clearinghouse for distribution and review of CEQA documents, operation of the Integrated Climate Adaptation and Resiliency Program, and a number of other responsibilities.

The **California Association of Local Agency Formation Commissions (CALAFCO)** is a 501(c)3 non-profit founded in 1971. CALAFCO serves as an organization dedicated to assisting member LAFCoS with educational, technical and legislative resources that otherwise would not be available. The Association provides state-wide coordination of LAFCo activities, serves as a resource to the Legislature and other bodies, and offers a structure for sharing information among the various LAFCoS and other governmental agencies. The membership of CALAFCO consists of all 58 of the LAFCoS in California, along with an associate membership of firms and agencies which support the educational mission of the organization.

AUTHORS

Ena Lupine, SGC; Emily Tibbott, SGC; Michael McCormick, OPR; Jessie Hudson, OPR.

Advisory Working Group: Pamela Miller, CALAFCO; Neelima Palacherla, Santa Clara LAFCo; Michael McCormick, OPR; Emily Tibbott, SGC; Randall Winston, SGC; Louise Bedsworth, SGC.

ACKNOWLEDGEMENTS

We would like to thank the many city and county staff members, LAFCo executive officers and commissioners, planning experts, non-profit staff and advocates who provided invaluable perspectives and information to enrich this report. Special thanks to the Executive Officers of Santa Clara LAFCo, Sonoma LAFCo, Stanislaus LAFCo and Ventura LAFCo for their help in developing case studies for each of the four counties.