

Farmland Working Group

Striving to protect food, families & farmland. Since 1999.

Who will Preserve Stanislaus County's Productive Farmland? ITS CITIZENS

An Urban Limit for Riverbank



By Jami Aggers
stoptheriverwalk.com

A group of local citizens have banded together to pursue an Urban Limit Initiative that would be on Riverbank's 2024 General Election ballot if successful. Why? Because the rate at which we are paving over some of the best farmland in our local area is staggering.

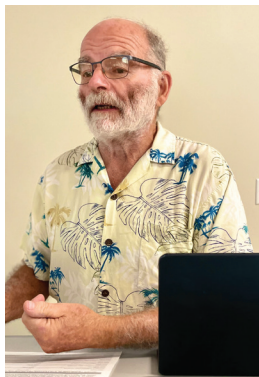
Just seven short years ago (2016), Riverbank was granted one of the largest increases to a city's Sphere of Influence in Stanislaus County's history – 1,500 acres, to be exact. A Sphere of Influence (SOI) is land at the edge of a city that can ultimately be annexed into its boundaries and developed; such SOI increases are intended to provide growth potential for at least a 20-year planning horizon. In the case of Riverbank, however, it began pursuing annexing another 1,500 acres in 2021, just five years after the prior SOI increase.

What's wrong with this you might wonder? Because all of the additional area being sought is on prime farmland - the State of California's highest classification of agricultural land. Homes and commercial businesses should be built on soils of lesser quality; not where we grow our food.

What would this Urban Limit Initiative do? It would establish a western boundary, and only a western boundary in Riverbank, beyond which development could not occur unless approved by its voters. Why only a western boundary? Because that's where the best soils are located; in other words, the Initiative would not restrict development in other directions of the City where the soil quality is poorer.

In order to put the Initiative on Riverbank's 2024 ballot, petitions signed by Riverbank residents must be produced from at least 10% of the currently registered voters. In this

Voters for Farmland



By Denny Jackman
Voters for Farmland

Voters for Farmland will soon turn into the City of Riverbank over 1,288 registered voter signatures for an urban limits initiative that will stop sprawl west of their city. Why? Because elected representatives have failed to plan for agriculture. City Councils have failed to recognize and

protect the best farmland surrounding their city. The Stanislaus Board of Supervisors have no laws to ensure a viable amount of high quality soils to grow the food necessary to provide for future generations. And, the Local Agency Formation Commission (LAFCO), designed to protect our citizens from poor planning, too often has results indicating that "the fox is protecting the hen house."

Where is the plan for Ag? Why are we seeing our best farmland and water recharge areas being smothered by urban sprawl? Patterson and Riverbank are clearly the front runners for cities in Stanislaus County pushing the boundaries of common sense. Where are the laws that direct cities away from our best farmlands? Where are the public workshops and planning sessions to start to stop the loss of our food generating lands? Voters for Farmland is committed to providing the opportunity to the voters within our cities to have a say about sprawl and farmland protection. It is in the best interest of voters/taxpayers to establish boundaries that direct city expansion away from our most productive lands. It is in the best interest of voters/taxpayers to budget the size of our cities so that the costs of sprawl doesn't result in massive expansion of our sewer and water systems, and thus, unnecessary rate hikes in utility bills.

We the people, voters, taxpayers will create our own "best future" when representatives do not represent our best interests.

Stanislaus County LAFCO (Local Agency Formation Commission), the agency charged with stopping the premature conversion of farmland, has hedged on committing to the long-term preservation of farmland

Who are the county's LAFCO members? There is representation by our county supervisors, mayors and one public representative. There is one alternate supervisor, mayor, and public member. A vote of three commissioners directs cities to sprawl or not.

1. Terry Withrow/Board of Supervisors*
2. Vito Chiesa/Board of Supervisors*
3. Richard O'Brien/Cities
4. Amy Bublak/Cities
5. Ken Lane/Public

Alternates

1. Mani Grewel/ Board of Supervisors*
2. Javier Lopez/Cities
3. William Berryhill/Public

*Term expires 12/31/23

If LAFCO is the agency/commission that is charged with stopping the premature conversion of farmland and open space, what is Stanislaus County's long-term plan? There isn't one. *The agricultural preservation policy established by Stanislaus County LAFCO hasn't preserved, for the long-term, one acre of farmland.*

How does that compare to other counties in Northern California?

Our neighbor to the south, **Merced County**, has **preserved over 10,000 acres** (large parcels of grazing land has helped contribute to this large number). **San Joaquin County** has **preserved 3,100 acres** of productive farmland. Further north, **Yolo County** has **preserved 20,000 acres of farmland**.

San Joaquin County, CA: Agricultural Land Mitigation Ordinance

- Mitigation is required in the form of an agricultural conservation easement that protects the same number of acres proposed to be changed to a non-agricultural use, or greater (1:1 ratio). If easement acquisition is determined to be infeasible after a good faith effort, a payment in lieu may be allowed.

Yolo County, CA: Ag Mitigation Policy

- Annexation of Prime Ag land shall not be approved unless 1:1 mitigation <20 acres/in lieu fees >20 acres/conservation easement

Stanislaus County, CA: Plan for Agricultural Preservation

- Applicants must prepare a Plan for Agricultural Preservation identifying a method or strategy to minimize agricultural impacts. The Policy includes a menu of strategies which doesn't require 1:1 mitigation and in-lieu fees.

Urban Limit Lines in the Bay Area

Alameda County: Alameda County, Dublin, Fremont, Hayward, Livermore, Pleasanton

Contra Costa County: Antioch, Contra Costa County, Danville, El Cerrito, Hercules, Martinez, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, Walnut Creek

Marin County: Marin County, Novato

Napa County: American Canyon, Napa, St. Helena, Yountville

San Mateo County: San Mateo County

Santa Clara County: Cupertino, Gilroy, Los Gatos, Milpitas, Morgan Hill, Palo Alto, San Jose

Solano County: Benicia, Fairfield, Rio Vista, Vallejo, Vacaville

Sonoma County: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, Windsor

Worth repeating —

LAFCo: The Developers' Best Kept Secret



By Eric Caine

Valley Citizen - August 7, 2012

Ask a Stanislaus County resident what LAFCo is, and there's a 99% chance you'll draw a blank look. Unfortunately, that agency has been the developers' best kept secret.

By 1959, the problems posed by urban growth were so severe that [California] Governor Edmund Brown established the Commission on Metropolitan Area Problems to recommend remedies for runaway growth and its negative effects on the environment. The Commission found that growth and jurisdiction problems in California warranted the establishment of "Local Agency Formation Commissions," or "LAFCo."

LAFCo became a reality in all 58 California counties in 1963. Today, two of its chief objectives are "To Preserve Agricultural Land Resources" and "To Discourage Urban Sprawl."

And, while all California counties have a LAFCo, the role of LAFCo in each county varies widely. In counties like Napa, Ventura, and Yolo, LAFCo has been a major force for the establishment of firm urban boundaries and the enduring preservation of farmland. In Stanislaus County, LAFCo has been rendered impotent by the Asphalt Empire and lack of media scrutiny.

The biggest impediment to LAFCo's influence is public ignorance about its existence and mandate, but a close second is the domination of its board by developers and promoters of urban expansion... At least since the late 1980s, the Stanislaus County political arena has been dominated by developers who have backed politicians who oppose urban boundaries, oppose mitigation for losses of agricultural land, and oppose adherence to the values encoded in the California Environmental Quality Act (CEQA). These politicians in turn actively seek places as LAFCo commissioners.

When [former] Stanislaus County Supervisor Jim DeMartini became a LAFCo Commissioner several years ago, he was stunned at its failure to achieve its mission. He also found there are consequences to being an outspoken advocate of farmland preservation...

DeMartini is convinced that most of the harassment he's endured has been instigated by those who oppose urban boundaries and mitigation for agricultural losses. Because he funds his own campaigns and seems uninterested in a political career as his primary occupation, DeMartini has been far harder to discourage than most politicians...

But despite his dogged determination and a work ethic that keeps him on the job long past the time when most would have given up, DeMartini hasn't been able to achieve any measure of success in getting LAFCo to fulfill its state-mandated mission...

Recently, environmental groups like the Sierra Club and Audubon Society have taken a greater interest in farmland preservation. And, DeMartini welcomes their presence, "I need all the help I can get," he says often. Nonetheless, without greater public awareness of LAFCo's failures, it's very likely to remain not only the developers' best kept secret, but one of the Asphalt Empire's greatest allies.

Update - Stanislaus LAFCO's Agricultural Preservation Policy

By Sara Lytle-Pinhey

Executive Officer, Stanislaus LAFCO

Summer 2016

Stanislaus LAFCO's Agricultural Preservation Policy was originally adopted in Sept. 2012, with a minor amendment in March 2015. We've only had a handful of applications since 2012 that have been subject to the policy. The Policy requires a city to prepare a "Plan for Agricultural Preservation" indicating a strategy that it will use to minimize the loss of ag lands.

I do not believe that any acreage has been encumbered under a conservation easement yet. This is because the requirement to acquire the easement and/or pay in-lieu fees must occur just prior to de-

velopment (typically triggered by building permit or final map recordation). There are two annexations LAFCO has approved recently that included this requirement:

For Sphere of Influence proposals, we also ask that cities prepare a Plan for Agricultural Preservation detailing their strategy for agricultural preservation. So, as an example, Riverbank's SOI included a Plan for Ag Preservation requiring 1:1 mitigation for conversions of important farmland to residential development in the proposed SOI area. The Commission would expect to see this requirement carried forth in all annexations within the proposed SOI area and, consistent with the policy, it would be required to occur prior to development. (This has the potential for conservation of hundreds of acres of ag land.)



Still **WE ARE ^ WATCHING... RIVERBANK**

Spring 2009 — City of Riverbank

www.riverbank.org

The City Council recently adopted a General Plan option that calls for development of a “Sustainable Agricultural Strategy” intended to conserve agricultural production in the Stanislaus River Watershed...” The policy is loaded with noncommittal words like should, flexibility, and intent. The option does little to reduce confusion by stating, “It is the City’s intent to use and potentially modify the Land Evaluation and Site Assessment (LESA), as amended, developed by the State Dept. of Conservation, when considering if a project will have a significant impact upon farmland resources.”

Summer 2016 —

by Jeani Ferrari

On July 27, Stanislaus County LAFCo voted on a Sphere of Influence (SOI) application from the City of Riverbank. The city requested extending its footprint by 80 percent. The vote passed unanimously. Formal annexation is the next step before LAFCo. Comments from the commissioners regarding the Riverbank vote, including public member, Brad Hawn, demonstrate the influence of developers and the distancing from the purposes of the commission. Hawn stated, “In some respects, it’s a little disingenuous when I say some other family from the Bay Area shouldn’t have the same opportunity I have.” It most certainly is not the obligation of Stanislaus County to house the workers from the Bay Area. In reflecting on this non-LAFCo issue, Hawn ignores the most important criteria of the commission. How can we protect our agricultural land, a non-renewable resource? How can we more efficiently utilize our urban inventory? These are the questions the commissioners should be addressing.

Losing sight of the commission’s purpose, Mike Van Winkle, Waterford mayor (alternate commissioner) stated, “If a farmer wants to sell his property and you put limits on where he’s going to be allowed to

sell, you’re taking away some people’s rights.” This statement and the logic associated with it has nothing to do with protecting agricultural land or promoting compact and efficient development. It’s not the role of the commission to address such issues and, indeed, it is not the role of the county to assure businesses (including agribusinesses) that their investments will be secure when they’re ready to sell. Any investment is a risk.

Stanislaus County LAFCo and the November elections are inevitably tied together. If voters elect mayors, council members and supervisors who recognize the importance of our agricultural lands, encourage compact, efficient growth for the long-term sustainability of our cities, and uphold the purposes of LAFCo, we can avoid the high cost of sprawl and protect a non-renewable resource, agricultural land, that is in short supply world-wide.

Spring 2017 — City of Riverbank

www.riverbank.org

The City continues to develop massive urban plans with western and eastern expansion. Despite an obvious distinction between the high quality prime farmland soils on the west and the lesser soils to the east, the Local Agency Formation Commission (LAFCO), approved a new SOI for Riverbank that included all the area. Upon build out the City will nearly double in size. Currently the City is 2,663 acres, expanding by 2,187 acres, to total 4,850 acres. Nearly half of that total is prime farmland going west, between Oakdale Road and Coffee Road, Claribel Road and Patterson Road. The southern boundary of the plan is the northern boundary of the SOI for the City of Modesto.

The North County Corridor is a CalTrans Hwy 108 road project that will likely separate the two cities from the west then angle up, through the expanded eastern Riverbank, to join into Hwy 120 east of the City of Oakdale.

Continued from page 1

case, the minimum number required is 1,277 and the deadline is December 19, 2023. Signature gathering is nearly complete at this time and once turned in, the City has sixty working days to complete its review and certify whether the initiative has qualified for the ballot. A similar Initiative was approved by

Stanislaus County residents several years ago which restricts the conversion of ag land to residences. If you are interested in helping with this effort, please visit our website at stoptheriverwalk.com or our Facebook page at [votersforfarmland](https://www.facebook.com/votersforfarmland). stoptheriverwalk.com



Message from the Chair

Lori Wolf

The fight to protect Wood Colony began in December 2013, unbelievably, ten years ago. At that time, the City of Modesto was updating its general plan and looking to move historic Wood Colony inside its sphere of influence. The eventuality of that — Wood Colony would be annexed into the City of Modesto and cease to exist as it has since 1869. One of the most galling comments made during the four-year fight was that this farmland was “shovel ready dirt!”

The community leapt into action and attended many City of Modesto council meetings, setting a record for having a single meeting last until almost two am. The final outcome was that Modesto maintained the existing General Plan footprint. The city is once again working on a General Plan 2050 update; citizens will need to stay vigilant if we want to protect the unique and historical Wood Colony.

Due to my participation with the Wood Colony community, I was invited to attend a Farmland Working Group Board meeting; that was February 2016. Shortly thereafter, I became a director and in 2017 I took the position of Chairperson. I’ve had the privilege of serving with some of the finest protectors of farmland that exist in Stanislaus County.

That’s what Farmland Working Group does, stays focused on planning and development in Stanislaus County. Elected officials and the wider community are kept informed of issues pertaining to land use, good or bad. Whether it’s a general plan update in one of the nine cities, issues before LAFCO or proposed land use issues, FWG has been on the front lines to protect the county’s productive farmland and promote sustainable growth. Right now, the area to the west of Riverbank, with some of the county’s best soils, is under siege by developers who want to develop a project called River Walk. Focused and energetic residents from Riverbank and the surrounding area are gathering signatures to create an Urban Limit Line that would stop development on this productive farmland.

I would like to thank my fellow Board members for my continued education in this arena. My term of office expires in spring of 2024 and I will be leaving the Board. I will continue to serve on the Wood Colony Municipal Advisory Council for two more years. Meetings are held the second Wednesday of the month at the Hart Ransom School Cafeteria at 7 pm; meetings are open to the public, please join us there! And PLEASE assist Farmland Working Group in its efforts.

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It's that time of year —
FWG asks that you Support Our Work
with an end-of-year donation.



LAFCO Commissioners,

By Denny Jackman

LAFCO Meeting - July 27, 2016

Good evening. In 30 years of my direct and indirect participation to protect our best farmland from an unrecoverable commitment to urbanization, many processes have changed. Yet one condition remains. With the exception of 300 acres, three miles west of Modesto, all farmland in Stanislaus County remains on-the-table. It does not matter if it is the most useless type of farmland or world class food producing farmland, it is on the table for urban consumption.

There are some very effective policies on the books. Yet, there are no LAFCO rules or plans that are termed or perpetual commitments to protect any land for agriculture in Stanislaus County. Every process is de-

signed to assist a better conversion plan to urbanize. Even the best plans don't specifically say "this is our best farmland, we shall protect it for future generations and the public good!" Not my own Measure E, at the county level. Not the City of Hughson 2-1 farmland mitigation. Not the LAFCO Ag preservation Policy. Measure E directs housing only into the cities. Hughson's policy charges more money to eventually go toward the purchase of farmland protection. And the LAFCO policy requires the cities to provide rationale for taking of prime farmland.

I am asking tonight that you use the tools currently at your disposal. **Don't allow any Sphere of Influence expansion upon prime farmland until you know and let all others know what land is OFF-THE-TABLE for urbanization. To do otherwise is to continue the folie that this LAFCO is responsible for farmland protection.**